

EXCERPT FROM THE MINUTES OF THE 2ND SPECIAL SESSION OF THE
SANGGUNIANG BAYAN OF MANOLO FORTICH, BUKIDNON WHICH WAS HELD AT
THE SANGGUNIANG BAYAN SESSION HALL ON FEBRUARY 29, 1996.

PRESENT:

HON. MARCELA P. GALOPE	Pro-Tempore Presiding Officer
HON. VICTORIO G. DAGUNLAY	Sangguniang Bayan Member
HON. JULIAN A. TORRES	Sangguniang Bayan Member
HON. TERESITO V. PLAMOR	Sangguniang Bayan Member
HON. HILARIO B. PAUSANOS	Sangguniang Bayan Member
HON. FE G. DONGALLO	Sangguniang Bayan Member

ABSENT:

HON. JULIANO C. LAVISORES	Municipal Vice Mayor - On Official Business
HON. DIOSDADO N. DITONA	Acting Municipal Mayor
HON. NICKARTER S. ONAHON	Sangguniang Bayan Member
HON. LEONILO G. TILAP	Sangguniang Bayan Member
HON. GEORGE S. SAROMINEZ	ABC President
	Sangguniang Bayan Member
	SK Federation Rep.

ORDINANCE NO. 96-27
(2nd Special Session)

AN ORDINANCE AMENDING ORDINANCE NO. 91-04 ENTITLED: AN ORDINANCE
PROVIDING FOR SANITARY REGULATION AND PRESCRIBING PENALTIES FOR
THEIR VIOLATION.

BE IT ORDAINED by the Sangguniang Bayan of the Municipality
of Manolo Fortich, Bukidnon in session that:

CHAPTER I

NAME AND HOUSE SANITATION

Section 1. Name

This ordinance shall be known as the Municipality of Manolo
Fortich Sanitary Ordinance.

SECTION 2. Power of entry of officials of the Local Chief
Executive or his authorized representative.

The Local chief Executive or his authorized representative
including police officer in uniform acting as sanitary inspector
may, after proper announcing the purpose of his visit, enter any
building, enclosures and grounds to inspect the sanitary
conditions, thereof, provided that under ordinary conditions,

inspections shall be done during office hours, however, in case of emergency, such as invasion or declaration of an epidemic, or other immediate danger to public health, entry may be made at any time of the day or night.

SECTION 3. Interference and false representation.

Any person who shall resist or in any way interfere with any officer, employee or agent of the Local Chief Executive or his authorized representative in the performance of HIS DUTY OR WHO SHALL IMPERSONATE OR FALSELY REPRESENT any officer, employee or agent of the said office or wear without authority uniforms or badge or insignia adopted by the personnel of the Local Chief Executive, shall be guilty of a violation of this provision.

SECTION 4. Sanitary maintenance.

It shall be the duty of the owner, agent or other person having authority over any building, public or private, as well as places, where animals are kept, tied or quartered, and any vehicle used for whatever purpose to keep the same in a sanitary and reasonably clean condition at all times, satisfactory to the Local Chief Executive.

SECTION 5. Building or premises declared in an unsanitary condition.

It shall be the duty of the owner, agent or to the persons in charge of any premises, building or places, declared to be in an unsanitary condition by the Local Chief Executive or his authorized representative to comply with any order duly issued according to the provision of this title for repairs, improvements, alterations or construction necessary to place the same in a sanitary condition within such time as may be specified in said order.

SECTION 6. Buildings and premises unfit for dwelling purpose maybe ordered vacated.

Any owner or agent of a building or premises when notified by the Local Chief Executive or his authorized representative that any room or building occupied as dwelling places had become, by reason of the number of the occupants, want of cleanliness or other causes unfit for such purpose, and a cause of nuisance or sickness to the occupants or the public shall cause of the said premises to be put in a proper condition, the sanitary officer may require the occupants to vacate the premises within such time as he may deem reasonable and the same shall not again be occupied as dwelling places without the consent in writing of the Sanitary Officer.

SECTION 7. Keeping of Pigs, cattle & poultry.

A. Definition of terms:

a. Backyard Farming - A livelihood program which involves raising minimum numbers of pigs, chicken and cattle with sanitary facilities located within the residential area duly approved by the Sanitary Inspector, Sanitary Engineer and Veterinary or Livestock personnel under the local government. Pig when used in this ordinance shall mean it has reached the age of two months or above.

B. Built-up Area - Refers to areas with at least 5 blighted residential units including subdivision housing units, schools, gymnasium, market, eateries, restaurants, camps, and other institutional buildings are mostly located.

c. Non-Built-Up Area - Refers to agricultural or farm areas with not more than 5 residential units are located within the vicinity.

d. Major Roads or Highways - Refers to any City, Provincial, National and town centers thus serve as main transportation arteries.

e. Backyard Farming for Built-Up Areas - Refers to the numbers of pigs, chicken or cattle raised for livelihood project within built-up area.

- e.1. Chicken - 1 - 30 heads
- e.2. Pigs - 1 - 3 heads
- e.3. Cattle - 0 - 1 head

f. Small Scale Farming - Refers to the number of pigs, chicken or cattle raised for livelihood project in non-built-up area.

- f.1. Poultry - 1 - 100 heads
- f.2. Piggery - 1 - 100 heads
- f.3. Cattle - 2 - 50 heads

g. Medium Scale Farming:

- g.1. Poultry - 101 - 500 heads
- g.2. Piggery - 101 - 200 heads
- g.3. Cattle - 51 - 100 heads

h. Large Scale Farming:

- h.1. Poultry - 501 - maximum heads
- h.2. Piggery - 201 - Maximum heads
- h.3. Cattle - 101 - maximum heads

B. The distance of piggery, poultry and cattle site from built-up areas shall be constructed according to the approved municipal zoning ordinance, Department of Environment and Natural Resources, Department of Health and Municipal Agricultural Office as follows:

1. 200 - 500 meters for small scale farming
2. 500 - 1000 meters for medium scale farming
3. more than a kilometer for large scale farming

The piggery, poultry and cattle site must be 500 meters away from major roads and/or highways.

C. Keeping of pigs, chicken and cattle shall only be permitted in pens kept in reasonably clean condition and free from obnoxious odor.

SECTION 8. Occupancy of new houses.

It shall be unlawful to occupy a new house or building or premises for dwelling purposes or for work without first

obtaining a permit from the Local Chief Executive through his authorized representative. This permit states that the said building has already passed the sanitary requirement and is fit for dwelling or for working purposes and the number of persons that may be allowed to live or work thereat.

SECTION 9. Drainage of premises and yards.

It shall be the duty of any owner or agent of a building or premises to provide the basement and yards of the said building or premises with adequate drainage leading to a suitable gutter and causing no nuisance to its neighborhood or the public. When the sanitation of the premises so demands, the Local Chief Executive or his authorized representative may require the kind of material that should be used for drainage and the way it should be done.

SECTION 10. Toilet Accommodations.

Every building constructed in the Rural areas whether public or private intended to be used as dwelling quarters or when persons are to be employed in any trade or business or which is to be used as a place of assembly shall be provided with a toilet accommodation sufficient for a number of people living therein, or who may be employed, occupied or assembled therein in accordance with sanitary regulations. It shall be unlawful for any owner or agent to put person/persons in possession of any building or any part thereof or permit people to be employed or occupied therein to assemble unless the same is adequately provided with toilet accommodation in accordance with the sanitary regulations.

SECTION 11. Garbage and Rubbish defined.

The word "garbage" whenever used in this title, shall include substances from animals, vegetables or plant origin, such as remnants or rejected portions of human food, dead animals weighing fourteen (14) kilos offal, the refuse of slaughterhouses including agricultural refuse such as corn cobs, rice hulls, rotten or rejected tomatoes, bell pepper fruits and other similar rejected agricultural products.

The word "rubbish", whenever used in this title, shall include waste that does not easily decay, such as papers, pastel-board, fabric matting, straw, wood, husk, cans, glasses, cinders, and the bones of animals and the other matter of similar kind.

SECTION 12. Receptacles.

It shall be unlawful for any person to deposit or keep garbage in any place or vessel other than receptacles that are watertight, fitted with tight covers, and of such construction as readily to permit handling. No garbage receptacles shall be filled to more than ten centimeters from the top thereof.

Rubbish when not mixed with garbage, shall be placed in any suitable receptacle where it may be contained with safety and without leakage or spilling. All households, business establishments must have one or more receptacles depending on the necessity other than the receptacle provided by the barangay or

SECTION 13. Disposal of garbage.

a) It shall be the duty of the occupants of the building, premises or places of business to dispose daily their garbage by burial; in case of burial, the garbage shall be covered with clean earth or sand at least one-half foot thick. Every household must construct compost pit and garbage pit to place their garbage as necessary.

b) It shall be unlawful for any person to throw any agricultural refuse of corn shells and rice mills such as corn cobs, rice hulls, and other similar kind at any place within Manolo Fortich not designated as garbage dumping areas.

c) It shall be unlawful for any person to throw garbage and rubbish at any place, street, any place along the highways, other than the designated garbage dumping area.

SECTION 14. Prohibition as to certain acts (Anti-Littering).**A. Definition of Terms:**

1. Public places - include premises such as street alleys, schools, gymnasiums, municipal and barangay halls and its premises, plazas, market premises, municipal compound and its premises, government centers and its premises, churches and its surroundings, cockpits and its surroundings, public swimming or bathing places, Bus and Jeepney terminals.

B. It shall be unlawful for any person to throw paper, fruit peels, cigarette butts, ice drop wrapper, cellophane or any refuse into any street alley and other public places where people congregate (including public swimming or bathing places, bus terminals).

C. Violation of this specific section

- a.1. First offense - ₱50.00
- a.2. Second Offense - 100.00 or imprisonment of one (1) day
- a.3. Third Offense - 500.00 or by imprisonment of 3 days or both fine and imprisonment at the discretion of the court.

**CHAPTER II
SANITARY PROTECTION OF FOODS****SECTION 15. Food handlers.**

It shall be unlawful for foodhandlers to engage in meal delivery, serving or preparation of food for public consumption without first obtaining a health certificate and sanitary permit of which physical and laboratory examinations are prerequisite such as: sputum and stool examination. Blood examination may be done to any foodhandlers as may be deemed necessary to rule out presence of hepatitis B.

Penalty for failure to comply or violation of this provision will be the non-issuance of Mayor's Permit and or fine of ₱200.00, upon the discretion of the court.

SECTION 16. Sale of deceased meat.

It shall be unlawful to sell or offer for sale the meat or other products from the body of any animals which had died of disease or from any other cause which renders it unfit for human consumption.

SECTION 17. Irrigation of garden tract.

It shall be unlawful to irrigate garden tract, vegetable and fruits with water from sewer vaults or with excrete, urine or other obnoxious substances.

SECTION 18. Unwholesome food.

No persons shall sell or expose for sale or bring to the municipality or into a market or other places in the municipality where food or foodstuff is sold, any food or foodstuff which is unfit for human consumption, to be determined by the Local Chief Executive or his duly designated representative; barangay captains and/or barangay Health Workers.

SECTION 19. Sanitary maintenance of food establishments.

a) All places and everything therein or appurtenant thereto where food or drink is manufactured, stored, kept, sold, or offered for sale, shall be kept and maintained in a clean and wholesome condition. They shall each maintain fly trap, and the sari-sari stores shall use fly swats. Newspapers shall not be used for wrapping of bread, cookies, sugar and other pre-cooked food which may be eaten without cooking unless the items are packed directly from its factory source.

b) Restaurants, catteries, cafeterias, bakeshop, snack centers, eateries and all caterers of food establishments must be screened if not airconditioned to prevent flies and mosquitoes. Likewise, owners of business establishments must provide receptacles for sputum and/or cigarette butts and lightweight refuse or garbage.

SECTION 20. Milk.

It shall be unlawful to bring unto a municipality or to sell or offer for sale any fresh milk that is not wholesome or that has been watered, adulterated, produced or changed in any respect by the addition of water or other substance or the removal of the cream provided that milk from which part of the cream has been removed may be offered for sale and sold if this fact is indicated on the container of the milk.

The term "adulterated milk" shall include a) milk containing less than twelve per centum of milk sold including fats; b) milk containing more than eighty eight per centum of water or fluid; c) milk containing less than three per centum of fats; d) milk drawn from animals within fifteen days before or five days after pasteurization; e) milk drawn from animals and of any substances in the state of fermentation, purification or any unwholesome food; f) milk drawn from animals with a disease or unhealthy condition or from which any part of the cream has been removed; g) milk from which any part of the cream has been removed; h)

milk to which has been added water or any foreign substances whatever.

SECTION 21. Tuberculin test of milk animals.

Any person or persons having in their possession or being in charge of cows and the milk which is to be sold in the municipality shall cause such cow to be subjected to tuberculin test and shall secure a certificate from a competent veterinarian showing the absence of tuberculosis infection in such cows, prior to offering such milk for sale or use in the municipality. This test must be done every year thereafter.

SECTION 22. Sanitary control of market vendors.

a. No person or group of persons shall be allowed to occupy a market stall without a permit from the Sanitary Officer. Denial of permit on account of violation of this ordinance divest the holder the privilege of occupying the said stall.

b. Market vendors are not allowed to live in the stall they occupied.

CHAPTER III WATER AND DRAINAGE/SEWERAGE SYSTEM

SECTION 23. Drainage and leakage into walls and rivers.

No person shall cause, permit or allow any sewerage, drainage, factory refuse or any foul offensive liquid or other materials to flow, leak, escape through or discharged into water or into any stream and canal within municipal limits, except in such manner and under such condition as the Local Chief Executive may approve.

SECTION 24. Well, water.

Any well, water tank or system found dangerous to public health may be ordered closed by the Local Chief Executive and no person shall take/use any water from well, water tank or system after the same has been ordered closed, a (BIG) WARNING sign must be posted in the vicinity.

SECTION 25. Sinking of wells.

It shall be unlawful to sink, dig, drive or bore well in the municipality without first obtaining a permit therefore from the Municipal Engineer who may grant the same upon the written approval of the Local Chief Executive.

SECTION 26. Water in public houses.

All hotels, restaurants, boarding houses, saloons, food stands, parlor and other public eating places shall use for drinking purposes and for the preparation of food, water taken from the Manclo Fortich waterworks faucets or distilled water or sources approved by the Local Chief Executive. All containers of water for drinking purposes shall be provided with covers and with a suitable faucet for drawing of its contents and shall at all times be maintained in a good sanitary condition.

SECTION 27. Supervision of water supply.

All public and private water supplies and sources shall be under the sanitary supervision of the Local Chief Executive.

SECTION 28. Contamination of water supply

When it shall come to the knowledge of the Local Chief Executive that any public or private source of water supply is contaminated by matter, dangerous to health, or is infected with disease or is in imminent danger of becoming thus contaminated or infected or is otherwise unfit for use, the Municipal Engineer, upon being ordered by the Local Chief Executive shall as soon as possible, remove the source of contamination.

CHAPTER IV SANITARY REGULATION OF LICENSES

SECTION 29. Sanitary regulation of license of certain places, etc.

It shall be unlawful to construct any establishments such as: hotel, boarding house, tenement house, lodging house, saloon, barbershop, hair dressing parlor, massage, cigarette and tobacco factory, bath house, laundry, dairy, livery stable, undertaking or embalming establishment, places where offensive or dangerous trade, occupation or business are or may be conducted, places of amusement or entertainment, dyeing and cleaning, establishments where food products and softdrinks are manufactured, prepared, offered for sale and all other similar establishments to maintain public vehicles, or to maintain or to engage in street peddling, tattooing or in the practice of chiropody, without a written permit from the Local Chief Executive.

SECTION 30. Revocation.

Failure to maintain the places or to practice the occupations mentioned in the last proceeding section in and manner satisfactory to the Local Chief Executive shall be sufficient cause for revocation of the permit granted and court action if any.

CHAPTER V NUISANCE

SECTION 31. List of Nuisance.

The Following shall be deemed to be nuisance.

a) Lack of drainage and ventilation: Any failure to supply or any inadequate or defective provision for drains, drain traps, ventilation pipes, subsoil drainage, or cesspool accommodations or other approved provisions for disposal of excrete.

b) Dark, ill-ventilated, damp or dilapidated building. Any building or part of the building which is so dark or dilapidated as to be dangerous or prejudicial to the health of the occupants.

c) Building infested with rats: Any building or part of the building which is infested with rats in such a manner as to endanger the public health.

d) Unsanitary conditions: Any lot or premises which are in dirty condition.

e) Foul and unhealthful places: Any tree, or any part thereof, or any water source, ditch, gutter, side channel, drain dump, ash pit, sewer, privy, latrine, urinal, or cesspool so foul as to be offensive or unlawful. Defecation and urination in public places other than designated comfort rooms and urinals.

f) Impure water: Any water source, tank, pool canal conduit, or cistern, the water of which from any cause is so tainted with impurities as to be injurious to the health of the persons living near, or using such water, or which is likely to cause or promote the spread of the disease.

g) Stables and other places for animals: Any stable, cow shed or other places for the use of animals or wherein live fish or birds are kept, if in a condition resulting prejudicially to the health of persons or of the said animals. In no case shall, the keeping of Swine in any premises in the municipality shall be permitted within 20 meters from the dwelling, or office of person other than the owner of the Swine. Stables and cow shed without covered pit for refuse is a nuisance.

h) Stagnant water, manure and refuse: Any accumulation or deposit of stagnant water, sewerage water, manure, house refuse or other matter, whenever situated, which is unhealthful or obnoxious.

i) Noxious and objectional business and trades: Any manufacturer, trade, or business of a noxious trade, and of unhealthful nature, unless previously approved by the Local Chief Executive or his duly authorized representative.

j) Noxious matters: Any noxious matter flowing or discharging from any premises, whenever situated into any public street, road or into gutter of side channel of any street or road.

k) Unhealthful cemeteries: Any cemetery or place of burial so situated or so constructed to be unhealthful.

l) Smoke: Any chimney or furnace sending forth smoke or gases in such quantity or manner as to be dangerous to the public health.

m) Keeping of animals: Any house or dwelling rendered unsanitary or offensive by keeping in it chickens or animals.

n) Depositing offensive substances in street and banks. Depositing in any street, alley, public place or stream banks of manure, hay strawfilth, offal or any offensive substances detrimental to public health.

o) Receptacles, mosquitoes and other insects breeding in: Any tank, cistern well, vault, tub, pail, jar, or can, or other receptacle or container for liquids depth in such condition as to convert it into a nuisance because of mosquito and other insects breeding therein.

p) Dead animals: Any premises wherein dead animals, other than those lawfully slaughtered for food are deposited or buried or permitted to remain longer than is reasonable, required to effect their removal. Provided, that the owner or occupants of the premises shall not be held responsible for failure to remove dead animals weighing more than thirty pounds, if it shall appear that prompt notice of the death of such furnished the most accessible police officer or station; and provided further, that provision of this section shall be construed to prevent the depositing of dead animals at the municipality crematories for cremation, nor at the factory duly licensed to make use of the dead animals on parts thereof in manufacturing items for human consumption or use.

q. Vandalism: When used in this Section shall mean the malicious or ignorant destruction of buildings, structure and properties or anything that is beautiful and artistic by making unnecessary markings or writings through the use of paint spray, plain paint, pentel pens and other marking materials.

Prohibited Acts: It shall be unlawful for any person to commit vandalism on both private and public properties within environs of Manolo Fortich, Bukidnon to preserve the beauty of properties.

r. Anti-spitting: It shall be unlawful for any person to spit in any public place, public conveyance, inside cinemas, churches, cockpits, markets, restaurants, cafeterias, eateries and other public places where people assemble or come together.

s) Other acts: Any act, commission, or thing which is or may be dangerous to life or injuries to health.

s.1. Definition of terms:

a. Public places - includes within market premises, municipal plaza and its surroundings, within the area wherein the municipal gym is constructed and its surroundings, municipal compound and its premises, government centers and its premises, within national Sayre Highway in front public offices/buildings such as schools and provincial roads near public buildings, public jeepney and bus terminal and its surroundings, churches and its surroundings, cockpit and its surroundings.

s.2. Penalty:

- | | |
|-------------------|--------------------------------------|
| a. First offense | - P50.00 |
| b. Second Offense | - 100.00 and imprisonment of 1 day |
| c. Third offense | - 500.00 and imprisonment of 5 days. |

SECTION 32. Owner's and occupant's duties.

No owner or occupant or other persons incharge of any lot, tenement house, premises or building or other place whatever, shall allow or permit any nuisance to exist in such lot, tenement house, premises or building or other place. Likewise, when the owner or occupants of the place have therein a breeding place of mosquitoes or other insects it becomes a nuisance and they are required to abate the same, they shall empty said receptacle or

container, or else provide the same with a mosquito proof cover to abate the nuisance by other means satisfactory to the Local Chief Executive or his authorized representative.

SECTION 33. Notices to persons causing nuisances.

The Municipal Engineer, upon being informed by the Local Chief Executive that a nuisance involving structural features exists shall cause a notice to be served on the person by whose act, default, or the owner, agent arises or continues, or if such person cannot be found, or the owner, agent or occupant of the premises on which the nuisance arises, requiring him after the receipt of the notice, to abate the nuisance within a reasonable time, to be specified in the notice, and to execute such work and do such things as may be necessary for the purpose, provided first, that where the nuisance arises noticed is to be served on the owner or agent, second, that where the person causing the nuisance cannot be found and it is clear that the nuisance does not arise or continue by the act, default, or sufferance of the owner or occupant of the premises, the Municipal Engineer or his agent may abate the same.

SECTION 34. Non-compliance with notice, complaints filed.

If the person on whom a sanitary order has been served has not obtained from the Municipal Engineer or his authorized representative a modification or withdrawal of notice, and continues to make default in complying with the requirement of such notice or in the case of nuisance, if the same, although abated since the service of the notice, is in the opinion of the Local Chief executive or his authorized representative is likely to recur on the same premises, the Local Chief Executive shall cause a complaint relating to non-compliance with the said notice, or to such nuisance, to be brought to the attention of the Municipal Judge.

SECTION 35. Stray animals.

a. It shall be unlawful for any person to pasture any animals within national, provincial, municipal and barangay parks, plazas, roads, cemetery, canals and roads right of way.

b. It shall be unlawful for any person to pasture any animal within the land belonging to any private person without the consent of the owner or his duly authorized representative.

c. Definition of Terms.

c.1. Animals - includes, any animal such as cow, carabao, horse, goats, sheeps, pigs, dogs, chicken, ducks, turkeys and the like.

c.2. Pasture - means the purpose of feeding said animals in said places and getting said animal after considerable length of time or with some person watching while animals are eating.

c.3. Stray - means any animal with a rope or not tied to any parts of the body that is/are going or roaming around intentionally and/or unintentionally let loosed by the owner.

c.4. Road - means any street developed or not provided it is allocated by the national, provincial, municipal or barangay government as proposed road. If developed and used, the road shall include the canals in both sides and the road right of way.

c.5. Parks, plazas and cemetery - means any piece of land allocated by the national, provincial, municipal and barangay government as such whether developed or not.

CHAPTER VI REPORTABLE OR COMMUNICABLE DISEASES

SECTION 36. Quarantine and Segregation.

For the purpose of suppressing or preventing reportable or communicable diseases, any person, premises or building may be quarantined, and the occupants of such premises or building may be segregated and such quarantine and segregation shall be in a manner and for such period as provided in the regulation promulgated by the Local Chief Executive and Bureau of health.

SECTION 37. Isolation.

Any person declared by the Local Chief Executive to have a reportable or communicable disease may be isolated in such manner and in such place as the Local Chief Executive may order.

SECTION 38. Prophylactic Immunization.

It shall be the duty of every person to submit himself to inoculation against typhoid cholera, dysentery, diphtheria and other disease having prophylactic substances approved by the director of health as often as may be required by the Local Chief Executive.

SECTION 39. Interference with the Local Chief Executive.

No person shall molest, hinder, or in any way prevent the Local Chief Executive, or any of his representatives from performing any duty prescribed by the provisions of this chapter, or from carrying out any instructions issued in pursuance thereof.

SECTION 40. Regulation of foodstuffs.

No vegetable, fruits, meats, fish, sea food, or other foodstuffs shall be kept or sold or offered for sale contrary to any sanitary regulation or order. Whenever any vegetables, fruits, meat, fish, sea food, or other foodstuff are declared by the Local Chief Executive to be unsafe for human consumption or a menace to the public health such vegetables, fruits, meat, fish, seafood, or to other foodstuffs, shall be confiscated and destroyed in the presence of the owner or policeman and other witnesses in a manner prescribed by the Local Chief Executive.

SECTION 41. Conveyance to be disinfected.

No public or private conveyance, used to carry any person suffering from plague, cholera or any other reportable or

communicable diseases shall be used again until it has been disinfected in a manner satisfactory to the Municipal Health Officer.

SECTION 42. Schools.

No person shall permit any pupil affected with a communicable disease to attend any public or private school. Person in charge of such school shall report to the Municipal Health Office or his authorized representative, immediately, any case or suspected case of such disease which has come to his knowledge. They shall not permit such pupils to return to any school without written permission from the Office of the Municipal Health Officer or from duly licensed medical practitioners.

SECTION 43. Duty of Parents.

It shall be unlawful for parents, guardians and all other persons having charge of children attending any public or private school to permit or allow said children to attend school during the time in which a case of plague, cholera, diphtheria, poliomyelitis or other communicable disease exists in the residence or building clearance must be obtained from the Medical Health Officer.

SECTION 44. Leprosy

Any person suffering from leprosy found in the municipality shall be subject to the rules and regulations of the Bureau of Health, and any duly authorized official may arrest or cause to be arrested any person who is known as, or reported to be a leper and deliver such person to the nearest station of the Municipal Health Department of the Bureau of Health.

CHAPTER VII

DISPOSAL OF THE DEAD, BURIAL, TRANSFER AND EXHUMATION

SECTION 45. Death Certificate.

Whenever any person shall die in the municipality, a certificate of death shall be furnished to the Civil Registrar in the municipality by the Physician in attendance and it shall be the duty of the Municipal Health Office or his duly authorized representative to furnish such certificate.

SECTION 46. Contents of death certificate, autopsies.

Every certificate of death shall be written in ink on a form prescribed by the Bureau of Health and shall be forwarded to the Office of the Municipal Health Office within twenty four hours, such death except in case of death from cholera, small pox, plague, glanders, leprosy or anthrax, in which even a notification of such death to the office of the Municipal Health Officer by the person issuing the death certificate and the required certificate of death shall be sent within twelve hours thereafter. No person shall knowingly make, sign or deliver any certificate of death as in this chapter provided when the statements thereof are not in accordance with the true facts, whenever the Municipal Health Officer suspects that a person had

died on a disease different from that certified to by the attending physician and believes an autopsy is necessary, notice of the time and place where such autopsy is to be held shall be sent to the attending physician.

Every physician shall have the right to witness autopsy and know all the investigations made upon a corpse, where the diagnosis he made has ~~been~~ doubted.

SECTION 47. Deaths from unknown cause under suspicious circumstance.

Whenever it shall come to the knowledge of any person or persons that any human being died from causes unknown under suspicious circumstance, it shall be the duty of such person or persons to notify the office nearest the police station who shall immediately notify the Office of the Local Chief Executive or his authorized representative.

SECTION 48. Burial Permits.

It shall be unlawful to bury or remove for internment or burial elsewhere, or to cremate, dispose of any human body or remains of a dead person without a permit from the Local Chief Executive or the Director of Health.

SECTION 49. Presentation of Burial Permits.

No caretaker or other person having charge of a cemetery, burial ground or crematory, shall assist in burial or cremation to be made until a permit from the Municipal Health Officer or the Director of Health authorizing the same has been presented to him.

SECTION 50. Burial permit when null and void.

Any permit for burial, internment, disinterment or investigation shall be null and void after a period of forty eight hours has elapsed from the time of the issuance of said permit.

SECTION 51. Time allowed for burial.

No dead body shall remain unburied and unembalmed for a period longer than forty eight hours after death even in cases of legal investigation.

When it has been certified or known that any person died with a reportable or communicable disease, the body of such person shall be buried within twelve hours after death unless a long period is authorized by the Director of Health or his authorized representative.

SECTION 52. Conveyance of the dead, permit for.

No dead body or part of a dead body of any human being shall be carried or conveyed from into or through the municipality by any person or by means of any vessel, car, hearse, litter or other means as issued by the Local Chief Executive provided that nothing in this section shall be constructed to prohibit the

immediate conveyance of the body of any person with a certificate of death duly accomplished in accordance with this ordinance who died from other than a reportable or communicable disease, by a registered undertaker or embalmer, from the place of death to an undertaker's establishment within the municipality for the purpose of preparing the body for burial or shipment.

SECTION 53. Embalming: duty of undertaker.

No undertaker or other person shall embalm any dead without a death certificate, and said embalmer must ascertain, before such embalming takes place that there are no facts attending the illness and death of person which would make an autopsy unnecessary.

SECTION 54. Containers for removal of the dead.

No person shall remove into, or out of, or through the municipality the body or remains of any human being unless such body or remains is closed in coffin of a type approved by the Local Chief Executive.

SECTION 55. Inspection of places or disposition of the dead.

All morgues, receiving vaults, and place for embalming the dead, all burial grounds or cemeteries, crematories, and other places for the disposition of the dead, shall be subjected at all hours to such inspection as the Local Chief Executive may deem necessary.

SECTION 56. Unlawful burials.

It shall be unlawful for any person to bury or cause to be buried a dead body of any human remains in any place except in authorized burial ground or cemetery or in any special case allowed by the Local Chief Executive provided that it won't jeopardize the interest of the general public.

SECTION 57. Persons charged with duties or burial.

The duty of burying the body of the deceased shall devolve upon the person herein after in this section specified.

a) If the deceased was a married man or woman, the duty of the burial shall devolve upon the surviving spouse.

b) If the deceased was a unmarried man or woman, or child, the duty of burial shall devolve upon the nearest kin of the deceased if they be adults, within the Philippines, and has the possession of sufficient means to defray the necessary expenses. Nothing contained in this section shall be construed to charge the liability of the estate of the deceased for the ultimate payment of expenses, the purpose and intent of this section being to fix the immediate duty of burial and without respect of the ultimate liability or expense thereof.

SECTION 58. Failure to bury.

Any person upon whom the immediate duty of burial of dead body is imposed by law who omits to perform the duty within forty

eight hours after death having ability to do so, shall upon conviction thereof, be punished as in this ordinance provided, and shall lose his right of custody of the dead body which the Municipal Treasurer shall bury at once upon order of the Health Officer.

SECTION 59. Custody of dead bodies.

Any person charged by law with the duty of burying the body of a deceased person is entitled to the custody of such body for the purpose of burying it, except as provided in the section immediately preceding and when all inquest is required by law for the purpose of determining the cause of death or in the case of death with a reportable or communicable disease.

SECTION 60. Births, report of.

Every physician, midwife or other person who shall attend to assist the birth of any child within the municipality shall report such birth on a form furnished by the Health Officer within thirty days from the date of birth of such child.

SECTION 61. Statistical Information.

For the purpose of securing statistical information, any records relating to vital statistics kept by an institution in the municipality shall be accessible to any duly authorized officer or representative of the Health Officer provided that the person seeking such information must do so in writing.

CHAPTER IX PUBLIC SWIMMING AND BATHING PLACES

Definition of Terms. The following terms shall be construed in the same indicated unless the context of a particular provision clearly indicates a different sense.

a. Resort - a place to which people go often or generally, esp. one for rest or recreation, as on vacation.

b. Swimming pool - a pool of water used for swimming, esp. an artificially created pool or tank; either indoors or outdoors.

c. Life guard - a person whose duty is to save people from drowning.

d. Shower Bath - a bath in which the body is sprayed with fine streams of water from a perforated nozzle, usually fixed overhead.

e. Swimsuit - a garment worn for swimming, a bathing suit.

f. Periodic Water Examination - Water from existing sources is subjected to bacteriological examination as often as possible but the interval shall not be longer than 6 months while chemical examination shall be conducted every 12 months or often-
er.

SECTION 62. General Provisions and Prohibitions

- a. It is hereby mandated that swimmers or bathers undergo a cursory physical check-up and have a shower bath before going into the swimming pools.
- b. Persons swimming or bathing shall wear appropriate and clean bathing attire or swimsuit.
- c. It shall be unlawful for any person who have reached the age of reason to urinate, spit, defecate nor bath during heavy menstruation into the swimming pools.
- d. It shall also be prohibited to bring and bath dogs and other pets nor wash clothes in the swimming pools.

SECTION 63. Protection of Bathers/Swimmers

- a. Enforcement of correct sanitary measures and practices for persons swimming or bathing to prevent the spread of communicable diseases.
- b. Regular examination of personnel working in the resort for the presence of any infectious or communicable diseases.
- c. Provide enough trained life guards to avoid drowning case.
- d. Maintenance of strict sanitary condition of toilets, shower bath and dressing rooms and conduct periodic examination and replacement of the water from the swimming pools as often as necessary.

SECTION 64. Penal Clause.

Any person found violating Section 3 of this Ordinance shall be subject to the following penalty;

- a. 1st Offense - P 50.00
- b. 2nd Offense - 100.00
- c. 3rd Offense - A fine of P200.00 and/or imprisonment of five days at the discretion of the court.

CHAPTER X

VIOLATION

SECTION 65. Penalty.

Any person who shall violate any provision of any section or part of this ordinance other than the specified penal clause of Section 14, Section 31 and Section 64, made in pursuance of law, shall upon conviction thereof be punished by a fine of not more than one thousand (P1,000.00) pesos or by imprisonment of 5-10 days or both, upon the discretion of the court, for its offense.

**CHAPTER XI
CONFLICT AND EFFECTIVITY**

SECTION 66. Conflict.

All other previous Municipal Ordinances which are in conflict with any section of this ordinance are hereby repealed.

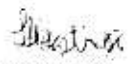
SECTION 67. Effectivity.

This ordinance shall take effect 10 days after approval.


This Ordinance was passed and approved on motion of Hon. Fe G. Dongallo and Hon. Hilario E. Pausanos duly seconded by all of those present.

APPROVED: March 20, 1996

CERTIFIED CORRECT:


LYDIA O. LASTIMOSA
Municipal Secretary

CETIFIED AND ATTESTED TO BE DULY
ENACTED ON MARCH 20, 1996:


MARCELA P. GALOPE
Pro-Tempore Presiding Officer
Sangguniang Bayan Member

APPROVED:

JOHNNY C. ALBARECE
Municipal Mayor