

# **AN ACT ORDAINING THE HEALTH AND SANITATION CODE OF BATANGAS CITY AND FOR OTHER PURPOSES**

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# TABLE OF CONTENTS

SECTION 1. TITLE .....	1
<b>CHAPTER I</b> <b>GENERAL PROVISIONS</b>	
SECTION 2. DEFINITION OF TERMS .....	1
SECTION 3. SCOPE .....	1
SECTION 4. FUNCTIONS OF THE CITY HEALTH OFFICER .....	1
SECTION 5. HEALTH CERTIFICATE .....	2
SECTION 6. IMPLEMENTING RULES AND REGULATIONS .....	3
<b>CHAPTER II</b> <b>WATER SUPPLY</b>	
SECTION 7. DEFINITION OF TERMS .....	3
SECTION 8. WATER EXAMINATION .....	3
SECTION 9. REQUIRED EXAMINATION .....	3
SECTION 10. EXAMINING LABORATORIES .....	3
SECTION 11. CERTIFICATION OF POTABILITY .....	3
SECTION 12. PROHIBITED ACTS .....	4
SECTION 13. PENALTY .....	4
<b>CHAPTER III</b> <b>FOOD ESTABLISHMENT</b>	
SECTION 14. DEFINITION OF TERMS .....	4
SECTION 15. SANITARY PERMIT .....	5
SECTION 16. NON-TRANSFERABILITY OF SANITARY PERMIT .....	5
SECTION 17. RECORD OF SANITARY PERMIT .....	5
SECTION 18. HEALTH CERTIFICATE .....	5
SECTION 19. FOOD HANDLERS .....	5
SECTION 20. QUALITY AND PROTECTION OF FOOD .....	5
SECTION 21. GENERAL STRUCTURAL REQUIREMENTS .....	6
SECTION 22. TOILET AND WASHING FACILITIES .....	9
SECTION 23. WATER SUPPLY .....	9
SECTION 24. DISPOSAL OF REFUSE .....	10
SECTION 25. VERMIN CONTROL .....	11
SECTION 26. EQUIPMENT AND UTENSILS .....	11
SECTION 27. WASHING OF UTENSILS .....	12
SECTION 28. BACTERICIDAL TREATMENT .....	12
SECTION 29. HANDLING OF WASHED UTENSILS .....	12
SECTION 30. STORAGE OF WASHED UTENSILS .....	12
SECTION 31. DRY STORAGE OF NON-PERISHABLE FOODS .....	13
SECTION 32. REFRIGERATED STORAGE OF PERISHABLE FOODS .....	13
SECTION 33. FOOD SERVICING OPERATIONS .....	14
SECTION 34. PROHIBITED USE OF FOOD-SERVICE SPACES .....	14
SECTION 35. EVALUATION OF FOOD ESTABLISHMENT .....	15
SECTION 36. SPECIAL PROVISIONS .....	16
SECTION 37. RESPONSIBILITY OF THE LOCAL HEALTH AUTHORITY .....	17
SECTION 38. PENALTIES .....	17
<b>CHAPTER IV</b> <b>MARKETS AND ABATTOIRS</b>	
SECTION 39. PRESCRIBED STANDARDS OF CONSTRUCTION .....	18
SECTION 40. RESPONSIBILITY OF THE CITY HEALTH OFFICER .....	18
SECTION 41. RESPONSIBILITY OF LOCAL GOVERNMENT AND PRIVATE OPERATORS .....	18



<b>CHAPTER V</b>	
<b>PUBLIC LAUNDRY</b>	
SECTION 42. SANITARY PERMIT .....	19
SECTION 43. HEALTH CERTIFICATE .....	19
SECTION 44. GENERAL REQUIREMENTS .....	19
SECTION 45. SPECIAL REQUIREMENTS .....	19
<b>CHAPTER VI</b>	
<b>SCHOOL SANITATION AND HEATH SERVICES</b>	
SECTION 46. DEFINITION OF TERMS .....	20
SECTION 47. THE PHYSICAL ENVIRONMENT .....	20
SECTION 48. THE EMOTIONAL ENVIRONMENT .....	21
SECTION 49. HEALTH SERVICES .....	21
SECTION 50. REQUIREMENTS FOR SPECIAL SCHOOLS .....	21
SECTION 51. REQUIREMENTS FOR TEACHING AND NON-TEACHING PERSONNEL .....	22
<b>CHAPTER VII</b>	
<b>INDUSTRIAL HYGIENE</b>	
SECTION 52. DEFINITION OF TERM .....	22
SECTION 53. SANITARY REQUIREMENTS .....	22
SECTION 54. RESPONSIBILITY OF THE CITY HEALTH OFFICER .....	23
SECTION 55. RESPONSIBILITIES OF THE EMPLOYER AND EMPLOYEES .....	24
SECTION 56. ENVIRONMENTAL PROVISIONS .....	24
SECTION 57. PERSONAL PROTECTIVE EQUIPMENT .....	25
SECTION 58. HEALTH SERVICES .....	26
<b>CHAPTER VIII</b>	
<b>PUBLIC SWIMMING OR BATHING PLACES</b>	
SECTION 59. SANITARY PERMIT .....	26
SECTION 60. PROTECTION OF CUSTOMERS .....	26
SECTION 61. RESPONSIBILITY OF THE CITY HEALTH OFFICER .....	27
<b>CHAPTER IX</b>	
<b>REST AREAS, BUS TERMINALS, BUS STOPS AND SERVICE STATIONS</b>	
SECTION 62. GENERAL PROVISIONS .....	27
<b>CHAPTER X</b>	
<b>CAMPS AND PICNIC GROUNDS</b>	
SECTION 63. GENERAL PROVISIONS .....	28
<b>CHAPTER XI</b>	
<b>DANCING SCHOOLS, DANCE HALLS AND NIGHT CLUBS</b>	
SECTION 64. GENERAL PROVISIONS .....	28
SECTION 65. SPECIAL PROVISIONS .....	29
<b>CHAPTER XII</b>	
<b>TONSORIAL AND BEAUTY ESTABLISHMENTS</b>	
SECTION 66. DEFINITION OF TERMS .....	29
<b>CHAPTER XIII</b>	
<b>MASSAGE CLINICS AND SAUNA BATH ESTABLISHMENTS</b>	
SECTION 67. DEFINITION OF TERMS .....	30
SECTION 68. SANITARY PERMIT .....	30
SECTION 69. SANITARY REQUIREMENTS .....	30
SECTION 70. PERSONNEL .....	31

<b>CHAPTER XIV</b>	
<b>HOTELS, MOTELS AND APARTMENTS, LODGING, BOARDING, OR TENEMENT HOUSES, AND CONDOMINIUMS</b>	
SECTION 71. DEFINITION OF TERMS .....	32
SECTION 72. GENERAL PROVISIONS .....	33
SECTION 73. SPECIAL PROVISIONS .....	33
<b>CHAPTER XV</b>	
<b>PORT AND VESSEL SANITATION</b>	
SECTION 74. PORT SANITATION .....	34
SECTION 75. VESSEL SANITATION .....	34
SECTION 76. APPLICATION OF THE QUARANTINE ACT OF 2004 .....	34
<b>CHAPTER XVI</b>	
<b>VERMIN CONTROL</b>	
SECTION 77. DEFINITION OF TERMS .....	34
SECTION 78. GENERAL REQUIREMENTS .....	35
<b>CHAPTER XVIII</b>	
<b>REFUSE DISPOSAL</b>	
SECTION 79. DEFINITION OF TERMS .....	35
SECTION 80. RESPONSIBILITY OF THE CITY GOVERNMENT .....	35
<b>CHAPTER XIX</b>	
<b>NUISANCES AND OFFENSIVE TRADES AND OCCUPATIONS</b>	
SECTION 81. DEFINITION OF TERMS .....	35
SECTION 82. TYPES OF NUISANCES .....	36
SECTION 83. RESPONSIBILITIES OF OWNERS, MANAGERS OR OPERATORS .....	36
<b>CHAPTER XX</b>	
<b>POLLUTION OF THE ENVIRONMENT</b>	
SECTION 84. APPLICATION OF THE BATANGAS CITY E-CODE .....	37
<b>CHAPTER XXI</b>	
<b>DISPOSAL OF DEAD PERSONS</b>	
SECTION 85. DEFINITION .....	37
SECTION 86. BURIAL GROUNDS .....	37
SECTION 87. BURIAL REQUIREMENTS .....	38
SECTION 88. DISINTERMENT REQUIREMENTS .....	39
SECTION 89. FUNERAL AND EMBALMING ESTABLISHMENTS .....	39
SECTION 90. LICENSING AND REGISTRATION PROCEDURES .....	40
SECTION 91. AUTOPSY AND DISSECTION OF REMAINS .....	41
SECTION 92. DONATION OF HUMAN ORGANS FOR MEDICAL, SURGICAL AND SCIENTIFIC PURPOSES .....	42
SECTION 93. USE OF REMAINS FOR MEDICAL STUDIES AND SCIENTIFIC RESEARCH .....	42
SECTION 94. SPECIAL PRECAUTIONS FOR SAFE HANDLING OF CADAVERS CONTAINING RADIOACTIVE ISOTOPES .....	42
SECTION 95. RESPONSIBILITY OF THE CITY HEALTH AUTHORITY .....	43
SECTION 96. RESPONSIBILITY OF THE CITY HEALTH OFFICER .....	43
SECTION 97. RESPONSIBILITY OF LOCAL GOVERNMENT .....	44
SECTION 98. PENAL PROVISIONS .....	44
<b>CHAPTER XXII</b>	
<b>FINAL PROVISIONS</b>	
SECTION 99. PENAL PROVISION .....	44
SECTION 100. SEPARABILITY CLAUSE .....	44
SECTION 101. REPEALING CLAUSE .....	44
SECTION 102. EFFECTIVITY .....	45





Republic of the Philippines  
BATANGAS CITY

Office of the Sangguniang Panlungsod

Tel. No. 723-2175

ORDINANCE NO. 16 S. 2018

AN ACT ORDAINING THE HEALTH AND SANITATION CODE OF  
BATANGAS CITY AND FOR OTHER PURPOSES

WHEREAS, the Constitution declares that the state shall protect and promote the right to health of the people and instill health consciousness among them;

WHEREAS, the General Welfare Clause of the Local Government Code of 1991 provides, among others, that every local government unit shall promote health and safety of its inhabitants;

WHEREAS, the Batangas City Government puts to the fore the health of its people and acknowledges that a progressive city is characterized by healthy and health-conscious people living in an environment which is conducive to healthful life and governed by authorities who respect as paramount the right to health of its people;

NOW THEREFORE, be it ordained by the Sangguniang Panlungsod in session assembled:

SECTION 1. TITLE. - This ordinance shall be called "The Health and Sanitation Code of Batangas City".

CHAPTER I  
GENERAL PROVISIONS

SECTION 2. DEFINITION OF TERMS. - Whenever any of the following words or terms is used in this Ordinance, it shall have the meaning or definition herein provided:

- a. **City Health Officer** - the City Health Officer of Batangas City/Department Head of the City Health Office of Batangas City
- b. **Code** - the Health and Sanitation Code of Batangas City
- c. **Department** - the Department of Health
- d. **Engineer** - a sanitary engineer
- e. **Local Health Authority** - the City Mayor of Batangas City
- f. **Local Health Board** - the Batangas City Health Board
- g. **Regional Director** - the director of the Regional Health Office
- h. **Secretary** - the Secretary of Health

SECTION 3. SCOPE. - This Code shall be enforced within the territorial jurisdiction of the City of Batangas.

SECTION 4. FUNCTIONS OF THE CITY HEALTH OFFICER. The City Health Officer shall have the following powers and functions:

- a. Supervise the personnel and staff of the City Health Office, formulate program implementation guidelines, rules and regulations for the operation of the said office for the approval of the City Mayor in order to assist him in the efficient, effective and economical

implementation of health services program, projects and activities.

- b. Formulate measures for the consideration of the Sangguniang Panlungsod and provide technical assistance and support to the City Mayor in carrying out activities to ensure the delivery of basic services and provision of adequate facilities relative to health services;
- c. Develop plans and strategies, and upon approval thereof by the City Mayor, implement the same, particularly those which have to do with health programs and projects;
- d. Advise the City Mayor and the Sangguniang Panlungsod on matters pertaining to health;
- e. Execute and enforce all laws, ordinances and regulations relating to public health;
- f. Recommend to the Sanggunian the passage of ordinances or amendment thereof as he may deem necessary for the preservation of public health;
- g. Recommend the prosecution of any violation of this Code or of any health laws, ordinances or regulations;
- h. Direct the sanitary inspection of all business establishments selling food items, or providing accommodation such as hotels, motels, lodging houses, resorts, spa, and other similar establishments, in accordance with this Code;
- i. Issue health certificates and sanitary permit;
- j. Conduct health information campaign;
- k. Coordinate with other government agencies and non-governmental organizations involved in the promotion and delivery of health services;
- l. Be in the frontline of the delivery of health services, particularly during and in the aftermath of man-made and natural disasters and calamities; and
- m. Exercise such other powers and perform such other duties and functions as may be prescribed by law ordinance;

**SECTION 5. HEALTH CERTIFICATE** - A Health Certificate shall be required for all persons applying to work, working or employed in any establishment covered by this Code. The Health Certificate shall either be EHS Form No. 102-A, cream in color, or EHS Form No. 102-B, light green in color, and shall be issued by the City Health Officer. The Health Certificate shall be renewed at least once a year or as often as may be required by ordinance or regulations issued by the Local Health Board.



The Health Certificate shall be clipped visibly in the upper left front portion of the uniform or garment worn by the employee while working. When such condition is not practical due to the nature of the work in the establishment, the Health Certificate shall be made available upon inspection.

Health certificates are non-transferrable.

**SECTION 6. IMPLEMENTING RULES AND REGULATIONS.** - The City Mayor, through the Local Health Board, may promulgate rules and regulations for the proper implementation and enforcement of the provisions of this Code. However, the non-promulgation of the IRR shall not forestall the implementation of this Code.

## **CHAPTER II WATER SUPPLY**

**SECTION 7. DEFINITION OF TERMS.** - As used in this Chapter, water supply/source shall mean the provision of water by public utilities commercial organizations, community endeavors or by individuals, usually via a system of pumps and pipes.

**SECTION 8. WATER EXAMINATION.** - Bacteriological, Physical and Chemical examinations of drinking water shall be mandatory and shall be made regularly in accordance with the criteria set by the Philippine National Drinking Water Standards. The treatment of drinking water and the disinfection of contaminated water sources and their distribution system shall be in accordance with the standards set by the Department of Health.

**SECTION 9. REQUIRED EXAMINATION.** - The following examinations are required for drinking water:

- a. **Initial Examination.** - The physical, chemical, and bacteriological examinations of water from newly-constructed systems or sources are required before they are operated and opened for public use. Examination of water for possible radio-active contamination should also be done initially.
- b. **Periodic Examination.** - Bacteriological examination shall be done on water from existing sources with the interval of not more than six (6) months. General systematic chemical examination shall be conducted every twelve (12) months or oftener. Examination for possible radio-active contamination shall be conducted yearly on water sources.

**SECTION 10. EXAMINING LABORATORIES.** - The examination of water samples as provided above shall be conducted only by government or private laboratories accredited by the Department of Health.

**SECTION 11. CERTIFICATION OF POTABILITY.** - Operators of water systems or sources shall secure a certification of water potability from the City Health Officer before distribution of water for public use, and periodically thereafter. The City Health Officer shall determine thru proper regulation the period

of securing the Certification of Water Potability. No water system or source shall operate without a Certification of Water Potability duly issued by the City Health Officer. The City Health Officer may refuse to issue such Certificate when the standards, procedures, and requirements set by law and proper regulation are not complied with.

**SECTION 12. - PROHIBITED ACTS.** - The following acts are prohibited:

- a. Washing of clothes or bathing within a radius of 25 meters from any source of drinking water;
- b. Construction of artesian, deep, or shallow well within 25 meters from any source of pollution;
- c. Storage of radio-active materials within a radius of 25 meters from any source of drinking water;
- d. Physically connecting a public water supply system or its distribution system with any other water supply unless the latter has secured a certification of water potability and its own system duly passed the examination provided under Section 8 hereof;
- e. Installing a booster pump to boost water direct from the water distribution line of a water supply system, where low water pressure prevails;
- f. All other acts similar to the foregoing

**SECTION 13. PENALTY.** - Any person who commits any of the prohibited act herein provided shall be fined an amount not less than P 1,000.00 but not more than P5,000.00 or imprisonment of not more than one (1) year or both, at the discretion of the court. If the offense is committed by a firm, corporation, partnership or other juridical entity, the chief executive officer, president, general manager, or person-in-charge shall be held liable for the offense.

### **CHAPTER III FOOD ESTABLISHMENT**

**SECTION 14. DEFINITION OF TERMS.** - As used in this Chapter, the following terms shall mean:

- a. **Food establishment** - any establishment where food or drinks are manufactured, processed, stored, sold or served.
- b. **Substantial health hazard** - a chemical or substance sufficient in amount for which there is statistically significant evidence based at least one study conducted in accordance with established scientific principles that acute or chronic health effects may occur in exposed individuals.



**SECTION 15. SANITARY PERMIT.** - Any person or entity operating a food establishment for public patronage shall secure a sanitary permit from the City Health Office.

The City Health Officer shall prescribe by proper regulation or policy the criteria, procedure, and requirements for the issuance of Sanitary Permit. He may refuse to issue, withhold, or council/revoke a Sanitary Permit when the conditions obtaining in the applicant warrant such refusal, withholding, or cancellation/revocation.

**SECTION 16. NON-TRANSFERABILITY OF SANITARY PERMIT.** - A sanitary permit issued to a food establishment is non-transferable. Should there be a change in the ownership of the same business, the new owner shall apply from the City Health Office to have the change in ownership noted in the records and on the Sanitary Permit Certificate already issued to the food establishment. However, should there be a substantial change in the nature and operation of the food establishment, the new owner shall apply for a new Sanitary Permit as required by this Code.

**SECTION 17. RECORD OF SANITARY PERMIT.** - The City Health Office shall keep a record of all establishments which have been issued a sanitary permit and renewals thereof.

**SECTION 18. HEALTH CERTIFICATE.** - All employees or workers in any food establishment shall secure health certificate from the City Health Officer. The owner, operator, or proprietor of the food establishment shall require all persons employed or working in his establishment to submit health certificate issued by the City Health Officer as a requisite of employment. The Health Certificate shall be issued by the City Health Officer to qualified applicants after proper physical and medical examinations are performed.

**SECTION 19. FOOD HANDLERS**

- a) No person shall be employed in any food establishment without a health certificate issued by the City Health Officer.
- b) Food Handlers shall at all time:
  - i. Wear clean working garments. The Cook shall wear prescribed caps, employees caps, or hairnets and proper cover for the mouth.
  - ii. Observe good personal hygiene.
  - iii. Wash their hands thoroughly with soap and water and dry them with a clean or disposable towel or a suitable hand-drying device immediately before working, or after visiting the toilet.

**SECTION 20. QUALITY AND PROTECTION OF FOOD.** - Operators of food establishments must, at all times, ensure that the food and/or beverage manufactured, processed, stored, sold or served in their establishment are safe for consumption. Standards to



preserve and maintain the quality and fitness for consumption of food and beverage must be strictly complied with, which include, but are not limited to the following:

- a. Meat, meat products, and fish shall be procured from sources approved and duly licensed by local authorities, and must have passed meat inspection procedures prescribed by law or ordinance;
- b. No meat products, fish, vegetables, fruits, and other food or drink shall be procured from sources or areas known to have been affected by radioactivity, animal disease epidemics, fish kill, red tide, or any hazardous agricultural or farming condition;
- c. Milk and milk products shall be obtained from sources approved by national or local authorities;

**SECTION 21. GENERAL STRUCTURAL REQUIREMENTS.** - Food establishment structures must conform with the requirements under the National Building Code of the Philippines, particularly those which refer to site requirements, fire protection, light and ventilation and sanitation. Structures shall be provided with adequate and potable water supply, plumbing installation and suitable waste water treatment or disposal system, storm water drainage, pest and vermin control, noise abatement device and such other measures required for the protection and promotion of health. The pertinent provisions of environmental laws that are applicable shall likewise be fully complied with.

Spaces or rooms which at anytime is used as sleeping quarters, or toilet, or where any animal is kept; or which is used for any purpose which would likely contaminate food, or otherwise affect its cleanliness, cannot be used for food preparation or food service.

Persons not directly connected with food preparation shall not be allowed to stay in areas where food are prepared, or in any manner use the area for purposes other than food preparation.

The specific structural requirements provided for food establishments under the Sanitation Code of the Philippines (PD 586) are hereby adopted and reproduced as integral part of this Code, as follows:

**a. FLOORS**

- i. Constructed of concrete or other impervious and easily cleaned material that is resistant to wear and corrosion and shall be adequately graded and drained; all angles between the floors and walls shall be rounded off to a height of not less than 3 inches (7.62 cm.) from the floor; or
- ii. Constructed of wood with dovetailed or tongue and grooved floor boards laid on a firm foundation and



tightly clamped together with all angles between the floor and walls rounded off to a height of 3 inches (7.62 cm.); or

- iii. Constructed in accordance with the requirements of sub-clause (i) and (ii) and covered with linoleum, smooth surfaced rubber or similar material fixed to the floor with cement or suitable adhesive; Provided, that with the approval in writing of the local authority, floors may be covered with carpets or other floor covering in those parts of the premises where such carpets or coverings can be satisfactory cleaned and maintained.

**b. WALLS**

- i. The internal surface of walls shall have a smooth, even, non-absorbent surface capable of being readily cleaned without damage to the surface and constructed of dust-proof materials;
- ii. The walls, where subject to wetting or splashing, shall be constructed of impervious, non-absorbent materials to a height of not less than 79 inches (2 meters) from the floor;
- iii. The internal walls shall be painted in light colors or treated with such other wall finish as the health authority may prescribe

**c. CEILINGS**

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

**d. LIGHTING**

- i. The general standards of illumination provided shall permit effective inspection and cleaning and shall be of sufficient intensity appropriate to the purpose for which any room or place is used;
- ii. In rooms where food is prepared or packed or in which utensils or hands are washed there shall be a minimum illumination intensity of 20 foot-candles; in premises where food is consumed, there shall be a minimum illumination intensity of 5 foot-candles. Intensities of illumination shall be measured at a point 30 inches (76.20 cm.) above the floor;
- iii. All lighting shall be reasonably free from glare and distributed so as to avoid shadows;

- iv. At other areas or working surfaces, the illumination shall be of such intensity as may be required by the health authority.

e. **VENTILATION**

- i. Ventilation shall be provided which shall be effective and suitable to maintain comfortable condition;
- ii. The ventilation shall be adequate to prevent the air from becoming excessively heated, prevent condensation and the formation of excess moisture on walls, ceilings and for the removal of objectionable odors, fumes and impurities;
- iii. In the absence of effective natural ventilation, mechanical ventilation with airflow from a clean area, and discharging in such a manner as not to create a nuisance, shall be provided;
- iv. Canopies, air ducts, fans or other appliances shall be provided as required by the health authority in particular circumstances;
- v. Effective provision shall be made for securing and maintaining a reasonable temperature;

f. **OVERCROWDING**

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

g. **CHANGE ROOMS**

There shall be provided adequate and suitable lockers or other facilities for the orderly storage of clothing and personal belongings of employees or persons engaged or employed in the premises. Such facilities shall be so situated and arranged so that there is no contamination of food by contact with clothing and where the number of persons engaged or employed is four or more of either sex, there shall be provided separate changing rooms for each sex.

h. **WASH-HAND BASINS**

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



- ii. If required in writing by the City Health Officer an additional wash-hand basin shall be installed as near as practicable to the toilet facilities: Provided, that the wash-hand basins specified in this Code need not be installed in premises where only food in sealed containers is sold: and, Provided, further, that wash-hand basins specified in this regulation shall be installed under specifications of the National Plumbing Code of the Philippines.

#### **i. WASH-HAND BASIN MAINTENANCE**

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

### **SECTION 22. TOILET AND WASHING FACILITIES**

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

### **SECTION 23. WATER SUPPLY**

- a. The water supply shall be adequate and potable whether from a public or from a private water supply system. The quality of water used shall be in accordance with the Philippine National Standards for Drinking Water.
  - i. All water sources shall have a Certificate of Potability of Drinking Water issued by the City Health Officer as recommended by the sanitary engineer.
  - ii. A minimum of forty (40) liters per capita per day shall be maintained.

- b. Hot and cold running water, under adequate pressure, shall be provided in all areas where food is prepared, processed or handled and where food equipment and utensils are washed. Water pressure shall be maintained at 1.41 kpscm (20 psi).
- c. Drinking water if not supplied from a piped water supply system to the food establishment shall be handled, transported, dispensed in a sanitary manner and may be stored in a separate tank, reservoir or container approved by the City Health Officer.
- d. Bottled and packaged potable drinking water shall be handled, stored and protected from contamination. The bottled drinking water shall come from approved source in accordance with Department of Health Administrative Order No. 18-A, S. 1993 and dispensed from the original container filled by the supplier. It is prohibited to serve the bottled water already poured in drinking glasses of customers.
- e. Water used for steam process which have contact with food or food contact surfaces shall be free from any materials or additives other than those specified by the Department of Health.
- f. Ice shall come from ice plants with Sanitary Permit or shall be made from water meeting the requirement of these rules and regulations. Ice making machine shall be located, installed, operated and maintained properly to prevent contamination of the ice.
- g. Ice shall be handled, transported, stored and dispensed in such a manner as to be protected against contamination. During deliveries, it shall not be placed in the ground or any filthy surfaces without protection. Ice shall be dispensed in measured quantities from an approved ice maker dispensing unit. Adequate and acceptable ice storage and dispensing utensils shall be provided and properly used.
- h. Handles, chains and other contaminating items shall not come in contact with ice.

#### SECTION 24. DISPOSAL OF REFUSE

- a. Refuse cans may be used in food-preparation areas for immediate use only.
- b. Storage refuse cans, filled and empty, shall be in a designated space separate from food-handling operations.
- c. These cans shall be constructed and maintained as to be vermin-proof and easily cleaned.
- d. Cans containing refuse shall be tightly covered at all times, except during actual use in food handling areas.



- e. Holding bins may likewise be used, provided they are constructed of impervious, readily-cleaned materials, and fitted with tight-fitting covers.
- f. Where refuse cans are used, a space separated from the food-handling spaces and adjacent to the refuse can storage space shall be provided for cleaning them. This space shall be equipped with scrubbing-brushes, cleansing agents, steam or hot water under pressure, and a hose fitted with adjustable nozzle.

#### SECTION 25. VERMIN CONTROL

There shall be instituted an effective vermin control. Vermin is a group of insects or small animals such as flies, mosquitoes, cockroaches, fleas, lice, bedbugs, mice, and rats which are vectors of diseases.

- a. Spaces where food and drinks are stored, prepared and served shall be so constructed and maintained as to exclude vermin.
- b. All opening which connect spaces to the outer air shall be effectively protected with screen of non-corrosive wire 16-mesh or finer. Door screens shall be tight-fitting.
- c. A vermin abatement program shall be maintained in the establishment by their owners, operators, or administrators. If they fail, neglect or refuse to maintain a vermin abatement programs, the City Health Officer will undertake the work at their expense.
- d. During deratting or disinfecting operations, all foodstuffs, utensils, food preparation and cleaning equipment shall be covered to protect them from toxic chemical substances.
- e. Vermin control in public places shall be the responsibility of the City Government.
- f. The procedure and frequency of vermin abatement program shall be determined and approved by the City Health Officer.

#### SECTION 26. EQUIPMENT AND UTENSILS

- a. Equipment and utensils shall be so designed, fabricated and installed so that cleaning is easy and they do not pose health hazards.
- b. Lead-soldered containers and cadmium-lined piping and fixtures shall not be used.
- c. Surfaces that come into contact with food or drinks shall be constructed of materials that are impervious, corrosion-resistant, non-toxic, easily cleanable, durable and resistant to chipping.

- d. Sliding doors on cabinets shall be easily cleanable and removable. Runners shall be allotted at the ends to permit removal of dust and debris. The bottom shelves of open-based fixtures shall be removable to facilitate inspection, cleaning and maintenance.

#### **SECTION 27. WASHING OF UTENSILS**

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

#### **SECTION 28. BACTERICIDAL TREATMENT**

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

- a. Immersion for at least half a minute in clean hot water at a temperature of at least 170°F (77°C);
- b. Immersion for at least one minute in a lukewarm chlorine solution 50 ppm;
- c. Exposure in a steam cabinet at a temperature of at least 170°F (77°C) for at least 15 minutes at a temperature of 200°F (90°C) for at least 5 minutes;
- d. Exposure in an oven or hot-air cabinet at a temperature of at least 180°F (82°C) for at least 20 minutes; or
- e. Any other method approved by the Local Health Authority.

#### **SECTION 29. HANDLING OF WASHED UTENSILS**

- a. Washed utensils shall be allowed to drain dry in wire racks without use of drying cloths, or shall be stored in a self-draining position to permit ready air-drying.
- b. The drying cloth on which to store dishes and utensils temporarily after bactericidal treatment should be clean and changed frequently.

#### **SECTION 30. STORAGE OF WASHED UTENSILS**

- a. They shall be stored in a clean and dry place adequately protected against vermin and other sources of contamination.



- b. Cups, bowls, and glasses, shall be inverted for storage.
- c. When not stored in closed cupboards or lockers, utensils and containers shall be covered or inverted whenever practicable. Utensils shall not be stored on the bottom shelves of open cabinets below the working top level.
- d. Racks, trays and shelves shall be made of materials that are impervious, corrosion-resistant, non-toxic, smooth, durable and resistant to chipping.
- e. Drawers shall be made of the same materials and kept clean. Felt-lined drawers are not acceptable, but the use of clean and removable towels for lining drawers is acceptable.

#### **SECTION 31. DRY STORAGE OF NON-PERISHABLE FOODS**

Non-perishable foods shall be stored in the following manner:

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

#### **SECTION 32. REFRIGERATED STORAGE OF PERISHABLE FOODS**

Perishable foods shall be stored in the following manner:

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

not larger than 2°F (1°C). Sufficient shelving shall be provided to prevent stocking and to permit adequate ventilation and cleaning.

### SECTION 33. FOOD SERVICING OPERATIONS

These operations should be in accordance with the following requirements:

- a. Hand contact with food or drink shall be avoided; finger shall not be used to serve butter, ice, or similar items of food. Sugar shall be served in covered dispensers or containers, or in packages wrapped for single service.
- b. The surface of containers and utensils, including glasses and table wares, which come in contact with food and drink shall not be handled.
- c. Disposable cups, plates, spoons and other single-service containers and utensil shall be purchased in sanitary cartons and stored in a clean, dry place until used. These articles shall be so handled on removal from the carton that the hand does not touch the surface which will be in contact with food or drink.
- d. Clean cloths, napkins, spoons, towels and other equipment shall be stored in clean places designated specifically for them. Soiled linens, including towels, aprons and coats, shall be stored in a closed bin or locker, suitably marked.
- e. Spoons, spatulas, dippers and scoops used intermittently for dispensing frozen desserts shall be kept in running water or in water maintained at 170°F (77°C) and frequently changed, or they may be washed and stored in a dry place after each use. Constant-temperature bottles and other containers used for potable water and other beverages shall be kept clean and given effective bactericidal treatment before and after subsequent use.
- f. The use of plastic or Styrofoam, straw for food serving operation is prohibited in accordance with the Batangas City E-CODE.
- g. Compliance with the relevant provisions of Republic Act No. 10611, "An Act to Strengthen the Food Safety Regulatory System in the Country to Protect Consumer Health and Facilitate Market Access of Local Foods and Food Products, and For Other Purposes", otherwise known as the Food Safety Act of 2013, is hereby mandated.

### SECTION 34. PROHIBITED USE OF FOOD-SERVICE SPACES

- a. Food-service spaces shall not be used as living or sleeping quarters.
- b. Clothing or personal effects shall be kept in lockers or in designated places away from food service spaces.



- c. No animal or live fowls shall be allowed in such spaces.
- d. Persons not directly connected with food preparation and serving shall not be allowed to stay in food-serving spaces.
- e. Foods in storage or in preparation must not be handled by anyone other than the preparation and serving staff.

**SECTION 35. EVALUATION OF FOOD ESTABLISHMENT** - It shall be the duty of the City Health Officer to cause an inspection and evaluation of every food establishment requiring a permit for its operations, at least every six months and shall cause as many additional inspections and re-inspections and evaluation as are necessary for the enforcement of the provision of this Chapter.

During the inspection or evaluation carried out at least every six months, the inspector shall record his findings on an inspection form provided for the purpose and shall furnish the original of such report to the holder of sanitary permit, the manager or occupier of the premises. Demerits entered in the appropriate column inspection forms shall indicate that the item does not, in the opinion of the inspector, comply with the requirements of this regulation. Within 48 hours of the inspection or evaluation, the original of the inspection report shall be furnished the holder of the permit certificate, the manager or occupier of the food establishment. Whenever an inspection form issued indicates non-compliance items relating to any particular type of premises, the inspector shall notify the holder of the sanitary permit, the manager or occupier of the correction to be made and indicate a reasonable period for its compliance.

Should there be findings of non-compliance with the requirements set forth in this Code, the City Health Officer shall conduct a re-inspection of the establishment, giving the manager/occupier thereof time to comply.

If upon re-inspection after the deadline, the inspector finds the correction has not been effected, the Health Officer shall revoke the sanitary permit. A copy of the inspection form and any notices served shall, in all cases, be filed and kept by the City Health Office and be available at all reasonable time for inspection by any officer of the Department of Health.

- a. **Service of Notice.** Whenever an inspection or evaluation report form indicates non-complying items, the City Health Officer may cause to be served on the holder of the permit, the manager or occupier a notice requiring him, within the time stated in the notice, to take such remedial action as may be specified therein. In the event within the time stated in the notice, hereinafter called the first notice, the terms of the first notice are not complied with, the City Health Officer may cause to be served on the holder of the permit, the manager or occupier a second notice calling on him to show cause, at a time and place stated in the notice, why the permit

issued in respect of the food establishment should not be revoked.

- b. **Revocation of Permits.** After prior notice and hearing as provided above, the City Health Officer, if satisfied that the terms of the two notices have not been complied with or that the failure to comply therewith is not excusable, shall revoke the said permit.
- c. **Summary Suspension of Permits.** Whenever the City Health Officer finds unsanitary or unhealthy conditions in the operation of a food establishment which in his judgment constitute a substantial hazard to the public health, the Health Officer may suspend the permit.
- d. **Protection of Food.** Notwithstanding the other provisions of this regulation relating to the issuance of permits, every person who is engaged in the sale of food or in the manufacture, preparation, storage, packing or delivery of food for sale protect such food from contamination.

#### **SECTION 36. SPECIAL PROVISIONS**

##### **a. Groceries or "Sari-sari" Stores**

- 1. No grocery or sari-sari store shall be established within a distance of 25 meters from any source of contamination .
- 2. All foods which require no further cooking before they are eaten shall be protected from contamination while in counters or showcases.

##### **b. Bakeries**

- 1. Delivery trucks and carts of bakery products shall always be kept clean and sanitary.

##### **c. Dairies**

- 1. No dairy shall keep unhealthy or infected cows, carabaos or goats for the production of milk or feed them unwholesome food which produces impure or unwholesome milk.
- 2. No animals used for the production of milk shall be allowed to graze on land which has been contaminated by radioactivity.
- 3. No dairy shall sell unwholesome milk that has not been previously pasteurized or otherwise sterilized.

##### **d. Ice Plants**

- 1. Only potable water shall be used in the manufacture of ice.



2. In storing and transporting ice intended for public consumption, precautionary measures shall be taken to protect the ice from sources of contamination.

**e. Ambulant Food Vendors**

1. These vendors shall sell only bottled food drinks, biscuits and confectionaries.
2. It is prohibited for food vendors to sell food that requires the use of utensils.

**f. Fish Marketing Areas**

1. Only fresh and wholesome fish products shall be sold.
2. Fish caught in radioactive zones as well as in areas contaminated by toxic substances or high in mercury count as determined by the City Health Officer shall be condemned and not be allowed for public consumption.
3. The selling, distribution and buying of fish caught through the use of explosives and chemicals are prohibited.

**SECTION 37. RESPONSIBILITY OF THE LOCAL HEALTH AUTHORITY.**

The Local Health Authority shall:

- a. Make periodic inspections to enforce the maintenance of adequate sanitation in food establishments and their premises;
- b. Take samples of food and drink from any establishments or vendor as often as necessary to determine if there are unwholesome, adulterated, or contaminated by radioactivity;
- c. Prevent the sale or condemn and destroy food and drinks if these are found unfit for human consumption;
- d. Seal and prohibit the use of devices, utensils, containers, vehicles, machines, piping and appurtenances if in his opinion they are unsanitary; and
- e. Enforce the provisions of this Chapter and the rules and regulations promulgated by the Secretary of Health.

**SECTION 38. PENALTIES.** Any person who commits any of the prohibited acts herein provided shall be fined an amount not less than P 1,000.00 but not more than P5,000.00 or imprisonment of not more than one (1) year or both, at the discretion of the court. If the offense is committed by a firm, corporation, partnership or other juridical entity, the chief executive officer, president, general manager, or person-in-charge shall be held liable for the offense.

CHAPTER IV  
MARKETS AND ABATTOIRS

**SECTION 39. PRESCRIBED STANDARDS OF CONSTRUCTION.** - The construction of markets and abattoirs shall conform to standards prescribed by the Department of Health and the National Meat Inspection Service (NMIS). These standards shall be set along the following guidelines:

1. Suitability of site in so far as elimination of nuisance condition and prevention of contamination are concerned.
2. Availability of ample water supply for cleaning;
3. Accessibility of adequate drainage facilities;
4. Durability of construction to protect vendors and customers from any hazard and exposure to the elements; and
5. Facilities for sanitation maintenance, such as cleaning and elimination of harborages of vermin.

**SECTION 40. RESPONSIBILITY OF THE CITY HEALTH OFFICER**

**a. On Markets**

1. Make periodic inspections to ascertain the maintenance of adequate sanitary conditions of markets and their premises;
2. Coordinate with the City Market Administrator for the enforcement of the provisions of this Code in relation to the use and maintenance of market stalls.

**b. On Abattoirs**

Coordinate with the City Market Administrator the following:

1. Maintenance of adequate sanitation in abattoirs and their premises;
2. Enforcement of the requirements on the examination of meat as provided in existing laws;
3. Supervision of the sanitary disposal of all abattoir wastes; and
4. Enforcement of the prescribed standards for the method of slaughtering, the techniques of dressing and the storing, handling and transporting procedures.

**SECTION 41. RESPONSIBILITY OF LOCAL GOVERNMENT AND PRIVATE OPERATORS.** - Local government and private operators in charge of public or private markets and abattoirs shall employ an adequate number of personnel to ensure their efficient operation and hygienic maintenance.



**CHAPTER V**  
**PUBLIC LAUNDRY**

**SECTION 42. SANITARY PERMIT.** - No public laundry shall operate without a sanitary permit from the City Health Officer or his duly authorized representative. As used in this Chapter, a public laundry is a laundry established and operated for commercial purposes, open to the public, and not to an exclusive clientele.

**SECTION 43. HEALTH CERTIFICATE.** - All employees or workers in any public laundry shall secure health certificate from the City Health Officer in accordance with Section 5 of this Code.

**SECTION 44. GENERAL REQUIREMENTS.** - The construction and operation of a public laundry shall be governed by the following requirements:

**a. Structural Requirements**

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

**b. Sanitary Requirements**

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

**SECTION 45. SPECIAL REQUIREMENTS.** - The following requirements shall be enforce:

- a. All articles to be laundered coming from hospitals and infected sources shall be treated by exposure to a sufficient quantity of hot water detergents or by other effective means of disinfection.

- b. All linen, bed clothes, pajamas, towels, bed sheets, pillow cases, etc. that have come in contact with any form of radioactivity should be isolated in a certain area and monitored by Radiation Safety Personnel before sending these articles for laundry. If any amount of radioactive contamination is found, the affected article should be set aside and the radioactivity allowed to completely decay before said article is sent for laundry.
- c. All articles for delivery to the laundry shall be kept in containers which shall be kept closed until the articles are removed at the laundry.
- d. Laundry vehicles shall be kept clean and sanitary at all times.
- e. A separate room shall be used solely for receiving, sorting, marking or handling unwashed articles.
- f. Diapers must be protected from pathogenic organisms and from chemical substances which are irritating to the skin of the infant. Laundered diapers for delivery shall be packed in sealed sanitary containers.

## CHAPTER VI SCHOOL SANITATION AND HEALTH SERVICES

**SECTION 46. DEFINITION OF TERMS.** - As used in this Chapter, the following terms shall mean:

- a. **Emotional Environment** - factors which affect the emotional health of students and members of the faculty.
- b. **Physical Environments** - the school plant, grounds and facilities.
- c. **School** - an institution of learning which may be public, private or parochial.
- d. **Special School** - a school which utilizes cadavers, plants, animals, bacterial and viral cultures for studies and research.

**SECTION 47. THE PHYSICAL ENVIRONMENT.** - In the design and construction of the school plant, the following factors shall be considered:

- a. **Site traffic hazards** - are to be avoided but not to the point of sacrificing accessibility to public transportation. It shall be distant from sources of nuisances.
- b. **Grounds** - the acreage shall be large enough to permit playgrounds, athletic fields and school gardens.



- c. **Building** - Preferably it shall be constructed of strong and durable materials and designed along functional lines. For the prevention of fire hazards, the requirements of the local fire department shall be observed. Sufficient ventilation shall be provided. Wall and ceiling finishes should be chosen so as to give optimum lighting with minimum glare. Artificial lighting with louvered fluorescent or incandescent fixture shall be used to supply a minimum lighting of 25 foot-candles in the darkest corner. For flooring, suitable materials shall be used which will give maximum durability without creating a slippery surface.
- d. **Sanitary Facilities** - The School population shall be provided with potable water; sewage and waste disposal system shall conform to the requirements prescribed by law and ordinance.

**SECTION 48. THE EMOTIONAL ENVIRONMENT.** - For the promotion of emotional health of the school population the following requirements shall be observed:

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

**SECTION 49. HEALTH SERVICES.** - Trained personnel and adequate facilities should be available so that students may be afforded the following health services:

- a. Periodic physical and medical examination;
- b. Periodic immunization;
- c. Medical and dental treatment;
- d. Treatment for common emergencies; and
- e. Counseling and guidance.

**SECTION 50. REQUIREMENTS FOR SPECIAL SCHOOLS**

- a. Cadavers shall be stored in morgues and dissected in dissecting rooms, all of which shall be constructed and maintained in accordance with standards prescribed by the Department.
- b. Poisonous or harmful plants and animals shall be kept in adequate and a secured areas.

- c. Viral and bacterial cultures shall be kept in laboratories under standard security laboratory measures.
- d. Schools utilizing radioactive materials or sources for study or research should closely conform to the requirements and guidelines given by the Radiation Health Office and the Philippine Atomic Energy Commission concerning radiation protection.

**SECTION 51. REQUIREMENTS FOR SCHOOL TEACHING AND NON-TEACHING PERSONNEL** - All employees or workers performing their employment or work in the school premises, whether teaching or non-teaching personnel, shall comply with the following requirements:

- a. Teaching and non-teaching personnel shall undergo annual, physical, medical and dental check-up;
- b. No person shall be employed in any school without first securing a health certificate (EHS Form 102-A, B) from the City Health Officer. Health Certificates are non-transferrable and shall be renewed annually.
- c. The health certificates of employees working in food outlets or establishments within the school shall be clipped visibly in the upper left front portion of the uniform while working.

## **CHAPTER VII INDUSTRIAL HYGIENE**

**SECTION 52. DEFINITION OF TERMS.** - As used in this Chapter the following terms shall mean:

- a. **Maximum concentration** as used in this Chapter means the amount of atmospheric contaminant which can be tolerated by man for continuous daily exposure with no impairment of health or well-being either immediate or after a long period of exposure.
- b. **Radio-active contamination** means the deposition of, or presence of radioactive substances on surfaces or within solids, liquids or gases, where their presence is unintended or undesirable.

**SECTION 53. SANITARY REQUIREMENTS FOR OPERATING AN INDUSTRIAL ESTABLISHMENT.** - The following sanitary requirements shall be applicable to industrial establishments:

- a. No person, firm, corporation, or entity shall operate any industrial establishment without first obtaining a sanitary permit from the City Health Officer.
- b. Industrial establishments shall be allowed to operate only in places or zones assigned for the kind of industry by the City Zoning and Land Use Ordinance and other related policies.



- c. Adequate potable water supply shall be provided to employees.
- d. Sewage disposal shall be by means of the city sewerage system whenever possible. If no city sewerage system exists it shall be done in accordance with the provisions of the Batangas City Environment Code. Adequate and conveniently located toilet and bath facilities shall be provided for each sex.
- e. All wastes incident to the operation of the industrial plant shall be collected, stored or disposed of in a manner to prevent health hazards, nuisances, and pollution. Where a city collection and disposal system exists, it should be utilized.
- f. An abatement program for the control of vermin shall be maintained.
- g. Adequate restrooms and mass halls shall be provided for employees.
- h. All places of employment and all workrooms, including machinery and equipment, shall be kept clean and sanitary.

**SECTION 54. RESPONSIBILITY OF THE CITY HEALTH OFFICER. -**  
The City Health Officer, in accordance with the issuance and directives of the Secretary of Health, shall:

- a. Furnish a list of maximum concentration of atmospheric contaminants as a guide in appraising health hazards and in evaluating control measures.
- b. Recommend to the Department of Health amendment or alteration of concentration values whenever necessary.
- c. Recommend other concentrations of short intermittent duration capable of causing acute impairment of health.
- d. Recommend control of other contaminants known or believed to be capable of causing impairment of health but not included in the list already issued by the Department of Health.
- e. Recommend control measures to eliminate transmission of infectious disease through processing or handling of industrial products or wastes.
- f. Recommend illumination standard values and order their review at regular intervals to alter or amend values when indicated.
- g. Require compliance to the measures prescribed by the Department of Health to effectively and adequately control any possible radioactivity to which workers may be exposed while on their job.

- h. Require compliance to the control measures prescribed by the Department of Health to reduce noise and pollution.
- i. Require compliance with Occupational Safety and Health Standards implemented by the Department of Labor by the Industrial Establishment.

**SECTION 55. RESPONSIBILITIES OF THE EMPLOYER AND EMPLOYEES.**

The following are the responsibilities of the employer and employees in industrial establishments:

**a. Employers responsibility:**

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

**b. Employee responsibility**

- 1. Observe strictly protective control measures which are prescribed; and
- 2. Use equipment provided them properly.

**SECTION 56. ENVIRONMENTAL PROVISIONS.** - The environmental provisions enumerated hereunder for the protection of the health of workers are applicable to all industrial establishments:

**a. Control at atmospheric contaminants**

- 1. Workers shall not be exposed to atmospheric contaminants hazardous to health.
- 2. Control of atmospheric contaminants shall be accomplished by methods approved by the Secretary or his duly authorized representatives or other government authority.

**b. Control of infectious agents**



1. Control measures shall be provided to eliminate or control the transmission of infectious diseases through processing or handling of industrial products or wastes.

c. **Control of possible sources of radiation hazards** should be carried out under the supervision of the Radiation Health Officer or his authorized representative.

d. **Noise**

Control measures shall be provided to reduce intensity of noise sufficiently to render it harmless to workers and to eliminate it at its source as a nuisance by following the recommendations of the City Health Officer.

e. **Illumination**

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

f. **Ventilation**

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

**SECTION 57. PERSONAL PROTECTIVE EQUIPMENT.** - The following requirements shall be applicable for personal protective equipment.

- a. Personal protective equipment and/or protective barriers shall be provided whenever substances, radiations or mechanical irritants are encountered in a manner capable of causing any pathological change or injury or impairment in functions of any part of the body through skin and/or mucous membrane absorption.

- b. Personal protection equipment which shall include respiratory protectors and other accessories shall be fitted to each exposed worker when necessary.
- c. X-ray film badges or pocket decimeters should be worn by workers who, during their course of work are unavoidably exposed to even a small amount of radiation.
- d. Supervisors and employees shall familiarize themselves with the use, proper sanitary care and storage of this equipment.

**SECTION 58. HEALTH SERVICES.** - Medical services shall be provided to all employees in accordance with existing laws and the rules and regulations prescribed by the department.

#### **CHAPTER VIII PUBLIC SWIMMING OR BATHING PLACES**

**SECTION 59. SANITARY PERMIT.** - No public swimming and bathing places shall be operated for public use without a sanitary permit issued by the Secretary or his duly authorized representative.

**SECTION 60. PROTECTION OF CUSTOMERS.** - To protect the health and safety of persons who use them the department shall promulgate:

**a. Rules and regulations concerning:**

- 1. Correct sanitary practices for persons swimming or bathing to prevent the transmission of communicable diseases;
- 2. Correct sanitary procedures for personnel working in those places to maintain their adequate sanitation and cleanliness of accessories used by customers;
- 3. Adequate number of trained personnel and necessary equipment needed for life-saving and rescue work;
- 4. Post conspicuous signs to warn the public of the presence of artificial or natural hazards; and

**b. Standards and criteria concerning:**

- 1. Sanitary structural requisites for swimming pools and bath houses to prevent pollution of their waters and to facilitate sanitation maintenance;
- 2. Sanitary structural standards for appurtenances, such as toilets, shower baths and dressing rooms to eliminate the risk of infection;



3. Methods of determining the sanitary quality of water, particularly that which is used in swimming pools; and
4. Criteria to be used in the limitation of swimming or bathing loads of swimming pools in accordance with the type of water treatment applied.

**SECTION 61. RESPONSIBILITY OF THE CITY HEALTH OFFICER.** The City Health Officer concerned shall:

1. Inspect the state of sanitation of public swimming or bathing places;
2. Ascertain if their personnel are examined regularly for the presence of any infections or contagious disease;
3. Enforce rules and regulations of the Department under this Chapter; and
4. Recommend to the City Mayor the revocation of their permits when it is deemed necessary for the protection of public health.

#### **CHAPTER IX REST AREAS, BUS TERMINALS, BUS STOPS AND SERVICE STATIONS**

**SECTION 62. GENERAL PROVISIONS.-** Rest areas, bus terminals, bus stops and service station areas with one or more permanent shed, buildings and service facilities for motor vehicles shall be provided with sanitary facilities for the convenience and personal necessities of the travelling public.

- a. Rest areas, bus terminals, bus stops and service stations shall be established with ample area to prevent overcrowding of motor vehicles and travelers.
- b. These areas shall be provided with adequate ventilation and lighting and away from sources of nuisance.
- c. Safe and adequate water supply shall be provided in accordance with the provisions of Chapter II of this Code.
- d. Excreta and sewage collection and disposal shall be provided in accordance with the provisions of appropriate laws and ordinance.
- e. Refuse collection and disposal shall be in accordance with the provisions of the Batangas City E-Code.
- f. Adequate number of comfort rooms shall be provided as well as auxiliary facilities therefor.
- g. Waiting sheds for commuters shall be of adequate size to comfortably accommodate a minimum of thirty (30)

persons. Floors shall be of smooth concrete finish and adequate sitting facilities provided for.

- h. Sale of foodstuffs in those establishments shall be done in conformity with the provisions of Chapter III of this Code.

## CHAPTER X CAMPS AND PICNIC GROUNDS

**SECTION 63. GENERAL PROVISIONS.** - No camps and picnic grounds shall be open for public patronage without a sanitary permit issued by the City Health Officer.

- a. Camps and picnic ground sites shall not be subject to flooding, must be well drained, distant from any source of nuisance and will not endanger sources of any public water supply.
- b. Camp and picnic houses shall be provided with adequate lighting and ventilation. Where tents are used flooring shall be at least 4 inches above the ground.
- c. Adequate and safe drinking water shall be available at all times in accordance with the provisions of Chapter II of this Code.
- d. Adequate number of sanitary facilities shall be provided.
- e. Sewage disposal shall be in accordance with appropriate laws and ordinance.
- f. The storage, preparation and serving of food shall be in accordance with Chapter III of this Code.
- g. Refuse cans shall be provided at strategic points in the ground area provided with tight fitting cover. A regular collection service shall be maintained. Refuse disposal shall be in accordance with the provisions of the Batangas City E-Code.
- h. Camps and picnic grounds shall at all times be maintained clean, free from litter and accumulated rubbish.
- i. A program on Vermin Control shall be made in accordance with Chapter XVI of this Code.

## CHAPTER XI DANCING SCHOOLS, DANCE HALLS AND NIGHT CLUBS

**SECTION 64. GENERAL PROVISIONS.** - The following provisions are applicable to dancing schools, dance halls and night clubs:



- a. These establishments shall be operated and opened for public patronage only when a sanity permit is issued by the City Health Officer.
- b. These establishments and their premises shall be kept clean and sanitary at all times.
- c. Patrons shall be provided with adequate potable water and toilet facilities in accordance with standards prescribed by this Code.
- d. There shall be no private rooms or separate compartments for public use except those used for lavatories, dressing rooms, bars and kitchens.

**SECTION 65. SPECIAL PROVISIONS.** - The following provisions are applicable in cases herein specified:

**a. For dancing schools**

No person shall be employed as a dancing instructor or instructress without first securing a health certificate from the City Health Officer.

**b. For dance halls and night clubs**

1. No person shall be employed as hostess or cook or bartender or waiter without first securing a health certificate from the local health authority.
2. The storage, preparation and serving of food and drinks shall be in accordance with the provisions prescribed in Chapter III of this Code.

**CHAPTER XII  
TONSORIAL AND BEAUTY ESTABLISHMENTS**

**SECTION 66. DEFINITION OF TERMS.** - As used in this Chapter, the term "Tonsorial and Beauty Establishments" include barber shops, beauty parlors, hairdressing and manicuring establishments and figure slendering salons.

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

1. A sanitary permit shall be procured from the local health authority before their operation.
2. They shall be maintained clean and sanitary at all times.
3. No person shall be employed to service customers without a health certificate issued by the City Health Officer.

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

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

**CHAPTER XIII**  
**MESSAGE CLINICS AND SAUNA BATH ESTABLISHMENTS**

**SECTION 67. DEFINITION OF TERMS.** - As used in this Chapter the following terms shall mean:

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

**SECTION 68. SANITARY PERMIT.** - No person or entity shall operate a massage clinic and/or a sauna bath establishment without first securing a sanitary permit from the City Health Officer.

**SECTION 69. SANITARY REQUIREMENTS.** - The following requirements shall be enforced:

**a. Massage Clinic**

1. The reception and office rooms shall be properly lighted and ventilated.



2. Every massage room shall be adequately ventilated, provided with a sliding curtain at the entrance and equipped with a suitable and clean massage table.
3. Sanitary and adequate hand washing, bath and toilet facilities shall be available.
4. Customers shall be provided with soap, clean towels, sanitized rubber or plastic slippers. They shall be required to take a thorough bath before massage.
5. Masseur and masseur attendant shall wash their hands with soap and water before and after massaging a customer.
6. The establishment and its premises shall be maintained clean and sanitary at all times.

**(b) Sauna Bath Establishment**

1. The reception and office rooms shall be properly lighted and adequately ventilated.
2. The sauna bath room shall be properly lighted, provided with thermometers, and maintained clean and sanitary at all times.
3. Sanitary and adequate hand washing, bath and toilet facilities shall be available.
4. Customers shall be provided with soap, clean towels and sanitized rubber or plastic slippers.

**SECTION 70. PERSONNEL.** The following requirements shall be enforced:

**(a) Masseur**

1. The person must have a certificate as a registered masseur.
2. He must possess an up-to-date health certificate issued by the City Health Officer.
3. The person shall wear a clean working garment when attending to customers or when supervising massage clinic attendants.

**(b) Massage Clinic Attendant**

1. The person shall be properly registered and authorized by the City Health Officer to work as massage clinic attendant after compliance with the following requirements:
  - a. The satisfactory completion of a training course or study given by a government office,

school or hospital, which is duly authorized and recognized by the Department; and

- b. Up-to-date health certificate issued by the City Health Officer to include STI (Sexually Transmitted Infection) clearance secured from any government clinic or hospital.
2. Person must wear clean working garments when attending to customers.

**(c) Sauna Bath Attendant**

1. Attendant must possess an up-to-date health certificate issued by the City Health Officer.
2. The person must wear clean working garments when attending to customers.

**CHAPTER XIV**

**HOTELS, MOTELS AND APARTMENTS, LODGING, BOARDING, OR  
TENEMENT HOUSES, AND CONDOMINIUMS**

**SECTION 71. DEFINITION OF TERMS.** - As used in this Chapter, the following terms shall mean:

- a. **Apartment House** - a building containing a number of separate residential suites.
- b. **Boarding House** - a building where selected persons for fixed periods of time are supplied with and charged for sleeping accommodations and meals.
- c. **Condominium** - a building with one or more storeys composed of multi-unit residential suites under joint ownership of occupants, each unit provided with complete sanitary facilities, utilities and other amenities.
- d. **Establishments** - a collective term construed to include items (a) to (g).
- e. **Hotel** - a building where transient guests are received and are supplied with and charged for meals, lodging and other services.
- f. **Lodging House** - a building where persons are supplied with and charged for sleeping accommodations only.
- g. **Motel** - a roadside hotel for motorists, usually consisting of private cabins.
- h. **Tenement House** - a building or portion thereof which is leased or sold to an occupied as residence by four or more families doing their cooking within the premises but living independently of one another although having a common right in the use of halls, stairways, terraces, verandas, toilets, and baths.



**SECTION 72. GENERAL PROVISIONS.** - The following are required for the establishments defined in the preceding Section.

- a. No establishment shall be operated and opened for public patronage without a sanitary permit issued by the City Health Officer.
- b. Any extension or additional construction in an establishment shall require a sanitary permit before it could be operated.
- c. All establishments shall provide their patrons with adequate water supply, toilet and bath facilities in accordance with standards prescribed in this Code.
- d. Establishments and their premises shall be kept clean and sanitary at all times.
- e. Periodic insect and vermin control measures shall be undertaken to eradicate vectors of diseases.
- f. Animals, fowls and pets shall be housed in appropriate kennels or cages separate from living quarters.
- g. No person shall be employed in establishments without first procuring a health certificate from the City Health Officer.

**SECTION 73. SPECIAL PROVISIONS.** - The following provisions are applicable.

**a. Hotels and Motels**

1. The storage, preparation and serving of food to customers shall be in accordance with the standards prescribed in Chapter III of this Code.
2. Customers shall be provided with clean linen such as bed sheets, pillow cases, towels and napkins.
3. When rooms or cabins are vacated, their toilets or baths shall be sanitized and clean and fresh linen shall be provided before the room or cabin is rented for occupancy.

**b. Condominium.** The following conditions are applicable:

1. The choice for sites should consider availability of bus and taxi transportation services.
2. Nearness to place of work, schools, police stations and clinics.
3. Availability of low-cost goods.
4. Parking facilities and playgrounds for children.

5. Facilities for refuse disposal and cleanliness of buildings, and
6. Efficiency of lifts.

## CHAPTER XV PORT AND VESSEL SANITATION

**SECTION 74. PORT SANITATION.** - In ports the following sanitary requirements shall be applied:

- a. Every port shall be provided with potable drinking water and wholesome food supplied from sources approved by the City Health Officer.
- b. The drinking water and food shall be stored and handled in a manner to ensure their protection against contamination. The City Health Officer shall conduct periodic inspections of equipment, installations and premises, and collect regularly samples of water and food for laboratory examination to determine if they are fit for human consumption.
- c. There shall be available to ports as practicable organized medical and health services with adequate staff, equipment and facilities for the prompt isolation and care of infected persons, disinfection, disinsecting, deratting, laboratory examination, collection and examination of rodents for plague infection, collection of water and food samples for examination.
- d. The City Health Officer shall take all practicable measures to keep port installation free of rodents.
- e. The port shall be kept free from mosquito vectors of yellow fever, malaria and other diseases of epidemiological significance.

**SECTION 75. VESSEL SANITATION.** - For the purpose of this Section, the provisions of Art. II of the Quarantine Regulations promulgated under Section 5 of Republic Act No. 123 shall be applied and enforced.

**Section 76. APPLICATION OF THE QUARANTINE ACT OF 2004** - The requirements on sanitation and food safety for domestic inter-island vessels, port/airport terminal and food service establishments provided under R.A. 9271, also known as the Quarantine Act of 2004, are adopted in this Code.

## CHAPTER XVI VERMIN CONTROL

**SECTION 77. DEFINITION OF TERMS.** - As used in this Chapter, the following terms shall mean:



- a. **Place** - Land, building, residence, pier, watercraft, aircraft or any means of conveyance.
- b. **Vermin** - A group of insects or small animals such as flies, mosquitoes, cockroaches, fleas, lice, bedbugs, mice and rats which are vectors of diseases.

#### **SECTION 78. GENERAL REQUIREMENTS**

- a. A vermin abatement program shall be maintained in places by their owners, operators or administrators. If they fail, neglect or refuse to maintain a vermin abatement program, the City Health Office will undertake the work at their expense.
- b. Vermin control in public places shall be the responsibility of the Batangas City Government.
- c. The procedure and frequency of vermin abatement program shall be determined and approved by the City Health Officer.

### **CHAPTER XVIII REFUSE DISPOSAL**

**SECTION 79. DEFINITION OF TERMS.** - As used in this Chapter, refuse is an inclusive term for all solid waste products consisting of garbage, rubbish, ashes, night soil, manure, dead animals, street sweepings and industrial wastes.

**SECTION 80. RESPONSIBILITY OF THE CITY GOVERNMENT.-** The City Government shall provide an adequate and efficient system of collecting, transporting and disposing refuse in accordance with the Batangas City E-Code.

### **CHAPTER XIX NUISANCES AND OFFENSIVE TRADES AND OCCUPATIONS**

**SECTION 81. DEFINITION OF TERMS.** - As used in this Chapter, the following terms shall mean and include:

- a. **Nuisance** - anything that injures health, endangers life, offends the senses or produces discomfort to the community.
- b. **Offensive trades or occupations** - these are the following:
  - 1. Soap boiling.
  - 2. Guts cleaning.
  - 3. Boiling of offal, bones, fat or lard; (Permissible if process is performed in a public slaughterhouse under prescribed regulations.)

4. Manufacturing of glue or fertilizer;
5. Skin curing;
6. Scrap processing;
7. Manure storing;
8. Lime burning;
9. Lye making; and
10. Any manufacturing process in which lead, arsenic, mercury, phosphorous. or other poisonous substance is used.

**SECTION 82. TYPES OF NUISANCES.** - for the purpose of this Chapter, the following shall be considered nuisances:

- a. Public or private premises maintained and used in a manner injurious to health;
- b. Breeding places and harborages of vermin;
- c. Animals and their carcasses which are injurious to health;
- d. Accumulation of refuse;
- e. Noxious matter or waste water discharged improperly in streets;
- f. Animals stockage maintained in a manner injurious to health;
- g. Excessive noise; and
- h. Illegal shanties in public or private properties.

**SECTION 83. RESPONSIBILITIES OF OWNERS, MANAGERS OR OPERATORS.** - The owners, managers or operators of establishments shall:

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



**CHAPTER XX**  
**POLLUTION OF THE ENVIRONMENT**

**SECTION 84.** For the purpose of this Chapter, the Batangas City E-Code shall be applied and enforced.

**CHAPTER XXI**  
**DISPOSAL OF DEAD PERSONS**

**SECTION 85. DEFINITION OF TERMS.** - As used in this Chapter, the following terms shall mean:

- a. **Burial grounds** - cemetery, memorial park or any place duly authorized by law for permanent disposal of the dead.
- b. **Burial** - interment of remains in a grave, tomb or the sea.
- c. **Disinterment** - the removal or exhumation of remains from places of interment.
- d. **Embalmer** - a person who practices embalming.
- e. **Embalming** - preparing, disinfecting and preserving a dead body for its final disposal.
- f. **Funeral establishment** - any place used in the preparation and care of the body of a deceased person for burial.
- g. **Remains** - the body of a dead person.
- h. **Undertaker** - person who practices undertaking.
- i. **Undertaking** - the care, transport and disposal of the body of a deceased person by any means other than embalming.

**SECTION 86. BURIAL GROUNDS.** - Requirements the following requirements shall be applied and enforced:

- a. It shall be unlawful for any person to bury remains in places other than those legally authorized in conformity with the provisions of this Chapter.
- b. A burial ground shall at least be 25 meters distant from any dwelling house and no house shall be constructed within the same distance from any burial ground.
- c. No burial ground shall be located within 50 meters from either side of a river or within 50 meters from any source of water supply.
- d. In all cases of disinterment, the remains shall be disinfected and placed in a durable and sealed container prior to their final disposal.

**SECTION 87. BURIAL REQUIREMENTS.** -The burial remains is subject to the following requirements:

- a. No remains shall be buried without a death certificate. This certificate shall be issued by the attending physician. The death certificate shall be forwarded to the City Civil Registrar within 30 days for registration.
- b. Shipment of remains to and from abroad shall be governed by the rules and regulations of the Bureau of Quarantine.
- c. Graves where remains are buried shall be at least one and one-half meters deep and filled well and firmly.
- d. The cost of burial of a dead person shall be borne by the nearest kin. If the kin is not financially capable of defraying the expenses or if the deceased had no kin, the cost shall be borne by the City Government.
- e. The burial of remains in city burial grounds shall not be prohibited on account of race, nationality, religion or political persuasion.
- 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.
- g. Except when required by legal investigation or when permitted by the City Health Officer, 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 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. The provisions of directives and issuance of the Department of Health specifically for the disposal of such remains shall be strictly complied with.

Dangerous communicable diseases shall include the following:

- a. Hepatitis B and C
- b. Rabies
- c. Invasive group A streptococcal infections
- d. Transmissible spongiform encephalopathies (e.g. Creutzfeldt-Jakob Disease or CJD and mad cow disease)
- e. HIV/AIDS
- f. Meningococccemia
- g. Viral hemorrhagic diseases (e.G. African ebolas, Lassa or Marburg)
- h. Yellow Fever
- i. Plague



- j. Severe Acute Respiratory Syndrome (SARS)
- k. Other communicable diseases that shall be declared by the Department of Health

**SECTION 88. DISINTERMENT REQUIREMENTS.** - Disinterment of remains is subject to the following requirements:

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

**SECTION 89. FUNERAL AND EMBALMING ESTABLISHMENTS.** - These establishments are subject to the following requirements:

- a. **Scope of inclusion.** For the purposes of this Section, requirements prescribed herein shall be applied and enforced to funeral parlors/chapels, embalming establishments and morgues.
- b. **Sanitary permit.** No establishment mentioned in the preceding paragraph shall be operated without a sanitary permit issued by the City Health Officer or his duly authorized representative. This permit shall be revoked in case of any violation of the provisions of this Chapter.
- c. **Classification.** Funeral establishment shall be classified in three (3) categories which are described as follows:
  - 1. **Category I.** - Establishments with chapels, and embalming facilities and offering funeral transport services.
  - 2. **Category II.** - Establishments with viewing chapels and offering funeral transport services but without embalming facilities.
  - 3. **Category III.** Establishments offering only funeral transport services from the place of origin and viewing to the burial place.
- d. **Sanitary requirements.**

For funeral chapels. The requirements prescribed for places of public assembly in this Code shall be applied.

For embalming and dressing rooms

1. They should be constructed of concrete or semi-concrete materials with sufficient space.
2. The floors and walls shall be made of concrete or other durable impervious materials.
3. Ventilation and lighting should be adequately provided.
4. Embalming shall be performed on a table made of a single marble slab or other equally impervious materials. It shall be so constructed that all washings and body fluids shall flow to a drain connected to the waste piping system of the building.
5. Embalmer and assistants shall use personal protective equipment such as rubber gloves, aprons, boots, and safety goggles while working.
6. Washing facilities with soaps, detergents and germicidal solutions shall be provided for use of the working personnel.

**SECTION 90. LICENSING AND REGISTRATION PROCEDURES.** - The licensing and registration of undertakers and embalmers are subject to the following requirements:

**a. Issuance of license to practice**

1. Any person who desires to practice undertaking or embalming shall be licensed to practice only after passing an examination conducted by the Department of Health in accordance to DOH Administrative Order No. 2010 - 0033.
2. Licensed undertakers or embalmers shall practice undertaking or embalming in accordance with requirements prescribed by the Department of Health
3. Licensed undertakers or embalmers shall display their licenses conspicuously in the establishments where they work.

**b. Issuance of certificates of registration**

1. An undertaker or embalmer shall apply annually for a registration certificates and pay an annual registration fee of twenty -five pesos to the City Health Office concerned.



2. The first registration certificate issued shall cover the period from the date of issuance to the last day of the current year. Subsequent certificates shall bear the date of January 1 of the year of issue and shall expire December 31 of the same year.
  3. Certificates of registration shall be posted conspicuously in establishments concerned.
- c. **Exemption.** - Government and private physicians may perform embalming without license and registration certificates as exigencies require.

**SECTION 91. AUTOPSY AND DISSECTION OF REMAINS.** - The autopsy and dissection of remains are subject to the following requirements:

- a. Person authorized to perform these are:
  1. Health officers,
  2. Medical officers of law enforcement agencies,
  3. Members of the medical staff of accredited hospitals,
- b. Autopsies shall be performed in the following cases:
  1. Whenever required by special laws;
  2. Upon orders of a competent court, mayor and provincial or city fiscal;
  3. Upon written request of police authorities;
  4. Whenever the Solicitor General, provincial or city fiscal as authorized by existing laws, shall deem it necessary to disinter and take possession of remains for examination to determine the cause of death; and
  5. Whenever the nearest kin shall request in writing the authorities concerned to ascertain the cause of death.
- c. Autopsies may be performed on patients who died in accredited hospitals subject to the following requirements:
  1. The Director of the hospital shall notify the next of kin of the death of the deceased and request permission to perform an autopsy.
  2. Autopsy can be performed when the permission is granted or no objection is raised to such autopsy within 48 hours after death.

3. In cases where the deceased has no next of kin, the permission shall be secured from the Local Health Authority.
4. After an autopsy, the remains shall be interred in accordance with the provisions in this Chapter.

**SECTION 92. DONATION OF HUMAN ORGANS FOR MEDICAL, SURGICAL AND SCIENTIFIC PURPOSES.** - subject to the provisions of the Organ Donation Act of 1991 (RA. 7170), any person may donate an organ or any part of his body to a person, a physician, a scientist, a hospital or a scientific institution upon his death for transplant, medical, or research purposes subject to the following requirements:

- a. The donation shall be authorized in writing by the donor specifying the recipient, the organ or part of his body to be donated and the specific purpose for which it will be utilized.
- b. A married person may make such donation without the consent of his spouse.
- c. After the death of a person the next of kin may authorize the donation of an organ or any part of the body of the deceased for similar purposes in accordance with the prescribed procedure.
- d. If the deceased has no next of kin and his remains are in the custody of an accredited hospital, the Director of the hospital may donate an organ or any part of the body of the deceased in accordance with the requirement prescribed in this Section.
- e. Any authorization granted in accordance with the requirements of this Section is binding to the executors, administrators, and members of the family of the deceased.

**SECTION 93. USE OF REMAINS FOR MEDICAL STUDIES AND SCIENTIFIC RESEARCH.** - Unclaimed remains may be used by medical schools and scientific institutions for studies and research subject to the rules and regulations prescribed by the Department.

**SECTION 94. SPECIAL PRECAUTIONS FOR SAFE HANDLING OF CADAVERS CONTAINING RADIOACTIVE ISOTOPES**

- a. Cadavers containing only traces (very small dose) of radioactive isotope do not require any special handling precautions.
- b. Cadavers containing large amounts of radioactive isotopes should be labelled properly identifying the type and amount of radioactive isotopes present and the date of its administration.



- c. Before autopsy is performed, the Radiation Health Officer or his duly authorized representative should be notified for proper advice. The pathologist and/or embalmer should be warned accordingly of the radioactivity of the cadaver so that radiation precautions can be properly enforced.
- d. Normal burial procedures, rules and regulations may be earned out on the above mentioned cadavers provided that their amount of radioactivity has decayed to a safe level which will be determined by the Radiation Health Officer or his authorized representative.
- e. If cremation is performed without autopsy, there is no handling problem, otherwise, autopsy precautions should be strictly enforced. Precautions should be taken to prevent any possible concentration of radioactivity at the base of the stack of the crematorium.

**SECTION 95. RESPONSIBILITY OF THE CITY HEALTH AUTHORITY. -**  
The City Health Authority shall:

- a. Act on applications for the establishment of burial grounds; and
- b. Close any burial ground which is a menace to public health.

**SECTION 96. RESPONSIBILITY OF THE CITY HEALTH OFFICER. -**  
The City Health Officer shall:

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

**SECTION 97. RESPONSIBILITY OF LOCAL GOVERNMENT. -** Local governments shall:

- a. Reserve appropriate tracts of land under their jurisdiction, for cemeteries subject to the approval of the Regional Director or Department of Health.

- b. Utilize judiciously grants, gifts, bequests of property or financial donations for the establishment or improvement of cemeteries.
- c. Close cemeteries under their jurisdiction subject to approval of the Regional Director or Department of Health.

#### **SECTION 98. PENAL PROVISIONS**

- a. Any person who shall engage in the business of undertaking or embalming in violation of any provision of this Chapter shall be liable to a penalty of not less than Five Thousand Pesos (P5,000.00).
- b. Each day or any part thereof during which any prohibited business or practice is continued shall be deemed a separate violation and subject to the same penalty prescribed in the preceding paragraph.

### **CHAPTER XXII FINAL PROVISIONS**

#### **SECTION 99. PENAL PROVISION**

- a. Unless otherwise provided in any Chapter or section in this Code, any person who shall violate, disobey, refuse, omit or neglect to comply with any of the rules and regulations promulgated under this Code shall be guilty of misdemeanor and upon conviction shall be punished by imprisonment for a period not exceeding six months or by a fine of not exceeding one thousand pesos or both depending upon the discretion of the court.
- b. Any person who shall interfere with or hinder, or oppose any officer, agent or member of the Department of the Local Health Authority, or of the City Health Officer, in the performance of his duty as such under this Code, shall be guilty of a misdemeanor and punishable upon conviction by imprisonment for a period not exceeding six months or by a fine of not exceeding one thousand pesos or both depending upon the discretion of the Court.

**SECTION 100. SEPARABILITY CLAUSE.** - In the event that any section, paragraph, sentence, clause, or word of this Code is declared invalid for any reason, other provisions thereof shall not be affected thereby.

**SECTION 101. REPEALING CLAUSE.** - All laws, as well as pertinent rules and regulations thereof which are inconsistent with the provisions of this Code are hereby repealed or amended accordingly.



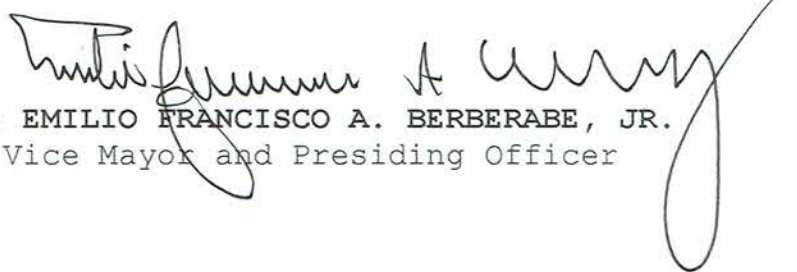
**SECTION 102. EFFECTIVITY.** - This Ordinance shall take effect fifteen (15) days after its complete publication in a newspaper of general circulation in the Province and Cities of Batangas.

**ENACTED** by Sangguniang Panlungsod of Batangas City this 27<sup>th</sup> day of November, 2018.



ATTY. OLIVA D. TELEGATOS  
Secretary  
Sangguniang Panlungsod

ATTESTED:



DR. EMILIO FRANCISCO A. BERBERABE, JR.  
Vice Mayor and Presiding Officer

APPROVED:



HON. BEVERLEY ROSE A. DIMACUBA  
City Mayor

Date Approved: NOV 29 2018

**REPUBLIC OF THE PHILIPPINES  
BATANGAS CITY**

**OFFICE OF THE SANGGUNIANG PANLUNGSOD**

**EXCERPT FROM THE MINUTES OF THE REGULAR SESSION HELD BY THE  
MEMBERS OF THE SANGGUNIANG PANLUNGSOD OF BATANGAS CITY  
ON NOVEMBER 19, 2018 AT THE SANGGUNIAN SESSION HALL**

**PRESENT:**

Hon. Emilio Francisco A. Berberabe Jr.,	Presiding Officer
Hon. Aileen Grace A. Montalbo,	Councilor
Hon. Sergie Rex M. Atienza,	"
Hon. Hamilton G. Blanco,	"
Hon. Alyssa Renee A. Cruz,	"
Hon. Oliver Z. Macatangay,	"
Hon. Armando C. Lazarte,	"
Hon. Karlos Emmanjuel A. Buted,	"
Hon. Julian B. Villena,	"
Hon. Gerardo A. Dela Roca,	"
Hon. Nestor E. Dimacuha,	"
Hon. Nelson J. Chavez,	"
Hon. Julian Pedro M. Pastor,	"
Hon. Angelito "Dondon" A. Dimacuha,	ABC-Rep.
Hon. Marjorie A. Manalo,	SK-Fed. Pres.

"On motion of Councilor Cruz seconded by Councilor Nestor Dimacuha, the following Resolution was Adopted:

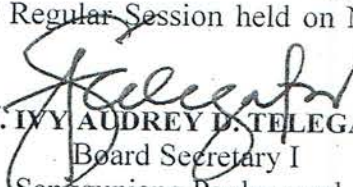
**RESOLUTION NO. 369 S. 2018**

**ADOPTING THE REPORT OF THE COMMITTEE ON LAWS, RULES AND  
REGULATIONS ON THE PROPOSED ORDINANCE PROVIDING FOR THE  
BATANGAS CITY SANITATION CODE AND SCHEDULING THE SAME ON ITS  
SECOND READING ON THE NEXT REGULAR SESSION**


**RESOLVED**, to adopt the report of the Committee on Laws, Rules and Regulations on the proposed ordinance entitled: "An Ordinance Providing for the Batangas City Sanitation Code and scheduling the same on its second reading on the next regular session.

**UNANIMOUSLY APPROVED."**

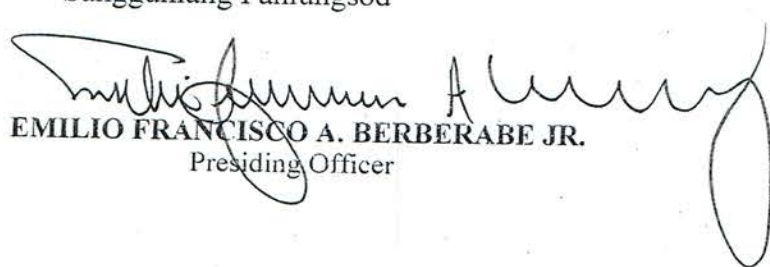
I hereby certify that the foregoing Resolution No. 369 S. 2018 was approved by the Sangguniang Panlungsod of Batangas City during its Regular Session held on November 19, 2018.

  
**ATTY. IVY AUDREY D. TELEGATOS**  
Board Secretary I  
Sangguniang Panlungsod

**NOTED:**

  
**ATTY. OLIVA D. TELEGATOS**  
Secretary  
Sangguniang Panlungsod

**ATTESTED:**

  
**EMILIO FRANCISCO A. BERBERABE JR.**  
Presiding Officer



## COMMITTEE REPORT

**TO: THE HONORABLE SANGGUNIAN PANLUNGSOD**  
**FROM: THE COMMITTEE ON LAWS, RULES AND REGULATIONS**  
**SUBJECT: PROPOSED ORDINANCE ENTITLED "AN ORDINANCE PROVIDING FOR THE BATANGAS CITY SANITATION CODE".**

The subject request for the passage of an ordinance was referred to the Committee on Laws, Rules and Regulations for its consideration during the Regular Session on July 24, 2018. The Committee held a committee hearing on September 20, 2018 and a public hearing on October 22, 2018.

During the first committee hearing, those who are present are as follows:

From City Health Office: Mrs. Elisha P. Dimayuga and Mr. Leonello Quinio; from City Environment and Natural Resources Office: Mr. Oliver Gonzales, Mrs. Ma. Aileen V. Paglicauan and Mrs. Realyn Gonzales; from City Planning and Development Office: Engr. Januario Godoy; from City Mayor's Office: Atty. Narciso Macarandang; and from City Engineer's Office: Engr. Amy C. Untalan. Also present are the Chairman Coun. Alyssa Renee A. Cruz and Committee members Coun. Sergie Rex M. Atienza, Coun. Gerardo Dela Roca and Coun. Julian B. Villena, the Vice Mayor Emilio Francisco Berberabe Jr. and other members of the Sangguniang Panlungsod Councilors Aileen Arriola Montablbo, Glenn M. Aldover, Oliver Macatangay, Karlos Buted, Nestor Dimacuha, Nelson Chavez, Angelito Dondon Dimacuha and SK Federation President Marjorie A. Manalo.

The public hearing was attended by the Chairperson and its committee members and all of the members of the Sangguniang Panlungsod. Also present are as follows:

From City Health Office: Mrs. Elisha Dimayuga and Mr. Leowelle Quinio; from City enro: Mrs. Realyn Gonzales, Mrs. Jane Godoy, Mrs. Marilyn Velasco and Mr. McSunguad; from City Engineer's Office: Engr. Emelita C. Untalan; from Xentro Mall: Engr. Jonmarc A. Matira; from Pic' n Save: Mrs. Rachel C. Buenviaje; from Montalbo Massage: Mr. Jeff M. Garcia; from DF1 Laundry: Mrs. Jiencel M. Roales and Mrs. Melanie M. Calvana; from New Market Federation: Mrs. Rowena M. Macalalad, Mrs. Librada G. Bauan and Mrs. Luz Maria Dimacuha; from PG-ENRO: Mrs. Marivic P. ESmas and Mrs. Beverly Balahibo; from Saint Patrick Hospital: Ms. Allison Mae A. Carag, Ms. Maravic P. Andal, Mr. Royeth Manalo and Mr. Lawrence Manuel P. Del Mundo; from Citimart: Ms. Janelle Culang, Ms. Annie Bunye, Mr. Florentino Leynes and Mr. Michael Joe Ogullana; from Saint Bridget College: Mrs. Lea Marie Comia, Mr. Marwin P. De Torres and Ms. Andrea S. Baltazar; from Lyceum of the Philippines University Batangas: Mr. Edgardo E. Catanzo and Mrs. Glenda Andal; from DENR-



PENRO Batangas: Mrs. Mildred L. CEpillo and from SM City Batangas: Mrs. Gemina F. Buenaflor and Mr. Julius Carlos L. Beo.

## **FINDINGS and DISCUSSION:**

During the first committee hearing, the City Administrator presented his commentaries on the proposed ordinance including the inclusion of table of contents which is vital for an ease access of the contents and provisions of the ordinance. He also made mentioned about the revision of Section 5, Implementing Rules and Regulations stating that the Chief Executive, through the Local health Board, may promulgate rules and regulations for the further implementation and enforcement of the provisions of this Code. Likewise, he recommended the Committee to conduct a public hearing with regards to those affected industries and agencies by this Code.

Another concern was raised by representatives from City Health Office in relation to Section 6, Water Examination, which they perceived importance to include not only bacteriological and chemical, but also physical examinations of drinking water which is mandatory and shall be made regularly in accordance with the criteria set by the Philippine National Drinking Water Standards.

Additional point was given by the City Planning and Development Officer with regards to Section 47 (b), Sanitary Requirements for Operating an Industrial establishment that he professed the author of the Code to consider the City Zoning Ordinance in order for any industrial establishments to be allowed to operate only on places or zones assigned for the kind of industry by this zoning ordinance.

The Committee and the rest of the members of the Sangguniang Panlungsod reiterated some important points and concerns including the definitions of "any source of drinking water" under Section 10, Prohibited Acts, "any source of contamination" under Section 33, a (1), Special provisions, "a source of water supply" under Section 73, (c), Scope of Supervision of the Department; the revision of the word "Clearance" to "Certificate" under Section 15, Health Certificate; and the penal provisions under Section 102 (b), and Section 103 (a).

With the view that this request will eventually be favorable to the City of Batangas especially to its inhabitants, the Sangguniang Panlungsod perceives the essentiality to conduct a public hearing for the effect of this Code.

During the public hearing, some of the points that were raised are the interventions made by the City Health Office in monitoring the facilities and structural requirements of various establishments in the City of Batangas. It was then addressed by representatives of City Health Office reiterating their regular activities together with the CSWDO, PNP, PIO and other offices concerned in relation thereto.





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In terms of the evaluation of food establishments, other concerns are the service of notice, revocation of permits, summary suspension of permits which will be given if the inspector finds that the correction for such establishments has not been effected, the City Health Officer shall revoke the sanitary permit. Whenever an inspection report indicates non-complying items, the City Health Officer may cause to be served on the manager or holder of the permit a notice requiring him within the time stated in the notice. And after prior notice and hearing, the City Health Officer, if satisfied that the terms of the two notices have not been complied, shall revoke the said permit. And lastly, whenever the City Health Officer finds unhealthy or unsanitary conditions in the operation of a food establishment which in his judgment constitute a substantial hazard to the public health, the City Health Officer may suspend the permit.

With the view that this request will eventually be favorable to the City of Batangas especially to its inhabitants, the Sangguniang Panlungsod perceives the essentiality to pass or enact the said proposed ordinance.


**RECOMMENDATIONS:**

The Committee hereby recommends:


1. The adoption of this Committee Report.
2. To report the said ordinance with inclusion of various amendments on its provision on Second reading, on the next regular session.

Respectfully submitted, November 19, 2018.


**THE COMMITTEE ON LAWS, RULES AND REGULATIONS**

  
COUNCILOR ALYSSA RENEE A. CRUZ

Chairman

  
COUN. SERGIE REX M. ATIENZA

Member

  
COUN. GERARDO A. DELA ROCA

Member

  
COUN. JULIAN B. VILLENA

Member

  
COUN. ARMANDO C. LAZARTE

Member