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# CODE OF GENERAL ORDINANCES OF BATANGAS CITY

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Volume II



2009 - 2020

# TABLE OF CONTENTS

|   |            |
|---|------------|
| <b>CODE OF GENERAL ORDINANCES OF BATANGAS CITY</b> .....  | <b>0</b>   |
| <b>M E S S A G E</b> .....  | <b>2</b>   |
| <b>M E S S A G E</b> .....  | <b>3</b>   |
| <b>M E S S A G E</b> .....  | <b>4</b>   |
| <b>ORDINANCE NO. 14 S. 2021</b> .....   | <b>5</b>   |
| <b>TITLE I: GENERAL PROVISIONS</b> .....  | <b>7</b>   |
| <b>TITLE II: ORDINANCES</b> .....   | <b>10</b>  |
| <b>ARTICLE I:ENVIRONMENT</b> .....  | <b>11</b>  |
| <b>ARTICLE II: ETHICS AND GOOD GOVERNMENT</b> .....   | <b>50</b>  |
| <b>ARTICLE III: GAMES AND AMUSEMENT</b> .....   | <b>59</b>  |
| <b>ARTICLE IV: HEALTH</b> .....   | <b>62</b>  |
| <b>ARTICLE V: HUMAN RIGHTS</b> .....  | <b>109</b> |
| <b>ARTICLE VI: PEACE AND ORDER</b> .....  | <b>115</b> |
| <b>ARTICLE VII: PUBLIC WORKS AND ENGINEERING</b> .....  | <b>142</b> |
| <b>ARTICLE VIII: SOCIAL CONTINGENCY RESPONSE MEASURES</b> .....                                   | <b>147</b> |
| <b>ARTICLE IX: SOCIAL WELFARE</b> .....   | <b>191</b> |
| <b>ARTICLE X: TRADE, COMMERCE, INDUSTRY AND OPERATION OF MARKETS</b> .....                        | <b>214</b> |
| <b>ARTICLE XI: TRANSPORTATION</b> .....   | <b>226</b> |
| <b>ARTICLE XII: WOMEN AND FAMILY</b> .....  | <b>235</b> |
| <b>ARTICLE XIII: YOUTH AND SPORTS DEVELOPMENT</b> .....   | <b>262</b> |
| <b>TITLE III: FINAL PROVISIONS</b> .....  | <b>271</b> |
| <b>APPENDICES</b> .....   | <b>273</b> |
| <b>APPENDIX A: SANGGUNIANG PANLUNGSOD OF BATANGAS COUNCIL MEMBERS<br/>(2010-2022)</b> .....       | <b>274</b> |
| <b>APPENDIX B: COMMITTEE ON CODIFICATION (2010 – 2022)</b> .....                                  | <b>278</b> |
| <b>APPENDIX C: LIST OF CODIFIED ORDINANCES</b> .....  | <b>280</b> |
| <b>APPENDIX D: LIST OF LEGAL REFERENCES</b> .....   | <b>306</b> |
| <b>APPENDIX E: ANNEX “A” PULONG BATO MARINE PROTECTED AREA</b> .....                              | <b>309</b> |
| <b>APPENDIX F: ANNEX “B” TECHNICAL DESCRIPTION OF PULONG BATO MARINE<br/>PROTECTED AREA</b> ..... | <b>311</b> |
| <b>APPENDIX G: ORDINANCE NO. 30 S. 2019</b> .....   | <b>313</b> |
| <b>PHOTO GALLERY</b> .....  | <b>316</b> |

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# MESSAGE

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Justice Oliver Wendell Homes, Jr. once said that “the great thing in this world is not so much where we are, but in what direction we are going”. In dedicating this humble work to the people of Batangas City, I would like to share the unshakeable spirit of purpose that has boned my back in the whole decade of my journey in the Sangguniang Panlungsod.

I am grateful to the people of Batangas City for entrusting to me the helm of the Sangguniang Panlungsod. From Day One, I strived to manifest my gratitude by fulfilling every word of my Oath, and beyond that, by always seeking how to make life better for our constituents. Ultimately, I want them to be proud of their Sanggunian. These

personal aspirations underlined the aggressive changes in methods and processes introduced in the carrying on of the Council’s functions. We have modest achievement so far. The Sangguniang Panlungsod kept apace with the challenges of time and is utilizing virtual technology. We are gradually but efficiently shifting to paperless processes. We are introducing SP’s own website to better deliver information and services to the people. Batangas City is now recognized to have the Most Outstanding Sanggunian in the Philippines. All these make me proud.

This work is a codification of general ordinances passed by the Sangguniang Panlungsod under my steer. This, and a number of other major enactments of the Sanggunian in the past decade are our humble gift to the people of Batangas City. By the rules and policies embodied in the acts composing this Code, we hope to help marshall our City to the forefront of the country and show the sterling that Batangas City is.

*Macte virtute sic itur ad astra!*

**DR. EMILIO FRANCISCO ACOSTA BERBERABE JR.**  
City Vice Mayor

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# MESSAGE

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English philosopher Thomas Hobbes once said “Ignorance of the law is no good excuse, where every man is bound to take notice of the laws to which he is subject.” As a legislator, I recognize the importance of bridging the information gap between the legislature and the people being governed under the laws the former has crafted. I laud the efforts of Vice Mayor Emilio Francisco A, Berberabe Jr. and the Sangguniang Panlungsod of Batangas City on the publication of this second volume of the Codification of General Ordinances (2009 – 2020) as a reference and knowledge base for the general public.

**Congressman Mario Vittorio “Marvey” A. Mariño**  
**5<sup>th</sup> District, Batangas**

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# MESSAGE

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**The Office of the Sangguniang Panlungsod has been a crucial partner of the Office of the City Mayor in legislation. During the pandemic, many resolutions and ordinances have been prioritized and enacted to cope with the need to contain the spread of the COVID-19 virus in Batangas City.**

**The Codification of General Ordinances is an editorial publication prepared by the Office of the Sangguniang Panlungsod. The second volume is published to provide in one convenient reference source the ordinances passed from the year 2009 to 2020. This will serve as an available reference to the general public, especially those conducting research on existing legislation for specific issues and concerns.**

**With our common goal of serving our people to the best of our abilities especially during the pandemic, the publication of the second volume of the Codification of General Ordinances is a source of vital information for our people.**

**BEVERLEY ROSE A. DIMACUHA  
City Mayor**

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# ORDINANCE NO. 14 S. 2021

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## AN ORDINANCE ENACTING THE CODE OF GENERAL ORDINANCES OF THE CITY OF BATANGAS 2021

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COUN. ANGELITO DONDON A. DIMACUHA  
COUN. MARJORIE A. MANALO

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**WHEREAS**, Codification is the process of organizing and arranging all local laws and regulations of general and permanent nature into a Code, which involves the collection, classification, revision and supplementation of existing Ordinances of the Local Government Unit (LGU), resulting in a new enactment – a Code of General Ordinances;

**WHEREAS**, general ordinances with provisions, other than tax/revenue and appropriation measures, are codified to provide convenience, completeness, clarity and consistency in the enforcement of ordinances, hence, local law enforcers, for instance, need only refer to one document or Code and find what they need quickly because the date are arranged systematically and logically;

**WHEREAS**, this Code seeks to avoid conflicts, inconsistency and duplication in local laws, ensure compliance with statutory requirements and conformance to current practice or policy, supply missing information or legislation, address possible enforcement problems, sort out ineffective wording or misleading information, and consider its practical application; and

**WHEREAS**, the passage of this Batangas City Code of General Ordinances is a priority undertaking of the *Sangguniang Panlungsod* in line with its mission to enact laws for the welfare and uplift of the citizenry consistent with the thrusts of the national leadership through competent quality legislation.

**NOW THEREFORE, BE IT ORDAINED AND PROMULGATED BY THIS HONORABLE BODY IN REGULAR SESSION ASSEMBLED:**

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# TITLE I: GENERAL PROVISIONS

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**SECTION 1. PURPOSE.** – This Code aims to present a single, yet, comprehensive reference of all existing Ordinances of the City of Batangas including enactments dating back 2009 and are still valid at present, not having been repealed, amended or superseded by later legislation or declared invalid by any authority. It excludes the Batangas City Child and Youth Welfare Code of 2019, Batangas City Gender and Development Code of 2019, Batangas City Investment Code of 2014, Batangas City Investment Incentive Code, Batangas City Private-Public Partnership Code, Batangas City Revenue Code, Batangas City Traffic Ordinance Series of 2019, Comprehensive Land Use and Zoning Ordinance (2018-2028), Environment Code, Health and Sanitation Code of 2018, Slaughter House and Meat Inspection Code, and other similarly voluminous Ordinances that may be enacted by the *Sangguniang Panlungsod*.

**SECTION 2. REVISION / AMENDMENT OR NEW CHAPTER OR SECTION.** – Ordinance No. 3 S. 2019 also known as “*Batangas City Code of General Ordinances Series of 2019*” is hereby amended and revised by this Code.

Any amendment shall refer to the Article or Section concerned. A new Section maybe placed where it belongs properly. A new Section may be added or inserted in the proper Chapter with corresponding number.

**SECTION 3. WORDS AND PHRASES.** – Words and phrases embodied in this Code herein specifically defined shall have the same meaning as found in legal dictionaries as well as in existing laws.

**SECTION 4. CONSTRUCTION OF CODAL PROVISIONS.** – In construing the provisions of this Code, the following rules of construction shall be observed unless inconsistent with the manifest intent of the provisions or, when applied, they would lead to absurd or highly improbable result:

- a) **GENERAL RULE.** – All words and phrases shall be construed and understood according to the common and approved usage of language;

but technical words and phrases and such other words in this Code which may have acquired a peculiar or appropriate meaning shall be construed and understood according to such technical, peculiar and appropriate meaning;

- b) **GENDER AND NUMBER.** – Every word importing the masculine gender as well as the words “he/she”, “his/her” and “him/her” shall extend to both male and female. Every word importing the singular number shall extend and apply to several persons or things as well; and every word importing the plural number shall extend and apply also to one person or thing.
- c) **COMPUTATION OF TIME.** – The time within which an act is to be done as provided in this Code, or in any rule or regulation issued pursuant to the provisions thereof, when expressed in days shall be computed by excluding the first day and including the last day, except when the last day falls on a Sunday or holiday, in which case the same shall be excluded from the computations and the next business day shall be considered the last day.
- d) **TENSES.** – The use of any verb in the present tense shall include the future whenever applicable. The words “shall have been” shall include past and future cases. The use of the word “shall” in this Code means the act being required to be done is mandatory, whereas when the word “may” is used, it means permissive.
- e) **REFERENCES.** – All references to “Title”, “Chapters”, “Articles”, or “Sections” are to Title, Chapters, Articles, or Sections in this Code unless otherwise specified.
- f) **CONFLICTING PROVISIONS OF CHAPTER.** – If the provisions of different chapters conflict with or contravene each other, the provisions of each chapter shall prevail as to specific matters and questions involved therein.
- g) **CONFLICTING PROVISIONS OF SECTIONS.** – If the provisions of different Sections in the same Chapter conflict with each other the provisions of the Section which is last in point of sequence shall prevail.

**SECTION 5. EXISTING RIGHTS.** – No rights accrued, actions or proceeding commenced before the effectivity of this Code shall be adversely affected by any provisions hereof. Thereafter, all procedures or actions to be taken shall conform with the provisions of this Code whenever possible.

**SECTION 6. REFERENCE TO CODE.** – Whenever reference is made to any Article/Section of this Code, such reference shall apply to all amendments and acts which may hereafter be introduced.

**SECTION 7. EFFECT OF HEADING.** – The TITLE, CHAPTER, ARTICLE, and SECTION heading does not in any matter affect the scope, meaning or intent of the provision contained in this Code.

**SECTION 8. RELATION TO PRIOR ORDINANCE.** – The provisions of this Code which are substantially the same as that of previous or existing Ordinances particularly when dealing with the same subject matter shall be constructed as new enactments.

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## **TITLE II: ORDINANCES**

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# ARTICLE I

## ENVIRONMENT

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**WHEREAS**, Section 16, Article II of the 1987 Constitution provides that “the State shall protect and advance the right of the people to a balanced and healthful ecology, in accord with the rhythm and harmony of nature”;

**WHEREAS**, Section 458, paragraph (i) (iv) of R.A. 7160 otherwise known as the “Local Government Code of 1991” provides for the protection of the environment and imposes appropriate penalties for endangering environment;

**WHEREAS**, the Local Government Code of 1991 empowers the *Sangguniang Panlungsod* to enact ordinances to protect the environment and prevent ecological imbalance and exercise the power necessary, appropriate, incidental or essential to the promotion of the general welfare of its inhabitants;

**WHEREAS**, biological diversity, also referred to as *biodiversity*, is essential to sustain all life and is a foundation of a sound environment that is necessary for human well-being and sustainable development; and

**WHEREAS**, one of the primordial aims of every government like Batangas City is the maintenance of a healthy standard of society.

# CHAPTER I

## UTILIZATION, MANAGEMENT, PROTECTION AND CONSERVATION OF PULONG BATO AND NALAYAG POINT, ISLA VERDE, BATANGAS CITY

**SECTION 1. DECLARATION OF POLICY.** – It is hereby declared the policy of Batangas City Government to proclaim *Pulong Bato* in *San Agapito* and *Nalayag Point* in *San Agustin Kanluran*, both in *Isla Verde* of Batangas City, a fishery refuge and sanctuary. Further, utilization, management, protection and management of the proclaimed fishery refuges and sanctuaries are provided in this Ordinance with the primordial commitment to protect the rights of our City’s marginal fishermen and promote fishery conservation and limit fishing effort if necessary in order to secure a sustainable production of fish and aquatic resources for Batangas City.

**SECTION 2. COVERAGE AREA.** – This Ordinance shall cover and be applicable to the following:

- a) **The *Pulong Bato Reef*** – The *Pulong Bato* marine protected area shall cover 539 hectares approximately 780-800 meters from the shoreline to the outermost boundary of the marine protected area as shown in the attached map marked as Annex “A”, and Technical Description attached as Annex “B”.

- (i) Sanctuary Buffer Zone (2007)

| Coordinates |              |             | Technical Descriptions |             |          |
|-------------|--------------|-------------|------------------------|-------------|----------|
| Point       | Longitude    | Latitude    | Line                   | Bearing     | Distance |
| 1           | 121.10154500 | 13.53644800 | 1-2                    | S 06 – 33 W | 586.66   |
| 2           | 121.10096900 | 13.53117600 | 2-3                    | N 72 – 35 E | 360.23   |
| 3           | 121.10413600 | 13.53217500 | 3-4                    | N 36 – 00 E | 103.52   |
| 4           | 121.10469200 | 13.53293600 | 4-5                    | N 00 – 23 W | 111.76   |
| 5           | 121.10467700 | 13.53394600 | 5-1                    | N 50 – 19 W | 437.73   |

- (ii) Sanctuary Core Zone (2007)

| Coordinates |              |             | Technical Descriptions |             |          |
|-------------|--------------|-------------|------------------------|-------------|----------|
| Point       | Longitude    | Latitude    | Line                   | Bearing     | Distance |
| 1           | 121.10193700 | 13.53420900 | 1-2                    | S 14 – 09 W | 167.31   |
| 2           | 121.10157100 | 13.53274000 | 2-3                    | N 83 – 07 E | 99.87    |
| 3           | 121.10248600 | 13.53285500 | 3-4                    | N 00 – 12 W | 135.66   |
| 4           | 121.10247200 | 13.53408100 | 4-1                    | N 75 – 49 W | 59.63    |

(iii) Technical Description of *Pulong Bato* Marine Protected Area Expansion (2020)

1. Sustainable Use Zone 01\_Hook and Line Only
  - a. Allowed Fishing Gears: Hook and Line
  - b. Allowed Human Activities: Eco-tourism

| POINT | North      | East        | Notes |
|-------|------------|-------------|-------|
| 1     | 13.536448° | 121.101545° |       |
| 2     | 13.531176° | 121.100969° |       |
| 3     | 13.530922° | 121.104580° | *     |
| 4     | 13.536070° | 121.105045° | *     |

2. Sustainable Use Zone 02\_HL, GN, Fish Trap, Traditional Spear Fishing
  - a. Allowed Fishing Gears: Hook and Line, Fish Trap, Traditional Spear Fishing
  - b. Allowed Human Activities: Eco-tourism

| POINT | North      | East        | Notes                 |
|-------|------------|-------------|-----------------------|
| 1     | 13.547981° | 121.095314° | Coastline to sea      |
| 2     | 13.548108° | 121.097376° |                       |
| 3     | 13.548229° | 121.100355° |                       |
| 4     | 13.548229° | 121.102624° |                       |
| 5     | 13.539605° | 121.106502° |                       |
| 6     | 13.531510° | 121.110185° |                       |
| 7     | 13.523853° | 121.096051° |                       |
| 8     | 13.516085° | 121.081691° |                       |
| 9     | 13.525724° | 121.066861° |                       |
| 10    | 13.528514° | 121.070660° |                       |
| 11    | 13.530848° | 121.073909° |                       |
| 12    | 13.530848° | 121.073909° | Coastline to Point 01 |

3. Core Use Zone (No Take Zone)
  - a. No Take Zone
  - b. Allowed Human Activities: Eco-tourism

| POINT | North      | East        | Notes |
|-------|------------|-------------|-------|
| 1     | 13.534213° | 121.101715° | *     |
| 2     | 13.532740° | 121.101571° |       |
| 3     | 13.532661° | 121.102523° | *     |
| 4     | 13.534130° | 121.102632° | *     |

Note: - amended points from original

Annex "A"

Pulong Bato Marine Protected Area – Locally known to the people of Isla Verde and the neighboring town as Pulong Bato and Verde Wall among divers and dive resort operators. Situated along the coastal area of Barangay San Agapito, as indicated in the following map showing the expanded boundaries of the marine protected area (Figure 1), as bounded by the following coordinates specifying the allowed gears and activities within the zones (Table 1):



Figure 1. Map of the Pulong Bato Marine Protected Area.

b) **Nalayag Point** – Locally known to the people of *Isla Verde* and the neighboring town as *Nalayag Point* and *Washing Machine* among divers and dive resort operators. Situated in the northwest side of Brgy. San Agustin in *Sitio Sampalokan*, approximately 200 meters from the rocky island and with an estimated 18.79 hectares in the area, bounded by the coordinates:

(i) Sanctuary Buffer Zone

| Point | Coordinates  |             | Technical Descriptions |             |          |
|-------|--------------|-------------|------------------------|-------------|----------|
|       | Longitude    | Latitude    | Line                   | Bearing     | Distance |
| 1     | 121.04434700 | 13.55902700 | 1-2                    | S 79 – 29 W | 269.61   |
| 2     | 121.04190200 | 13.55856300 | 2-3                    | S 08 – 3 E  | 258.54   |
| 3     | 121.04190200 | 13.55625500 | 3-4                    | S 55 – 56 E | 390.21   |
| 4     | 121.04227400 | 13.55430300 | 4-5                    | N 19 – 29 E | 426.85   |
| 5     | 121.04656100 | 13.55795000 | 5-6                    | N 72 – 58 W | 41.11    |
| 6     | 121.14619700 | 13.55805600 | 6-7                    | N 68 – 58 W | 66.14    |
| 7     | 121.04562500 | 13.55826600 | 7-8                    | N 64 – 35 W | 64.00    |
| 8     | 121.04508900 | 13.55851000 | 8-9                    | N 63 – 46 W | 35.35    |
| 9     | 121.04479500 | 13.55864900 | 9-10                   | N 58 – 41 W | 26.10    |
| 10    | 121.04458800 | 13.55877000 | 10-11                  | N 47 – 55 W | 19.99    |
| 11    | 121.04445000 | 13.55889000 | 11-1                   | N 35 – 52 W | 18.83    |

(ii) Sanctuary Core Zone

| Coordinates |              |             | Technical Descriptions |             |          |
|-------------|--------------|-------------|------------------------|-------------|----------|
| Point       | Longitude    | Latitude    | Line                   | Bearing     | Distance |
| 1           | 121.04329400 | 13.55668700 | 1-2                    | N 29 – 35 E | 127.68   |
| 2           | 121.94386800 | 13.55769500 | 2-3                    | S 57 – 08 E | 205.27   |
| 3           | 121.04546900 | 13.55670100 | 3-4                    | S 32 – 08 W | 122.87   |
| 4           | 121.04487300 | 13.55575600 | 4-1                    | N 58 – 28 W | 199.58   |

The boundaries, coordinates and technical description herein can be subject to change or modifications by the Management Board under Section 4 (c) (iii) Management.

**SECTION 3. DEFINITION OF TERMS.** – When used in this Ordinance:

- a) **Anchoring** – the casting of an anchor or heavy instrument to the sea floor so as to grip and secure a vessel;
- b) **Biology** – the various life stages and processes of an organism including its functions, development, growth and relationship to the environment, both living and non-living;
- c) **FARMC** – Fisheries and Aquatic Resources Management Council;
- d) **Fishing** – the taking of fishery species from their wild state or habitat, with or without use of fishing vessel;
- e) **Fishery Refuge and Sanctuary** – a designated area where fishing or other forms of activities, which may damage the ecosystem of the area, is prohibited and human access may be restricted;
- f) **Fishery species** – all aquatic flora and fauna including but not restricted to fish, algae, coelenterates, mollusks, crustaceans, echinoderms and cetaceans;
- g) **Marginal fisherman** – refers to an individual engaged in subsistence fishing which shall be limited to sale, barter or exchange of marine products produced by himself or his immediate members of the family;

- h) **Mooring** – the act of securing vessel to fixed buoys (floating markers) by means of ropes, chains and other similar devices; and
- i) **Washing Machine** – common name for *Nalayag* Point reef and a description for the said reef familiar among divers and dive resort operators.

**SECTION 4. MANAGEMENT.** – The *Pinagkaisang* Fisheries and Aquatic Resources Management Council of *Isla Verde* shall have the immediate authority and responsibility on the operation of the sanctuary. A management board shall be organized to formulate plans and programs for the effective management of the sanctuary.

- a) Composition of Sanctuary Management Board – the Board shall be composed by:
  - (i) The City Mayor;
  - (ii) Representative of the Sangguniang Panlungsod;
  - (iii) Representative of City Office of Veterinary and Agricultural Services (OCVAS);
  - (iv) Representative of the Philippine National Police (PNP);
  - (v) Representative of the PNP-Maritime Group
  - (vi) Representative of the Philippine Coast Guard (PCG);
  - (vii) All of the Barangay Chairpersons of *Isla Verde*;
  - (viii) All of the BFARMC Chairpersons of *Isla Verde*;
  - (ix) Representative of the Youth Sector of *Isla Verde*;
  - (x) Representative of the Women Sector of *Isla Verde*;
  - (xi) Representative of City Environment and Natural Resources Office (CENRO);
  - (xii) Representative of Resort Operators;
  - (xiii) Representative of City Planning and Development Office (CPDO);
  - (xiv) Representative of Investment and Tourism Office;
  - (xv) Representative of the City Public Information Office; and
  - (xvi) Representative of Department of Education (DepEd) Batangas City Division New District.

- b) Officials of the Board shall be elected by the management board from the above members as:

- (i) Chairperson of the Board;
- (ii) Vice Chairperson of the Board;
- (iii) Director for Law Enforcement;
- (iv) Director for Finance and Management; and
- (v) Director for Research and Program Development.

The Management Board will form a Secretariat which is composed of representatives from OCVAS, CENRO and NGO. The Honorary Member of the Management Board shall be taken from NGO to serve as consultants. The Terms of Office of the Officials of the Board shall be as determined by the Management Board in consonance with Section 4 (c) (Duties and Functions of the Management Board).

- c) Duties and Functions of the Management Board – the Board shall by consensus or majority vote, approve or take necessary actions but not limited to the following:

- (i) decide matters relating to planning, resource protection, and collection of fees and general administration of the area;
- (ii) approve implementing rules and regulations, proposals, working plans, action plans, guidelines and by-laws of the Management Board and for the management of the protected area;
- (iii) delineate and demarcate boundaries, buffer zone and other areas to properly define the protected area;
- (iv) promulgate rules and regulations to promote development programs and projects on biodiversity conservation and sustainable development;
- (v) control and regulate the construction, operation and maintenance of facilities and structures within the protected area; and

- (vi) monitor and evaluate the performance of the protected area personnel, members, NGOs and the communities in providing conservation and socio-cultural and economic development.

**SECTION 5. ZONATION.** – The Fishery Refuge and Sanctuary area shall be composed of:

- a) Core Area. Strict Protection Zone – designated area within the sanctuary marked with designated buoys where fishing or other forms of activities, which may damage the ecosystem of the area, is prohibited and human access may be restricted.
- b) Buffer Zone. Sustainable Use Zone – area surrounding the core area open for traditional fishing gear where fishing activities are regulated for sustainable use and marked with designated buoys.

**SECTION 6. PROHIBITIONS.** – As stated in this Ordinance, the following provisions shall be deemed as prohibitions:

- a) Within the Core Area of the Fishery Refuge and Sanctuary it is unlawful to:
  - (i) conduct any kind of method of fishing activity, to catch, take or destroy any fish or fishery species or in any manner disturb, drive away fish fry, fish eggs or other types of marine organism;
  - (ii) enter, short cut or drive through the area with motorized boats or vessels; and
  - (iii) anchor or secure any craft to the sea bottom;
- b) Within the Buffer Zone the following activities are prohibited:
  - (i) The use of motorized boats, fishing gear with scaring devices and/or lights in any form to attract fishery species; and

- (ii) Other fishing activities not included in Section 11 (Permit to Catch Pink Anthias).

**SECTION 7. ACTIVITIES PERMITTED IN BUFFER ZONE.** – Traditional hook and line fishing and activities allowed in Section 11 of this Ordinance (Permit to Catch Pink Anthias) are activities permitted in Buffer Zone.

**SECTION 8. PERMIT TO ENTER THE FISHERY REFUGE AND SANCTUARY.** – Subject to the Implementing Rules and Regulations established by the Board, an entry permit shall be issued and approved by the Management Board or its duly-designated representative.

**SECTION 9. DIVING AND OTHER TOURISM ACTIVITIES.** – Diving with breathing apparatus (SCUBA), diving without breathing apparatus, snorkelling, sailing, kayaking and/or any other activities related to tourism, sporting and leisure shall be regulated, subject to the rules and regulations established by the Management Board in Section 4 (c), inside the buffer zone depending on the extent of disturbance or interference to fishery species.

**SECTION 10. FEES.** – Fees as determined by the Management Board under Section 4 (c) will be collected from those entering the fishery refuge and sanctuary under Section 8 (Permit to Enter the Fishery Refuge and Sanctuary). The Management Board shall monitor and evaluate the performance of the duly-authorized Barangay Revenue Collector Officer and recommend procedures for control and oversee that the distribution of tickets and fees collected are carried out.

- a) **Collection of Fees.** The payment of the entry permit that is required under Section 8 of this Ordinance shall apply to the following:
  - (i) those who shall enter the Buffer Zone that will conduct fishing activities subject to the prohibitions under Section 6 (b) (i) (ii) and Section 11 (Permit to Catch Anthias) of this Ordinance;
  - (ii) all persons who use or intend to use *Pulong Bato* Reef and *Nalayag* Point Reef for purposes of diving activities; and

(iii) all persons who shall be engaged in snorkelling, sailing, kayaking and any other activities related to tourism, sporting and leisure.

b) **Amount of Fees.** The amount of fees to be collected shall be in accordance with the following:

(i) an Entry Permit Fee in the amounting to One Hundred Pesos (Php 100.00) shall be collected from all persons who shall be involved in the activities enumerated under this Section, paragraphs (a) (i) (ii) (iii);

(ii) in addition to the Entry Permit Fee, any person who shall be engaged in any diving activity shall be required to pay:

|                                  |     |          |
|----------------------------------|-----|----------|
| Daily Diver Pass                 | Php | 100.00   |
| Annual Diver Pass                | Php | 3,000.00 |
| Annual Professional Diver Pass   | Php | 5,000.00 |
| Commercial Diver Pass (per dive) | Php | 500.00   |

(iii) any person who intends to dive in this waters of *Pulong Bato* Reef and *Nalayag* Point Reef shall secure only one (1) Diver Pass, (which is valid only for the specified date) upon payment of the prescribed fees. The same rule shall apply to Professional Divers who practice their profession/trade using the diving areas. However, in order to avoid the inconvenience of paying the Diver Pass for every time the latter intends to be engaged in any diving activity, and to be entitled to an unlimited access to dive areas or recreational spots, any Diver or Dive Professional may avail of the Annual Pass offered by this Ordinance upon payment of the required fees prescribed herein;

(iv) no person shall be allowed to dive in these areas without paying the required fees and securing either the Daily Diver Pass, or the Annual Pass and Commercial Diver Pass, except for diving activities for purposes of scientific/academic research with prior consent and authority of the Management Board, upon submission of required documents shall be exempt from the payment of the fees herein prescribed, subject to the submission of the result of such study of or research to the Board; and

(v) a twenty-five (25%) percent increase of the Two Hundred Pesos (Php 200.00) Daily Diver Pass will be implemented every three (3) years thereafter the implementation of this Ordinance.

c) **Manner of Collection.** All of the six (6) barangays may appoint/designate one (1) Revenue Collection Officer that shall be duly-bonded by the City Treasurer's Office. The Revenue Collection Officer shall be responsible for the collection of all tickets and funds that shall be derived Section 10 (A) (B) within their respective territorial jurisdiction. In general, no reason shall be authorized to collect and receive payments from duly-authorized establishments and individuals except the Revenue Collection Officer and the Board. However, duly-authorized establishment/resorts may purchase tickets from the Revenue Collection Officer in bulk for their distribution/resale provided that their selling price shall be regulated by the Board.

On the duly-licensed and registered resorts, hotels, pension houses owners of similarly situated establishments shall be allowed to acquire in bulk from the Revenue Collection Officer/Board the tickets/permits from Section 10 (B) for resale to their guests. **Provided**, that these establishments shall keep a registry of divers who secured annual passes from them that shall be submitted to the Revenue Collection Officer/Board on a monthly basis. **Provided further**, that the sale of annual passes is strictly prohibited except by the Revenue Collection Officer and the Board.

d) **Distribution of Fees.** The total collected fees will be distributed as follows:

- 25% - Verde Island Sanctuary Management Board
- 30% - Collecting Barangay
- 45% - Remaining Five (5) Barangays

The revenues collected shall accrue to the general fund of the City Government except the thirty percent (30%) that shall accrue to the Barangay General Fund.

The Barangay Revenue Collection Officer shall remit the remaining twenty-five percent (25%) and forty-five percent (45%) to the City Treasurer monthly which shall be the basis for the appropriation to Verde Island Sanctuary Management Board and the Remaining Five (5) Barangays.

The Director of Finance of the Management Board shall be given the authority to check whether the proceeds of the program are properly accounted for and the propriety of the enforcement of the provisions of this Ordinance with respect to the distribution and disbursement of the fees collected.

- e) **Disbursement of Funds.** All the fees collected by the City Government and the Barangay shall be exclusively distributed and appropriated for the implementation of the *Verde Island* Sanctuary Management Board (VISMB) and Barangay Programs and other expenses which are necessary and essential for protection, preservation and conservation of the Environment with utmost priority on the Sanctuary and Fishery Refuge areas.
- f) **Creation of Trust Fund.** The Management Board will establish a Trust Fund wherein all the financial support that the Board will generate outside of the User's Fee will be deposited.

**SECTION 11. PERMIT TO CATCH ANTHIAS.** – Catching Pink Anthias for lure or bait purposes will be permitted inside the *Pulong Bato* Fishery Refuge and Sanctuary provided that collection will be one under the supervision of FARMC once a day by one (1) boat using a net not to exceed ten (10) meters length and two (2) meters width.

**SECTION 12. PENALTIES.** – Violation of any provision of this Ordinance shall be penalized by a fine of Five Thousand Pesos (Php 5,000.00) or as determined by the Court or imprisonment of six (6) months or both at the discretion of the Honorable Court. If the Court determines that due to the offense the area requires rehabilitation or restoration, the offender shall also be required to restore or compensate for the restoration of the damage. The Management Board, under Section 4 (b) shall designate an authorized officer for law enforcement to assist in the implementation of the court decision or in the confiscation of fish/marine catch from violators of this Ordinance.

## **CHAPTER II**

# **SEWAGE AND SEPTAGE MANAGEMENT**

**SECTION 13. DECLARATION OF POLICY.** – It shall be the policy of this City to share in the responsibility on the management and improvement of water quality within its territorial jurisdiction. To meet these objectives, the City shall implement measures to prevent and control water pollution and to promote public health and ensure a balanced ecology.

**SECTION 14. SCOPE AND APPLICATION.** – The following structures within the City are covered by this Ordinance:

- a) All residential structures including, but not limited to, apartment, house and/or land on which another's dwelling is located and used for residential purpose and shall include not only the building's parts or units thereof used solely as dwelling places, boarding houses, dormitories, rooms and bed spaces offered for rent by their owners, but also those used for home industries, retail stores or other business purposes if the owner, his or her family actually live therein and use it principally for dwelling purposes;
- b) Commercial establishments, including but not limited to, restaurants, convenience stores, hardware, malls, groceries, markets, carwash, condominiums, motels, hotels, hostels, resorts, recreational establishments, auto-repair shops, poultries and livestock rearing establishments, and the like;
- c) Industrial establishments, including but not limited to, factories, manufacturing plants, and the like;
- d) Governmental structures, including but not limited to, barangay halls, government offices, and the like; and
- e) Institutional structures, including but not limited to, schools, colleges and universities, hospitals, churches, and the like.

**SECTION 15. DEFINITION OF TERMS.** – For the purpose of this Ordinance, the following terms shall be defined as follows:

- a) **Baffle** - a device (as a wall or screen) to deflect, check or regulate the flow of sewage and septage. It promotes preliminary and primary treatment of the incoming sewage by allowing the physical separation of solid and liquid components in the sewage;
- b) **Biosolids** - the by-product of the treatment of domestic waste water in a domestic wastewater treatment plant. Biosolids consist primarily of dead microbes and other organic matter and can be used as organic fertilizer or soil amendments;
- c) **CENRO** - the Batangas City Environment and Natural Resources Office;
- d) **Chamber** - an enclosed space, cavity or compartment of a septic tank;
- e) **City Average Consumption** - the average monthly water consumption of Batangas City as computed by the PrimeWater Infrastructure Corporation (PWIC);
- f) **Communal Excreta Disposal System** - an excreta disposal system serving a group of dwelling units;
- g) **CSMC** - City Septage Management Council;
- h) **Destination** - the place or the facility where the septage/sludge is treated or disposed of, such as the treatment facility, sanitary landfill, or land application site;
- i) **DENR** - Department of Environment and Natural Resources;
- j) **Digestion** - a microbiological process that converts chemically complex organic sludge to methane, carbon dioxide, and inoffensive humus-like material;
- k) **Digestive cesspool** - a pit for the reception or detention of sewage;

- l) **Desludging** - the process of cleaning or removing the accumulated sludge or septage from a septic tank and transporting it to treatment facilities;
- m) **Dislodging Service Provider** - any person, company, or organization that has the required authorization and licenses, including but not limited to, an Environmental Sanitation Clearance from the Department of Health (DOH) to undertake dislodging of septage;
- n) **Drainage System** - means drainage pipes of a plumbing system taking the wastewater from the plumbing fixtures and delivering it to the sewer or some other outlet;
- o) **Dwelling** - any building or structure, which is wholly or partly used or intended to be used for living or sleeping by human occupants; **provided**, that temporary housing as hereinafter defined shall not be regarded as dwelling;
- p) **Effluent** - a general term for any wastewater, partially or completely treated, or in its natural state, flowing out of a drainage canal, septic tank, building, manufacturing plant, industrial plant, treatment plant, etc.;
- q) **EMB** - Environmental Management Bureau;
- r) **Emergency dislodging** - a request for dislodging services outside of the regular scheduled dislodging of septic tanks upon the request and payment of the owner of the septic tank to the PWIC;
- s) **Environmental Fee (EF)** - the rates per cubic meter (cu. m.) of water consumption for septage management services provided by the PWIC;
- t) **Environmental Sanitation Clearance (ESC)** - the clearance issued by the Secretary of Health, or his duly authorized representative, allowing the collection, handling, transport, treatment, and disposal of domestic sludge or septage;

- u) **Establishment** - any structure or building used principally in conducting one's trade or business. It includes stables, pigpens, poultry, slaughterhouses, dressing plants, restaurants, hotels, schools, funeral parlours, resorts, pension houses, dormitories, canneries, markets, hospitals, malls, supermarkets, restaurants, government buildings, private commercial buildings, churches, and the like;
- v) **Excreta** - human waste composed of urine and faeces;
- w) **Home sewer** - the pipeline conveying sewage from the house or building to the septic tank or to any point of discharge;
- x) **IEC/BCC** - Information, Education and Communication/Behaviour Change Communication Programs;
- y) **Individual Excreta Disposal System** - an excreta disposal system serving a dwelling unit;
- z) **Land Applications** - the use of treated septage for agricultural purposes or as a soil amendment or filling materials, in accordance with the regulations of the Department of Agriculture;
- aa) **Mobile service provider** - a public or private entity, operator or water utility that is authorized and has the required Environmental Sanitation Clearance from the DOH to provide dislodging services and to transport the septage to authorized treatment and disposal facilities;
- bb) **Pollution Control Officer (PCO)** - an officer of a private company, duly accredited by the DENR, who provides linkages between the company and the EMB of the DENR and is primarily responsible for the compliance with the DENR wastewater effluent standards;
- cc) **Public sanitary sewer** - a common sewer to which all abutters have equal rights of connection;
- dd) **Public toilet** - a toilet facility located at public places like markets, bus stations, buildings, plazas, seaports, etc. intended for public use;

- ee) **PWIC** - Prime Water Infrastructure Corporation, previously known and shall refer to the Batangas City Water District
- ff) **Scum** - the lighter fraction of sewage composed of fats, oils, and grease that float;
- gg) **Sanitary tee** – a fitting designed to connect a branch line into a vertical drain (or vent) line;
- hh) **Septage** - the combination of scum, sludge, and liquid that accumulate in septic tanks. It is a mixture of sludge, fatty materials, human feces, and wastewater removed during pumping of an onsite sewage treatment and disposal system. Excluded from this definition are the contents of portable toilets, holding tanks, and grease interceptors;
- ii) **Septage Collection and Treatment Fee** - fee(s) for the collection and treatment of septage for non- PWIC customers;
- jj) **Septage management** - comprehensive programs for managing septic tanks and the procedures for proper dislodging, transporting, treating, and disposing of septic tank contents;
- kk) **Septage management or treatment facility** - a stationary facility that treats only domestic septage or combinations of domestic septage, food establishment sludge, wastes removed from portable toilets, and wastes removed from holding tanks associated with boats, marinas, and onsite sewage treatment and disposal systems, before use or land application;
- ll) **Septic tank** - a watertight, multi-chambered receptacle that receives sewage from houses or other buildings and is designed to separate and store the solids and partially digest the organic matter in the sewage;
- mm) **Service provider** - a public or private entity, operator, or water utility, that is authorized to engage in the collection, dislodging, handling, transporting, treating, and disposing of sludge and septage from septic tanks, cesspools, portable toilets (portalets), sewage treatment plants;

- nn) **Sewage** - mainly liquid waste containing some solids produced by humans, which typically consists of washing water, faeces, urine, laundry wastes, and other material that flows down drains and toilets from households and other buildings;
- oo) **Sewage Disposal System** - a system of collection, transportation, treatment and disposal of sewage;
- pp) **Sewer** - a pipe or conduit for carrying sewage and wastewater;
- qq) **Sewerage works** - refers to a system of pipes, pumps, devices and other appurtenant structures for the collection, transportation and final disposition of wastewater;
- rr) **Sludge** - precipitated solid matter with highly mineralized content produced by domestic wastewater treatment processes;
- ss) **Stabilization** - the process of treating septage or sludge to reduce pathogen densities and vector attraction to produce an organic material that may be applied to the land as a soil conditioner;
- tt) **Stationary service provider** - a public or private entity, operator or water utility that is authorized to provide treatment and/or disposal of sludge and septage at a fixed location;
- uu) **Tipping fee** - the fee for private dislodging company duly accredited by the DOH and/or DENR-EMB that will haul septage for treatment to the septage treatment plant constructed by PWIC and its joint venture partner;
- vv) **Toilet facility** - a structure built of materials of any kind inside or as part of a house or building used by its residents, occupants, visitors, employees, transients or customers as comfort room and lavatory with septic tank built for the purpose;
- ww) **Wastewater** - pertains to sewage; and

- xx) **Wastewater treatment facility** - a system of structures, equipment and related appurtenances designed to treat, store, or manage wastewater. Wastewater treatment facility includes pre-treatment facilities and wastewater recycling facilities, which are not part of an industrial manufacturing process.

#### **SECTION 16. PRINCIPLES OF SEWERAGE AND SEPTAGE MANAGEMENT.**

– The City of Batangas shall abide by the following sewerage and septage management principles:

- a) Untreated excreta from residential areas without septic tanks and untreated wastewater from commercial, industrial, institutional and public establishments shall not be allowed to be discharged to open drainage canals or piped drainage systems. All buildings and structures, whether residential, commercial, industrial, governmental, and institutional establishments shall be required to have proper sewage treatment or septage management system.
  - (i) All residential structures shall have hygienic septic tanks;
  - (ii) All commercial and industrial establishments, and hospitals shall have hygienic septic tanks or wastewater treatment facility based on the determination of the DENR and/or DOH; and
  - (iii) Commercial, industrial, governmental, and institutional structures that are required to have wastewater treatment facilities shall have an operational wastewater treatment facility either on-site or by service offsite;
- b) For sewerred areas, or areas with sewer pipelines, no wastewater other than those from residential structures shall be allowed to discharge on the sewers or sewer pipelines unless such wastewater was serviced by a pre-treatment facility to at least be of domestic wastewater quality;
- c) All food establishments (e.g., restaurants, eatery, food chains, etc.) discharging organic and inorganic wastes shall be required to have an oil and grease trap installed in their respective kitchen areas; and

- d) All septic tanks must be accessible at all times.

**SECTION 17. PROPER SEWAGE DISPOSAL SYSTEM REQUIREMENTS.** – All residential, commercial, industrial, institutional, and governmental establishments, old or new, are required to have proper sewage disposal system in accordance with Section 16 hereof:

- a) Existing structures:

- (i) Residential, commercial, industrial, institutional, and governmental structures with inaccessible and/or non-compliant septic tank shall opt for any of the following: (a) remodelling or restructuring to make the septic tank accessible and compliant with national standards, within ten (10) years from the effectivity of this Ordinance; or (b) connection to existing sewer lines of water utilities, as applicable; or (c) construction of communal or shared septic tank;
- (ii) Commercial, industrial, institutional, governmental establishments that are required to have a wastewater treatment facility shall comply within five (5) years from the effectivity of this Ordinance; and
- (iii) No business owner shall be issued a renewed business permit unless he has obtained the discharge permits, environmental sanitation clearances, and other necessary clearances and permits as may be prescribed by existing laws or as may be required by the DENR, LLDA, and/or DOH and its instrumentalities.

- b) New structures:

- (i) No building permit shall be issued for residential, commercial, industrial, institutional, and governmental structures unless the design of the hygienic septic tank or wastewater treatment facility in the building plan conforms with existing environmental laws and policies; and

- (ii) No business owner shall be issued new business permit unless he/she has obtained the necessary clearances and permits such as discharge permits and environmental sanitation clearances as may be prescribed by existing laws as maybe required by the DENR, and DOH and its instrumentalities.

**SECTION 18. DESIGN OF SEPTIC TANKS.** – All sanitary toilets shall be connected to septic tanks. For the purpose of construction and maintenance of septic tank, the following requirements shall be strictly observed to ensure that it is sanitary and will not pose hazard to health:

- a) The septic tank shall have at least two (2) compartments, watertight and shall be constructed of sound durable materials, not subject to excessive corrosion or decay. The volume of the first compartment shall be between one-half to two-thirds of the total tank volume. Each tank shall be structurally designed to withstand all anticipated earth or other loads and shall be installed on a solid bed. Structural and hydraulic designs shall be in accordance with good engineering practice.
- b) Septic tanks shall be located such that dislodging equipment can have access to the manholes, conveniently facilitating tank maintenance. Owners of existing septic tanks that are not accessible for maintenance are required to upgrade or repair their tanks so they can be desludged.
- c) Plans and specifications for all septic tanks shall conform to the minimum standards prescribed by the Code on Sanitation of the Philippines and the Revised National Plumbing Code of the Philippines. Any septic tank shall not be within twenty-five (25) meters from any existing source of water supply.
- d) Roof drains, foundation drains, area drains or cistern overflows shall not be made to enter the septic tank or any part of the treatment system. Baffles or similar devices shall be installed at each inlet and outlet of the tank and at each compartment. It must be integrally cast with the tank, affixed with a permanent waterproofing material, or attached at the top and bottom with connectors that are not subject to corrosion or decay.

Sanitary tees used on baffles shall have a minimum diameter of 100 mm (4 inches).

- e) The baffles between compartments shall extend at least 200 mm above the maximum liquid surface or all the way to the underside of the top cover.
- f) The centerline of the inlet pipe shall be at least 50 mm. above the centerline of the outlet pipe. Both inlet and outlet pipes shall be similar in diameter with each other and shall have a minimum diameter of 100 mm.
- g) Adequate venting shall be provided in each compartment with the use of ventilating pipes not less than 50 mm. in diameter. For buildings, where plumbing fixtures have appropriate “P” traps, venting should occur through the plumbing stack in the building, not from the septic tank. For buildings where toilets and sinks are not protected with “P” traps, traps should be installed, or vent directly from the septic tank.
- h) There shall be at least one maintenance hole for each compartment, with a minimum side dimension of 500 mm. All maintenance holes shall extend through the tank cover and shall extend to finished grade. Manhole covers shall be designed with durable and fully-coated or non-corrosive handles for easy lifting. Septic tank access covers should be secured from unauthorized entry, either through safety screws, locks or tank lid that weighs 15kg or more.
- i) Septic tanks shall be cleaned before excessive sludge or scum is allowed to accumulate and seriously reduce the sludge settling efficiency. Septic tanks shall be cleaned or desludged at least once every five (5) years.

For commercial establishments, wastewater must conform to the typical characteristics of household wastewater, before being accepted for treatment in the septage treatment facility. If the wastewater or septage contains high values of contaminants such as fuel, oil or grease, or heavy metals or any other contaminant not usually found in domestic septage, the establishment must provide pre-treatment to bring the quality to domestic standards.

**SECTION 19. MANDATORY DESLUDGING OF SEPTIC TANKS.** – Dislodging of septic tanks shall be mandatory, and must conform to the following standards:

- a) All owners and users of septic tanks shall be required to have their septic tanks desludged every five (5) years.
- b) The opening of septic tanks, for dislodging purposes, shall only be done with the authority of the owner or user.
- c) Actual dislodging must be done only by the PWIC or a private dislodging company duly accredited by the DOH and/or DENR-EMB.
- d) Violation of this provision shall subject the owner and/or user of the septic tank to the penalties stipulated in Section 28 of this Ordinance.

**19.1 Serviced Households.** – The PWIC shall determine the barangays to be served every year such that the Septage Management Services will be offered to all PWIC customers covering one hundred percent (100%) of the service area once every five years, **provided**, that the following customers shall be considered served:

- a) those who refused the services of PWIC;
- b) those who do not have septic tanks;
- c) those who have been notified by PWIC of the service for three (3) consecutive times but fail or refuse to avail the service; and
- d) those who, despite diligent effort, have not been served by PWIC due to circumstances beyond its control.

**19.2 Exemptions.** – Those with septic tanks that cannot be physically accessed by the dislodging equipment with the following reasons are exempted from the mandatory dislodging of septic tanks and the payment of User Fees discussed in Section 24:

- a) those inaccessible due to road limitations; and
- b) those residing in island barangays.

**19.3 Request for Emergency Desludging.** – The PWIC shall provide emergency dislodging services to residents and establishments within the City, subject to the following:

- a) for PWIC customers, payment for water and environmental fees should be updated; and
- b) for non- PWIC customers, payment should be made to PWIC office prior to the provision of service. The payment scheme for non- PWIC customers is discussed in Section 24 (d) of this Ordinance.

**SECTION 20. REGULATION ON DESLUDGERS.** – Desludgers shall abide by the following regulations:

- a) Only DENR and/or DOH accredited private entities complete with permits shall be allowed to provide septage collection and transport services. Collected septage shall only be disposed and treated in a DENR and/or DOH accredited disposal/treatment facility with pertinent permits.
- b) Liquid and/or solid materials removed from septic tanks shall be transported only by a DOH/DENR accredited septage hauler/pumper to the approved septage treatment facility pursuant to the regulations prescribed by the DOH and authorized by the PWIC. Unless, otherwise provided by law, septage hauler/pumper shall not be allowed to collect, transport and upload or dispose of septage in other places, including bodies of water, agricultural fields, and the drainage system within Batangas City.
- c) All entities engaged in dislodging activities are required to secure Permit to Transport from the DENR, Environmental Sanitation Clearance from the DOH, Sanitary Permit from the City Health Office, and other pertinent permits as may be deemed necessary as part of the requirements for issuance of annual business from the City.

**SECTION 21. INSTITUTIONAL ARRANGEMENTS.** – The City Engineer shall have the following responsibilities in implementing this Ordinance:

- a) Inspection - Designate field inspectors that will check on the general design, construction, and maintenance requirements of septic tanks and/or wastewater treatment facilities in residential, commercial, industrial governmental, and institutional structures;
- b) Maintenance of Database - Coordinate with the City Health Officer and the PWIC in the formation and maintenance of a robust database of the list of all homeowners with hygienic septic tanks and with the City Business Processing and Licensing Officer for the database of all business establishments with adequate wastewater treatment facilities;
- c) Transporting of Septage - Coordinate with the City Health Officer for the implementation of an accreditation system, in consonance with the rules and regulations set forth by the DENR-EMB and DOH, and follow existing operational guidelines set forth by the DENR/DOH for the handling, transportation, treatment, and disposal of septage by private dislodging service providers who intend to operate in Batangas City;
- d) Issuance of Sanitary Permits - Coordinate with the City Health Officer on the issuance of Sanitary Permits for all septage treatment and collection facilities, and development of a protocol for periodic inspection of such facilities, including but not limited to equipment, training programs, and safety;
- e) Enforcement on Sewer Connection - Assist the PWIC and other appropriate authorities in the enforcement of sewer connection, and penalties for non- or disconnection and illegal sewer tapping.

**SECTION 22. CREATION OF A CITY SEPTAGE MANAGEMENT COUNCIL. –**

There shall be created a City Septage Management Council (CSMC) which shall be composed of the following:

Chairperson : City Mayor or his/her duly authorized Representative

Vice Chairperson : SP Chairperson - Committee on Environmental Protection

Members : SP Chairperson - Committee on Health  
City Engineer / City Building Official  
City Health Officer  
City Planning & Development Coordinator  
City Business Licensing Officer  
City Environment and Natural Resources Officer  
Association of Barangay Councils (ABC)  
President  
PrimeWater Infrastructure Corporation and its  
Joint Venture Partner

The City Septage Management Council shall have the following functions:

- a) To strictly implement an accreditation system and operational guidelines for private septage or dislodging service providers that would like to operate in the City including but not limited to securing an Environmental Sanitation Clearances (ESC) as provided for in the rules and regulations of the Department of Health in handling, transporting, treatment and disposal of septage;
- b) To review and approve application for service providers and to recommend the same for the approval of the *Sangguniang Panlungsod*;
- c) To serve notice of non-conformance to the provisions of this Ordinance to the owners/administrators, or occupants if a septic tank is not present or it is not accessible for dislodging. Information campaign to promote compliance with this Ordinance shall also be done;
- d) To inspect, observe, conduct measuring, sampling, and testing in properties as permitted by the CSMC or its authorized representatives in coordination with the deputized barangay official shall be permitted to visit properties for the purpose of inspection, observation, measurement, sampling and testing. A prior notice shall be given the property owners to obtain consent and facilitate inspection;
- e) To implement a compliance period for those property owners, administrators or occupants served with notices of non-conformance, a

compliance period shall be set by the property owners, administrators or occupants and the City Septage Management Council in accordance to Section 17 and 18 of the Ordinance. The compliance period shall be based on the proper installation of an acceptable septic tank of which design is specified in this Ordinance and by national law;

- f) To take responsibility for the strict implementation of penalties as stated in Section 28 of this Ordinance; and
- g) To conduct rounds of inspection for new developments after the Building Official issued an Occupancy Permit serving as Certificate Compliance.

**SECTION 23. POWERS AND RESPONSIBILITIES OF PWIC.** – This Ordinance hereby grants the PWIC with specific powers and defines its responsibilities for the effective implementation of the City’s Septage Management Program, to wit:

- a) Establishment of a Facility - the PWIC shall construct, operate and maintain a DOH-approved Septage Treatment Facility within the jurisdiction of the City. It, may enter into contract or joint venture agreement with private entities duly accredited by the DOH and DENR for the construction, operation and maintenance of the facilities. The PWIC and its joint venture partner shall ensure that the capacity of the septage treatment facility shall be sufficient for the use of the City.
- b) Septage Collection and Transport Services - the PWIC its joint venture partner, shall provide septage collection and transport services within the City. The dislodging trucks shall conform to the prescribed DOH standards at all times. The PWIC and its joint venture partner shall ensure that the truck fleet shall be sufficient in capacity to provide dislodging services to the City.
- c) Supplemental Rules and Regulations - the PWIC shall prepare the proposed implementing rules and regulations for septage collection and transport, including any subsequent adjustment to the proposed fees and charges for dislodging and treatment of septage and submit the same to the *Sangguniang Panlungsod* for approval. Contracts or agreements

entered into by the PWIC shall likewise be submitted to the *Sanggunian* for ratification; and

- d) Information, Education, Communication - the PWIC shall coordinate with the Batangas City Government for the conduct of information, education and communication activities in collaboration with appropriate public or private agencies concerning proper wastewater management to increase level of awareness and commitment of the public to proper sewage treatment or septage management.

**SECTION 24. USER FEE.** – Fee for dislodging and septage treatment shall be collected from owners/proprietors of all residential, commercial, industrial, governmental, and institutional structures serviced by the PWIC. The User Fee will be incorporated in the PWIC monthly water bill which will be listed as the “Environmental Fee”. The amount of the environmental fee for septage management shall be at a fixed rate per cubic meter of water consumed for residential customers and non-residential customers, without prejudice to future adjustments as may be determined by ordinance duly promulgated by *Sangguniang Panlungsod*. The fees will be exclusive of all applicable taxes and other fees, **provided**, that proceeds from the said fee shall be used exclusively to sustain efficient and effective septage management in Batangas City. The charging of the Environmental Fee will take effect on the first day of operations of the Septage Treatment Facility.

- a) **Exceptions in the Computation of the Environmental Fee.** – The following will be exempted in the computation of the environmental fee:
  - (i) Penalties due to late payment – the Environmental Fee will not be included in the base amount used for the computation for penalties due to late payment of water bills.
  - (ii) Excessive water consumption due to identified leaks – for this case, the consumption history of at least six (6) months of the customer will be reviewed and will serve as basis for the re-computation of the environmental fee.
- b) **Environmental Fee for Residential Users.** – For residential customers, the environmental fee shall be collected in the following schedule,

exclusive of Value Added Tax (VAT), commencing from the first day of operation of the Septage Treatment Facility:

|   |  |
|---|--|
| 0 month to 6 <sup>th</sup> month                | Php 1.50 per cubic meter of water consumed |
| 6 <sup>th</sup> month to 12 <sup>th</sup> month | Php 2.50 per cubic meter of water consumed |
| 12 <sup>th</sup> month onward                   | Php 3.50 per cubic meter of water consumed |

- c) **Environmental Fee for Business and Institutional Users.** – For business and institutional customers, the following matrix will be used, exclusive of VAT:

| <b>Customer Septage Class</b> | <b>Definition</b>  | <b>Nature of Business</b>  | <b>Septage Fee Computation Class Multiplier x Php 1.50/2.50/3.50 x Monthly Water Consumption)</b>   |
|-------------------------------|--|--|---|
| <b>I</b>                      | Institutional Facilities directly using water on a daily basis on their operations with normal to high water consumption and producing normal volume of septage. | <ol style="list-style-type: none"> <li>1. Public Schools</li> <li>2. Public Hospitals</li> <li>3. Government Offices including barangay halls, center etc.</li> <li>4. City pound</li> </ol> | 0-6 <sup>th</sup> month – 1 x Php 1.50<br>6 <sup>th</sup> -12 <sup>th</sup> month – 1 x Php 2.50<br>12 <sup>th</sup> month onward – 1 x Php 3.50  |
| <b>II</b>                     | Business Establishments directly using water on a daily basis on their operations with high water consumption and producing low volume of septage.               | <ol style="list-style-type: none"> <li>1. Carwash</li> <li>2. Laundry shops</li> <li>3. Water Refilling Stations</li> <li>4. Poultry</li> <li>5. Piggeries</li> </ol>                        | 0- 6 <sup>th</sup> month – 1 x Php 1.50<br>6 <sup>th</sup> -12 <sup>th</sup> month – 1 x Php 2.50<br>12 <sup>th</sup> month onward – 1 x Php 3.50 |
| <b>III</b>                    | Business Establishments directly using water on a daily basis on their operations with normal to high water consumption and producing normal volume of septage.  | All other business establishments without on-site wastewater treatment facility/ies  | 0- 6 <sup>th</sup> month – 2 x Php 1.50<br>6 <sup>th</sup> -12 <sup>th</sup> month – 2 x Php 2.50<br>12 <sup>th</sup> month onward – 2 x Php 3.50 |

- d) **Septage Collection and Treatment Fee for Non-PWIC Customers. –** For non- PWIC customers, a one-time fee for the collection and treatment of septage will be paid directly at the PWIC office upon the request of the service. The fee will be Six Thousand Pesos (Php 6,000.00) exclusive of VAT. This fee is subject to periodic adjustment, which adjustment shall be approved by the PWIC and the *Sangguniang Panlungsod*. These fees cover the collection and treatment of septage that can be collected in a single trip of the vacuum truck.
  
- e) **Tipping Fee for Other Accredited Desludgers. –** Private dislodging companies duly accredited by the DOH and/or DENR-EMB can haul their collected septage to the Septage Treatment Plant of PWIC and its joint venture partner for treatment. The Tipping Fee for this service will be at One Thousand Five Hundred Pesos (Php 1,500.00) per cubic meter of septage to be treated. The Tipping Fee is VAT-exclusive and is subject to periodic adjustments, which adjustment shall be approved by the PWIC and the *Sangguniang Panlungsod*.

**SECTION 25. SEWER LINE CONNECTION/SEWERAGE PROJECTS. –** The City shall provide assistance in securing necessary permits, right of way, information and education campaign (IEC), land acquisition to the utilities in laying down sewer lines within the City. Only domestic wastewater sources shall connect to existing sewer lines. Commercial buildings and structures are required to pre-treat all wastewater from their structures to “domestic wastewater quality” in accordance with the requirements set forth in the Philippine Clean Water Act of 2004 (RA 9275), before the same is discharged. Said connection to existing sewer lines shall be subject to sewerage service charge/fees, if any, in accordance with existing laws, rules, or regulations as identified by the PWIC.

**SECTION 26. PROHIBITED ACTS. –** The following acts are prohibited:

- a) Refusal to have septic tank desludged as required by this Ordinance;
  
- b) Refusal of new and existing residential, commercial, industrial, governmental, and institutional facilities to connect to available sewer lines:

- c) Refusal to repair, retro-fit, upgrade or construct septic tanks, after ten (10) years from the effectivity of this Ordinance, to conform to the specifications herein provided, or as maybe required by other pertinent laws, rules and regulations:
- d) Dumping of septage and untreated wastewater to drainage, canals, rivers, and other natural and artificial waterways and other open areas:
- e) Dislodging and transporting of septage without the necessary permits and accreditation from the authorized permitting agencies; and
- f) Hiring/availing the services of illegal/non-accredited deslugger, transporter by any person or establishment to desludge septic tanks or dispose of their wastewater.

**SECTION 27. MONITORING AND EVALUATION.** – The City Building Official, in coordination with the City Health Officer, the City Environment and Natural Resources Officer, and the City Business Processing and Licensing Officer (BPLO) shall be required to evaluate the compliance of the facilities one (1) year after the effectivity of this Ordinance. All these facilities must conform to the standards of DENR-EMB, and DOH.

The same Officers are to come-up with an annual list of violators to be posted in three conspicuous places and in the Batangas City Government website, if any. The same list shall be submitted to the City Treasurer and BPLO for the imposition of appropriate penalties.

The PWIC will assist in reporting any violations incurred and submit these reports to the City Septage Management Council.

**SECTION 28. PENALTIES.** – Any owner or user of residential, commercial, industrial, governmental, and institutional structures that failed to comply with the provisions of this Ordinance, must pay the fines per violation set here in lieu of prosecution.

- a) For private residential buildings – One Thousand Pesos (Php 1,000.00)

- b) For hotels, apartments, banks, offices, shops, lodging houses, dormitories, malls, restaurants, and other commercial establishments – Five Thousand Pesos (Php 5,000.00)
  
- c) For hospitals, funeral parlours and similar operation – Five Thousand Pesos (Php 5,000.00)

If the violation is committed by a corporation, partnership or other juridical entity duly organized in accordance with law, the chief executive officer, president, general manager, managing partner or such office-in-charge shall be held liable for the commission of the offense. Failure to comply with the provisions herein may also result in the cancellation of Business Permits of the establishment after due process.

## **CHAPTER III**

# **DEPUTIZED FISH WARDENS FOR THE PROTECTION OF THE MARINE ECOLOGY**

**SECTION 29. DECLARATION OF POLICY.** – It is hereby declared the policy of the Batangas City Government to deputize Bantay Dagat Task Force Fish Wardens for the protection and preservation of the City marine ecology, to grant an Honorarium and Insurance for the same and to appropriate necessary funds in order to carry out the implementation of this Ordinance from 2016 and in the subsequent years.

**SECTION 30. SOURCE OF FUND.** – The Honoraria of Bantay Dagat Task Force or Deputized Fish Wardens for the year 2016 shall be taken from the Annual or Supplemental Budget or any available funds. In order to carry out the implementation of this Ordinance in the subsequent years, the amount necessary for such purpose shall be appropriated in the Annual Budget under the City Veterinary and Agricultural Office (OCVAS) and shall be processed and granted to the Deputized Fish Wardens in the same manner as to their previous honoraria subject to all existing budgeting and accounting laws, rules and regulations.

**SECTION 31. HONORARIA.** – Every Deputized Fish Wardens who has rendered services in aid of the implementation and enforcement of existing fishery laws, rules and regulations shall receive an Honorarium in the amount of Two Thousand Pesos (Php 2,000.00) every month. The records of attendance and/or number of hours of duty rendered must be duly certified by each Bantay Dagat Team Leader and attested by the Chairperson of Bantay Dagat Task Force and the Division Head of the Fishery Division of the Office of the City Veterinary and Agricultural Services (OCVAS) and/or the Department Head of the said department.

**SECTION 32. INSURANCE.** – To afford ample protection and sense of security in risking their lives in the performance of their duties, the City Government of Batangas through the City Mayor shall allocate funds for the PhilHealth coverage under R.A. 7875 or other insurance benefits as may be allowed by law to every Bantay Dagat Task Force or Deputized Fish Wardens deputized by the City Mayor.

# CHAPTER IV UTILIZATION, MANAGEMENT, PROTECTION AND CONSERVATION OF FISHERY REFUGE AND SANCTUARY IN BARANGAY ILIJAN, BATANGAS CITY

**SECTION 33. DECLARATION OF POLICY.** – It is hereby declared the policy of the Batangas City Government to protect the rights of the City marginal fishermen and encourage their participation in the promotion of fishery conservation and to regulate fishing and coastal activities, if necessary, to ensure the sustainability of the production of fish and other aquatic resources for Batangas City.

**SECTION 34. COVERAGE AREA.** – This Ordinance shall cover and be applicable to the following:

- a) **Buffer Zone.** – The reef area from the mouth Maulat River in Sitio Silangan II and to about 150 meters before the wharf of the KEPCO Ilijan and about 12.97 hectares bounded by the following coordinates:

|         |                            |
|---------|----------------------------|
| Point 1 | 13.62862 N,<br>121.07133 E |
| Point 2 | 12.62788 N,<br>121.07078 E |
| Point 3 | 13.62109 N,<br>121.07528 E |
| Point 4 | 13.62160 N,<br>121.07555 E |

- b) **Core Zone.** – The coral reef of Sitio (Silangan) of about 3.04 hectares bounded by the following coordinates:

|         |                            |
|---------|----------------------------|
| Point 1 | 13.62525 N,<br>121.07403 E |
| Point 2 | 13.62481 N,<br>121.07366 E |
| Point 3 | 13.62432 N,<br>121.07333 E |



water, detriment or injuries to public health, marine life and ecosystem, recreational or other legitimate uses.

- i) **Mooring** – the act of securing the vessel to fixed buoy by mean of ropes, chain and other similar devices.
  
- j) **Vessel Grounding** – the accidental or intentional contact of watercraft to a coral or coral reefs and other living or non-living components or structure of sea floor or bottom causing damage or injury to such thing and/or area.

**SECTION 36. MANAGEMENT.** – The Ilijan Fishery Refuge and Sanctuary shall be managed by a council comprised of community stakeholders and applicable City agencies.

- a) **Composition of Sanctuary Management Board.** The Management Board shall be composed of:
  - (i) The City Mayor;
  - (ii) City Councilors, Committee on Environment and Committee on Agriculture;
  - (iii) The Department Head of the City Veterinary and Agricultural Services;
  - (iv) The Chief of Police, Batangas City Police Station;
  - (v) The Barangay Chairperson;
  - (vi) The Officers Bureau of Fisheries and Aquatic Resources Management Council;
  - (vii) The City Environment and Natural Resources Officer;
  - (viii) The Principal, Ilijan National High School;
  - (ix) The Community Representative KEPCO Ilijan; and
  - (x) The Chairperson, Ilijan Community Development Foundation

The Management Board will create a Secretariat to be composed of the Fisheries Division of OCVAS and ENRO.

- b) **Officers of the Board.** The Officers of the Board shall be composed of:
- (i) Chairperson;
  - (ii) Vice Chairperson;
  - (iii) Director of Law Enforcement;
  - (iv) Director of Finance; and
  - (v) Director of Research and Program Development
- c) **Duties and Functions of the Board.** The Board shall by consensus or majority vote, approve or take necessary action but not limited to the following:
- (i) Decide on matters related on planning, resource protection and collection of fees and general administration of the area;
  - (ii) Approve implementing rules and regulation proposals, working plans, action plans, guidelines and by-laws of the board and for the management of the protected area;
  - (iii) Delineate and demarcate boundaries, buffer zone and other areas to properly define the protected area;
  - (iv) Control and regulate the construction, operation and maintenance of facilities and structure within the protected area; and
  - (v) Monitor and evaluate the performance of the protected area personnel, members, NGO's and the community in providing conservation and socio-cultural and economic development.

**SECTION 37. ZONATION.** – As defined under Section 34, the Ilijan Fishery Refuge and Sanctuary area shall be composed of:

- a) **Core Zone.** The Strict Protection Zone within the sanctuary marked with designated buoy where fishing or other forms of activities, which may damage the ecosystem of the area is prohibited and human access maybe restricted.
- b) **Buffer Zone.** Sustainable Use Zone, the area surrounding the core zone open for traditional fishing gear where are regulated for sustainable use and marked with designated buoy.

**SECTION 38. COLLECTION OF FEES.** – Fees as determined by the Management Board will be collected from those entering the fishery-refuge and sanctuary. The Management Board shall designate an authorized collection officer and define the procedure for control and disbursement of the collected fees. The collected fees will be remitted to the City Treasurer’s Office to be used exclusively for the implementation of the programs of this Ordinance.

**SECTION 39. PROHIBITION.** – No anchorage is allowed on the entire area of the Fishery Refuge and Sanctuary. All watercraft are required to use the mooring installed for the said purpose.

- a) Within the Core Area of the Fishery Refuge Sanctuary, it is unlawful to:
  - (i) Conduct any kind or method of fishing activity to catch, take or destroy any fish and other aquatic resources or in any manner disturb, drive away fish fry, fish egg or other type of marine organism;
  - (ii) Enter, short cut or drive through the area with motorized boat or vessel; and
  - (iii) Anchor or secure any craft to the sea bottom.
- b) Within the buffer zone the following activities are prohibited:
  - (i) The use of motorized boat, fishing with scaring devices and/or light to attract fish; and
  - (ii) Other fishing activities not included in Section 41 of this Ordinance.

**SECTION 40. ACTIVITIES PERMITTED IN THE FISHERY REFUGE AND SANCTUARY.** – Activities permitted inside the Core Zone and Buffer Zone are as follows:

- a) Activities permitted inside the core zone. Annual Underwater Assessment subject to the approval of the Management Board.
- b) Activities permitted inside the buffer zone. Use of traditional fishing gear restricted to the following:
  - (i) Simple hook and line,
  - (ii) Spear gun without the use of breathing device, and
  - (iii) Fish pot and/or fish trap.

**SECTION 41. DIVING AND OTHER TOURISM ACTIVITIES.** – Scuba diving, snorkelling, kayaking and other related activities to tourism and leisure will be regulated subject to the rules and regulations established by the Management Board in Section 32 inside the buffer zone depending on the extent on the disturbance or interference to fisheries species biology.

**SECTION 42. PENALTIES.** – Penalties shall be enforced on the following violation:

- a) Unauthorized entry;
- b) Anchorage;
- c) Illegal fishing;
- d) Vessel grounding; and
- e) Marine pollution

Violation of any provision of this Ordinance shall be penalized by a fine of Five Thousand Pesos (Php 5,000.00) or imprisonment of six (6) months or both at the discretion of the Honorable Court. In addition, if the Court determines that due to the offense, the area requires rehabilitation or restoration, the offender shall be required to restore or compensate for the restoration of the damage. The Sanctuary Board shall designate an authorized officer for law enforcement to assist in the implementation of the Court's decision or in confiscation of fish/marine catch from violators of this Ordinance.

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# ARTICLE II

## ETHICS AND GOOD GOVERNMENT

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**WHEREAS**, as mandated by Section 1, Article XI of the 1987 Constitution, “Public office is a public trust. Public offices and employees must, at all times, be accountable to the people, serve them with utmost responsibility, integrity, loyalty, and efficiency, act with patriotism and justice, and lead modest lives”;

**WHEREAS**, to promote a high standard of ethics in public service and to give quality service to the people through standards of personal conduct embodied in Republic Act 6713 “Code of Conduct and Ethical Standard for Public Officials and Employees” to wit: commitment to public interest, professionalism, justness and sincerity, political neutrality, responsiveness to the public, nationalism and patriotism, commitment to democracy, and simple living;

**WHEREAS**, every Local Government Unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare;

**WHEREAS**, the Batangas City Government aims to uplift the quality of government service to its people through legislations that are just and sincere, committed to the public, to ensure transparency and accountability; and

**WHEREAS**, effective and efficient governance is best achieved if the people share its responsibilities. A system of partnership between the City Government through the Mayor and the people of Batangas City through organized accredited Non-government Organization (NGO), People’s Organization (PO) and Private Sector (PS) shall guarantee that the sovereignty effectively resides in the people. Without participation, there can be no genuine empowerment, without empowerment, there can be no genuine participation.

# CHAPTER I

## BATANGAS CITY EMPOWERMENT ORDINANCE

**SECTION 43. DECLARATION OF POLICY.** – The City Government of Batangas hereby declares itself open to a partnership with duly accredited Batangas City based people’s organizations (POs), non-government organizations (NGOs) and private sector (PS) in the conception, implementation and evaluation of all government activities and functions.

**SECTION 44. DECLARATION OF PRINCIPLES.** – The City Government of Batangas, as a creation of the sovereign people, shall at all times adhere to the following principles of governance:

- a) The will of the people shall always reign supreme. It shall be the prime responsibility of any government to ensure that such will is at all times manifested and enforced;
- b) The will of the people can best be determined if they organize themselves to address their sectoral or common concerns; and
- c) Promote the establishment and operation of People’s and Non-Government Organizations in the local government unit to become active partners in the pursuit of local autonomy.

**SECTION 45. DEFINITION OF TERMS.** – As used in this Ordinance the following terms shall mean:

- a) **City Government** – refers to the City Government of Batangas City;
- b) **Cooperative** – a duly registered association of persons, with a common bond of interest, who have voluntarily joined together to achieve a lawful common social or economic end, making equitable contributions to the capital required and accepting a fair share of the risks and benefits of the undertaking in accordance with universally accepted cooperative principle;
- c) **Non-Government Organizations (NGOs)** – any aggrupation of individual objectives for the community or sector thereof and is committed

to the task of socio-economic development and is established primarily for the provision of service to entities other than its members. Such services may involve assisting citizens or people's organization in various ways of educating, training or giving financial assistance to them;

- d) **Partisan Political Activity** – refers to any activity statement or manifestation, which solely or primarily serves to campaign for or against any particular political party of any candidate for any elective public office;
- e) **People of Batangas City** – refers to an organized accredited NGO, PO, PS and Sectoral League acting as representatives of the people in bringing its agenda for partnership in the local governance as provided in the Local Government Code;
- f) **People's Federation** – an organization of consolidated accredited sectoral leagues representing all the vital sectors in the City, each with distinct classification and sectoral representations;
- g) **People's Organizations (POs)** – any organization that is established to protect and advance specific causes or the interest of specific sectors e.g., labor, farmers, fisherfolks, women, peasant, youth, urban poor, disabled, senior citizens, drivers, etc., not organized for religious purposes or partisan politics and whose primary concern is the advocacy of sectoral issues and or the realization of specific developmental objectives for their sector for the promotion of their own common interest;
- h) **Private Sector (PS)** – an aggrupation of individuals and/or organizations established to promote and advance the common interest of their sector, e.g., professional, trade, industry or chamber, civic and welfare groups established either a chapter/branch of a national organization or originally founded and based in Batangas City; and
- i) **Sectoral League** – an aggrupation of accredited NGOs or POs or PS;

**SECTION 46. CREATION OF SCREENING COMMITTEE.** – For purposes of expediency, efficiency and consistency to existing laws, regulations and/or circulars of national agencies, there shall be a Screening Committee of NGOs, POs and PS Accreditation and will be composed of the following:

- a) Chairperson : City Planning & Development Office
- b) Vice Chairperson : Chairperson, *Sangguniang Panlungsod* Committee on Accreditation
- c) Members : Department of the Interior and Local Government representatives  
City Social Welfare and Development Office  
City Environment and Natural Resources Office  
City Budget Office  
City Economic Management and Cooperative Development Office  
Local Finance Committee Action Officer  
Chairperson, Committee on Laws, Rules and Internal Government  
Two (2) representatives from LGU - NGOs/PO Council

**SECTION 47. FUNCTIONS AND RESPONSIBILITIES.** – As stated in this Ordinance:

- a) Screening Committee (SC) of NGOs, POs and PS Accreditation:
  - (i) Collects and processes report of the Technical Working Group (TWG) on the activities undertaken by NGOs/POs/PS who applied for accreditation to the *Sangguniang Panlungsod*;
  - (ii) Analyzes the problems/information on the document submitted by NGOs/POs/PS as verified by the TWG;
  - (iii) Institutes sanctions to NGOs/POs/PS who shall be found intentionally providing false information in the documents submitted for purposes of accreditation;
  - (iv) Holds monthly meeting or as often as necessary to discuss pertinent matters concerning the validity of NGOs/POs/PS documents; and

- (v) Endorses validated documents of NGOs/POs/PS to *Sangguniang Panlungsod* for accreditation.
- b) The Screening Committee of NGOs, POs, and PS Accreditation shall be backed up by the Office of the City Planning and Development Coordinator (to be undertaken by the Project Evaluation Division) with the following responsibilities:
  - (i) Receives NGOs/POs/PS documents from the *Sangguniang Panlungsod* for Screening/Validation by SC;
  - (ii) Schedules and convenes meetings of the SC;
  - (iii) Monitors and evaluates the reliability of the NGOs/POs/PS as evidenced by the preparations of annual reports and conduct of annual meetings duly certified by the Board Secretary;
  - (iv) Provides the Screening Committee the list of all NGOs/POs/PS who applied for accreditation to the *Sangguniang Panlungsod*;
  - (v) Provides the Screening Committee with list and schedule of names of NGOs/POs/PS applicants; and
  - (vi) Provides the Screening Committee relevant information regarding the status of the NGOs/POs/PS who applied for accreditation.

**SECTION 48. ACCREDITATION REQUIREMENTS.** – Any NGOs, POs, and PS based in this City actively operating for at least one (1) year prior to the application for accreditation may be registered and accredited by the *Sangguniang Panlungsod* upon submission and compliance with the following requirements:

- a) Brief History, Proof of Existence and Operation in Batangas City for at least one (1) year prior to the application of the accreditation;
- b) Proof of activities held in pursuit of developmental objectives or of organizational activities conducted;
- c) Program of activities planned for the year following the date of Application for Accreditation;

- d) Copies of its constitution and by-laws, Articles of incorporation and certificate of registration from any appropriate government agency i.e., SEC, CDA, DOLE, DSWD, etc.;
- e) List of officers and members of good standing;
- f) Financial statement and declaration of assets and liabilities; and
- g) Board Resolution manifesting a decision to seek accreditation and participation under this Ordinance.

**SECTION 49. SPECIAL COMMITTEE ON ACCREDITATION.** – The *Sangguniang Panlungsod* shall create a special committee from among its members for purposes of processing applications for accreditation, monitoring compliance with the conditions for accreditation, recommending withdrawal thereof, and initiating necessary and desirable legislative measures for the effective performance of its tasks.

**SECTION 50. APPROVAL, AMENDMENT, VALIDITY AND REVOCATION OF ACCREDITATION.** – Any NGOs, POs and PS whose application for accreditation has been approved shall be issued a certificate of accreditation containing, among others, the terms and conditions for the maintenance of its accredited status.

The *Sangguniang Panlungsod*, however, may from time to time, and in consultation with the accredited NGOs, POs, PS and Sectoral Leagues and/or the People’s Federation and other accredited NGO, PO and PS, impose and/or amend such other requirements and condition for accreditation as it may deem appropriate to best adhere to the principle behind the enactment of this Ordinance. Any NGO, PO, and PS already accredited by the *Sangguniang Panlungsod* prior to the effectivity hereof need not to apply again for accreditation for purposes of this Ordinance, unless its accreditation has in the meantime been withdrawn. The *Sangguniang Panlungsod* may, in consultation with the NGO, PO, PS, and Sectoral League and after hearing, withdraw any accreditation granted to any Non-Government Organization or People’s Organization/Private Sector for violation of any provision of this Ordinance.

**SECTION 51. EMPOWERMENT PRINCIPLE.** – Parallel to the vision, mission, goals and aspirations of the City Government of Batangas as it attains sustainable development for its people, is to ensure transparency and accountability through a system of partnership that will encourage, foster and imbue to its citizenry their inherent right to

organize themselves through accredited NGO, PO and PS that will address their common sectoral concerns, promote their general welfare, and/or serve the City and their communities and interests.

**SECTION 52. EMPOWERMENT OF RIGHTS.** – Accredited NGOs, POS, PS or sectoral groups is hereby empowered and/or encouraged to carry out and/or exercise their rights such as but not limited to the provisions stated herein and may perform such other activities or duties that may be subject to the approval of the Sectoral League or *Sangguniang Panlungsod* or as prescribed by law as the case may be, subject to all existing laws, rules and regulations:

- a) Enter into joint ventures and other cooperative undertakings with the City Government to engage in the delivery of basic services, capability-building and livelihood projects and to develop local enterprises designed to improve productivity and income, diversify agriculture, spur rural industrialization, promote ecological balance, and enhance the economic and social well-being of the people within the framework of equitable and sustainable development;
- b) May receive grants, assistance, financial or otherwise, from the City Government for economic, socially oriented, environmental, or cultural projects to be implemented within the territorial jurisdiction of the City;
- c) Assert their legitimate role as equal partners in development and have the right to equal access to funding and other resources both local and foreign, without compromising their principle of autonomy;
- d) They also have the right to propose and implement alternative development strategies and programs and the right to have free and unhampered access to information; and
- e) Non-approval of the application of the NGOs, POs and PS shall not in any way affect its juridical personality or being as an entity recognized by law. Every sectoral league is likewise encouraged to carry out the above stated empowerment rights that may be subject to the approval of *Sangguniang Panlungsod* or as prescribed by law as the case may be, subject to all existing laws, rules and regulations.

**SECTION 53. THE PEOPLE'S FEDERATION.** – The People's Federation shall determine its own organizational and internal rules but shall at all times provide for adequate consultation mechanisms for purposes of obtaining the views and suggestions of all non-accredited but legally organized NGOs, POs and PS, and accredited NGOs, POs, and PS which are not members of the union. However, non-accredited NGOs, POs and PS shall not be nominated by the People's Federation for membership in the City's special bodies nor may be granted the rights and privileges of accredited NGOs, POs and PS under this Ordinance; furthermore, no provision herein be interpreted to prohibit the union from changing its name or from being organized other than for the purposes of this Ordinance.

**SECTION 54. PUBLIC HEARINGS AND CONSULTATIONS, REFERENDA AND PLEBISCITES.** – It shall be the principal obligation of the City Government to conduct regular public, barangay and sectoral hearings and consultations on all matters affecting the general welfare, and/or submit all controversial issues and legislations to the people in a referendum or plebiscite specially called for the purpose, upon two thirds ( $\frac{2}{3}$ ) vote of the *Sangguniang Panlungsod* and subject to the provisions of existing laws.

**SECTION 55. SUPPLEMENTARY MEDIUMS OF EMPOWERMENT.** – The City Government may maintain a daily radio and/or regular television information program on City policies, programs, projects and activities in at least one credible and popular radio station and one television channel to adequately inform the people on issues and matters affecting their rights and welfare.

The City Library, City Public Information Office and the City Planning and Development Office shall develop and implement public information, cultural and general education program for the people through films, video and other visual aids. The City Library shall serve as the repository of all information and documents related hereto.

The City Government and the People's Federation shall jointly create and provide for the composition of the Committee for Batangas City History, Culture and Arts. Such Committee shall be institutionalized by an ordinance and an annual appropriation, shall be separated and independent of any other body for the promotion of the National/Local Culture and Arts.

## **CHAPTER II**

# **HONORARIUM TO ALL *SK Kagawad* OF BATANGAS CITY**

**SECTION 56. DECLARATION OF POLICY.** – This Ordinance declares the policy of the Batangas City Government granting monthly Honorarium, subject to several conditions as stated in this Ordinance, to all duly-elected *SK Kagawad* of the City.

**SECTION 57. AMOUNT OF MONTHLY HONORARIUM AND CONDITIONS.** – All duly elected *SK Kagawad* shall be entitled to an honorarium of Two Hundred Pesos (Php 200.00) monthly subject to the following conditions as certified to by their respective SK Secretary:

- a) Must have attended the regular monthly meeting or meetings and Special meeting of the *Sanggunian Kabataan*;
- b) Failure to attend the monthly regular meeting and special meeting, if there be any, shall not entitle the *SK Kagawad* member for honorarium for the month in which he or she is absent;
- c) If there is no monthly meeting called for the month, the *SK Kagawad* shall not be entitled to the monthly allowance for that month;
- d) SK Officers who are not elected *SK Kagawad* are not entitled to the honorarium;
- e) *SK Kagawad* who has been suspended for cause or a disciplinary action has been filed against him shall not be entitled to honorarium during the period of his suspension or hearing of the disciplinary action filed against him/her; and
- f) The *SK Kagawad* who refuses to assume office, fails to qualify, is convicted of felony, voluntarily resigns, is permanently incapacitated or is removed from office shall not be entitled to the monthly honorarium.

**SECTION 58. APPROPRIATION OF FUNDS.** – Subject to availability of funds, the Honorable City Mayor is hereby mandated to appropriate yearly the necessary funds from lawful sources to give effect to the grant of the *SK Kagawad* monthly honorarium subject to the conditions mentioned in the preceding Section.

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# ARTICLE III: GAMES AND AMUSEMENT

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**WHEREAS**, Local legislation is vital in regulating and supervising the conduct of all professional sports and games in the City and raising standards to a level comparable to the national and foreign countries;

**WHEREAS**, with the exponential rise in technological advances during the past years, innovative and novel forms of professional games and amusements have surfaced and along with this, new and adaptive modes of betting are made available to the populace;

**WHEREAS**, the regulation of games and amusement activities in Batangas City is further developed and improved through intervention of local legislative measures that shall expand and strengthen the powers and functions of the City Government in hearing and deciding any matter, controversy, or dispute concerning the professional games and sports under its supervision; and

**WHEREAS**, with the presence and reference to this Article in this Ordinance games and amusement activities in the City shall be regulated.

# CHAPTER I

## FRANCHISE TO COMMON GAMES CORPORATION

**SECTION 59. DECLARATION OF FRANCHISE.** – Subject to the provisions of applicable laws, rules and regulations, a franchise to broadcast live and date-streamed cockfighting activities and derbies at commercial establishments such as bars, clubs, restaurants, common places and the like, within the City of Batangas. Unless sooner revoked or cancelled, this franchise shall be valid for a period of ten (10) years commencing from the effectivity of Grant of Franchise with the option on the part of the Grantee to renew the same for a similar period and subject to the approval of the *Sangguniang Panlungsod*.

**SECTION 60. AUTHORITY OF THE CITY MAYOR.** – The Grantee shall apply and secure the required business permit to operate from the Office of the City Mayor and the latter shall have authority to require compliance to all existing laws, ordinances, rules and regulations similarly imposed to all business establishments and impose conditions thereto as are expressed or impliedly necessary for the protection of the welfare and safety of all persons going or transacting in said commercial establishments.

**SECTION 61. PROHIBITION OF SALE, LEASE, USUFRUCT AND TRANSFER OF FRANCHISE.** – This franchise is non-transferable in character. As such, the Grantee shall not sell, assign, lease, grant the usufruct of or transfer this franchise, including rights and privileges acquired thereunder to any person, natural or juridical, form or other entities, nor merge with any corporation or individual without prior notice and approval of the *Sangguniang Panlungsod*. Any unauthorized transfer in any form mentioned shall be considered a violation of the franchise which amount to automatic cancellation/revocation of the same.

**SECTION 62. MANDATORY PAYMENT OF TAXES AND FEES PROVISIONS.** – The Grantee shall be liable to pay all taxes and other fees prescribed by the City of Batangas. The assessment shall be without prejudice to the subsequent impositions as may be adopted or hereafter may be required by law or ordinance. Failure on the part of the Grantee to promptly and regularly comply with the said tax obligations shall be a ground for the automatic revocation or cancellation of this franchise.

**SECTION 63. OTHER GAMBLING ACTIVITIES.** – All gambling games of any kind shall at any time be hereby prohibited at the premises of the off-site business operation. The managers or lessee/s of such off-site business and the violators of this provision shall be prosecuted and held criminally liable under the provisions of existing laws.

**SECTION 64. PROHIBITIONS AGAINST MINORS.** – No person less than twenty-one (21) years of age shall be allowed in the premises of the off-site at any time. The operator, manager or lessee shall be responsible for the strict compliance with these rules and any violation thereof is punishable by suspension or cancellation of this franchise without prejudice to criminal prosecution under existing national and local laws.

**SECTION 65. ANTI-FRAUD MEASURES/VISITATION AND INSPECTION RIGHTS OF THE CITY GOVERNMENT AUTHORIZED OFFICIALS.** – Because the subject activity is susceptible to manipulation and there is a need to monitor strictly the timeliness of the cockfights, the Office of the City Mayor shall adopt such measures to obviate the use of fraudulent means or manipulation in all aspects of off-site cockfighting. Persons employing means or manipulation shall be prosecuted against in accordance with penal laws as may be warranted by the prevailing circumstances. The measures shall also provide for the authority and inspection rights of authorized City Personnel. Any breach and/or circumvention of any of the conditions set in this Ordinance, shall be cause for the suspension or revocation of the issued franchise.

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# ARTICLE IV: HEALTH

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**WHEREAS**, Article I, Section 15, of the 1987 Constitution states that it is the policy of the nation to protect and promote the right to health of the people and instill health consciousness among them;

**WHEREAS**, Article XIII, Section 11 of the 1987 Constitution declares that the State shall adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health and other social services available to all the people at affordable cost. There shall be priority for the needs of the underprivileged, sick, elderly, disabled woman and children. Likewise, it shall be the policy of the State to provide free medical care to paupers;

**WHEREAS**, the Local Government Code of 1991 provides that every Local Government Unit shall promote health and safety of the people;

**WHEREAS**, it is one of the policies of the National Government as well as the local government units to invite and encourage the private sector and the non-government organizations to participate in the delivery of basic services to the people;

**WHEREAS**, to protect the health of the people and provide for a clean environment and to achieve the success of the program, every person receiving benefits there from whether directly or indirectly must contribute a share thereto; and

**WHEREAS**, the Batangas City Government in coordination and compliance with national laws and orders prioritizes the promotion of programs relevant to public health optimization.

# CHAPTER I

## AN ORDINANCE ADOPTING REPUBLIC ACT NO. 9482 OTHERWISE KNOWN AS THE “ANTI-RABIES ACT OF 2007”

**SECTION 66. DECLARATION OF POLICY.** – It is hereby declared the policy of Batangas City Government to enact an Ordinance adopting Republic Act No. 9484 otherwise known as “*Anti-Rabies Act of 2007*”. By virtue of this Ordinance, City and Barangay level Rabies Control Committee with specified duties and functions shall be organized and created for the purposes of registry office and relevant registration, immunization and vaccination mechanisms, information and education campaign, and all other provisions stated in this Ordinance shall be incorporated.

**SECTION 67. DEFINITION OF TERMS.** – When used in this Ordinance the following terms shall be understood to have the following meaning, to wit;

- a) **Askal** – a colloquial name for local native or low-grade dog, literally, *asong kalye* or street dog;
- b) **Committee** – Local Rabies Control Committee;
- c) **Dog** – an animal that belongs to the canine family (Scientific name: *Canis familiaris*);
- d) **Dog Registration Tag** – tag issued by the Batangas City Rabies Control Committee Center (BCRCC) to a locally registered dog, which is a pre-requisite to rabies vaccination;
- e) **Dog Vaccination Tag** – Given to a dog that undergoes vaccination. The National Rabies Prevention and Control Committee (NRPCC) assigned shape and colors varies every year for easy identification of vaccinated or unvaccinated (expired) dog;
- f) **IRR** – Implementing Rules and Regulations;
- g) **Manunupsop** – quack doctor performing rabies treatment;

- h) **Owner** – any person, who owns or cares for a pet animal, or any person who dwells in or occupies any building or residential unit where the said animal is kept;
- i) **Program** – Local Rabies Prevention and Control Program;
- j) **Purebred** – dog that belongs to a group of unmixed lineages or without a mixture of breed;
- k) **Stray dog** – a dog without an owner or one whose system of care is not in accordance with regulations pertaining to this Ordinance;
- l) **Supsop** – non-medical remedy for dog bite incidents;
- m) **Unlawful entry** – is illegal entry upon lands or structures without force but by means of fraud or other willful wrong. Unlawful entry also refers to persons without the legal right to be on the property and who have gained entry even though force was not used.
- n) **Upgraded** – improved mixture of different breeds of dog commonly known as mongrel;
- o) **Vaccination** – the administration of proper vaccine to human and animals; and
- p) **Withholding Pen** – a small enclosure for domestic animals;

**SECTION 68. CREATION OF BATANGAS CITY RABIES CONTROL COMMITTEE (BCRCC).** – The Batangas City Rabies Control Committee (BCRCC) shall be created with the City Mayor as Honorary Chairperson, who shall lead, recommend and assist in the formulation of policies and guidelines on all matters pertaining to rabies prevention and control measures. The BCRCC shall have the following duties and functions, to wit:

- a) **City Mayor – Honorary Chairperson**
  - (i) Approves policy guidelines towards the attainment of goals and objectives.

- (ii) Recommends the appropriation of funds for the implementation of programs, projects and activities.
- (iii) Conducts regular committee meeting.
- (iv) Decides with finality on all matters pertaining to the program.
- (v) See to it that the IRR of RA 9482 is properly implemented and adopted for the Local Government Unit's use.

**b) City Veterinarian – Chairperson**

- (i) Implement, supervise and monitor the activities and projects of the BCRCC in compliance with Republic Act 9482 and its IRR.
- (ii) Be responsible in handling and evaluating dogs and other possible rabies infected animal that bite humans.
- (iii) Formulate complementary measures to eliminate rabies cases in the City.
- (iv) To submit report and coordinate regularly with the Provincial as well as Regional and National Rabies Prevention and Control Committee (NRPCC).
- (v) Advise the City Mayor as the Honorary Chairperson on all matters pertaining to the improvement of the BCRCC program.
- (vi) Ensure that IRR of RA 9482 as well RA 8485 also known as the Animal Welfare Act of 1998 is properly implemented.
- (vii) Spearhead the “Search for Best Barangay in Rabies Prevention and Control”.
- (viii) Perform such other functions related to the Program as may from time to time be issued by higher authorities.

**c) City Health Officer – Co-Chairperson**

- (i) Act as a frontline in undertaking activities that may reduce human rabies cases in the City.

- (ii) Be responsible in handling dog bite victims and establish Animal Bite Treatment Center (ABTC).
- (iii) Conduct seminars on “Rabies and Proper Handling of Dog Bite Victims” together with the City Veterinary Office.
- (iv) Comply with and Implement IRR of RA 9482 especially provisions on Section 6 (b) (1 to 7) (Responsibilities of Government Agencies).

d) **Members**

(i) **The Division Superintendent of Schools/ District Supervisors**

1. Incorporate Rabies Control Program in the School Curriculum as per approved by NRPPCC.
2. Spearhead in the conduct of seminars on Rabies Control Program and responsible pet ownership.
3. Comply with, and implement RA 9482 especially provisions on Section 6 (c) (1 to 4) (Responsibilities of Government Agencies).

(ii) **The President, Association of Barangay Councils (ABC)**

1. Implement the BCRCC program in all barangays of the City and report such to the committee.
2. Strictly enforce and monitor dog leashing and confinement in all barangays.
3. Facilitate the conduct of mandatory routine census to update dog population in all barangays.
4. Adopt measures on compulsory dog registration, vaccination and impounding of stray animals.
5. Discourage the populace to resort to *supsop* as remedy to dog bite incidents.

6. Include in the ABC Regular Meeting Agenda the Local Rabies Prevention and Control Program and reports of accomplishment of BRCC, to disseminate the Program goals and objectives, and get the consensus of the barangay chairmen whenever a decision is necessary.
7. Find measures in order to improve the overall performance of each barangay in the implementation of the program, to include incentives as well as penalties for the best and worst barangays in the implementation of the program.

(iii) **The PNP Station Commander**

1. Assist in the formulation and implementing measures that will totally remove all stray dogs in the City.
2. Disseminate information and adopt measures on dog registration and vaccination.
3. Lead in the enforcement and provide assistance and security to BCRCC during stray dog control.
4. Participate and assist the committee in the proper implementation of the program.
5. Assist in dog population control.

(iv) **The City Legal Officer**

1. Attend to and resolve all disputes, complaints or grievances that may arise in relation to the implementation of the program.
2. Initiate and exhaust all means for amicable settlement between the opposing parties or individuals.
3. Set case hearing and notify the concerned individuals of the schedule.

4. Recommend pertinent strategies for the improvement of the program.

(v) **Secretariat**

1. The Office of the City Veterinary and Agricultural Services shall act as Secretariat for the Committee. The Secretariat shall be responsible among others in the sending of notices, keeping all minutes, records, and documents relative to the meeting or deliberation of the committee and submission of reports to NRPCC and forwarding of list of violators to the City Legal Department for appropriate legal action.

**SECTION 69. DUTIES AND FUNCTIONS OF THE BATANGAS CITY RABIES CONTROL COMMITTEE (BCRCC).** – The Committee shall undertake the planning, implementation and monitoring of all its programs, projects and activities in coordination with the National Rabies Prevention and Control Committee (NRPCC) and all concerned government agencies and non-government organizations (NGO's) with the end in view of eradicating and/or neutralizing the threat of rabies against the population and inline thereto:

- a) The Committee may create a technical working group which shall likewise be multi-sector or multi-agency for the purpose of assisting the committee;
- b) The Committee, on common consensus shall schedule a regular meeting during the initial year of implementation of the Batangas City Rabies Prevention and Control Program and every quarter of the succeeding year; however, a special meeting may be called whenever necessary;
- c) The Committee shall establish the appropriate organizational structure and internal rules governing its operation and management to ensure orderly, consistent and full cooperation of its members effective immediately;
- d) The Committee shall formulate its program, and recommend additional rules and regulations in coordination with the NRPCC, as may be necessary in the implementation thereof;

- e) The Committee shall likewise be responsible for the following:
- (i) Identify activities, projects and priority areas for rabies elimination;
  - (ii) Prepare and recommend the work and financial plan for the Program for inclusion in the Office of the City Veterinary and Agricultural Services budget proposal under the General Appropriation Act;
  - (iii) Identify other sources of funds and authorize receipt of grants/donations to support the implementation of the program;
  - (iv) Recommend the operational budget of the Committee and its Secretariat for inclusion in the annual appropriations of the Office of the City Veterinary and Agricultural Services;
  - (v) Monitor the activities contained in the Program by the participating agencies and organization;
  - (vi) Recommend and coordinate the conduct of researches on rabies, its prevention, control and eradication in coordination with other agencies;
  - (vii) Recommend the rabies-free areas to the NRPC for the joint declaration of the Department of Agriculture and Department of Health; and
  - (viii) Conduct a local performance evaluation annually or as deemed necessary and assess if the objectives of the program were achieved. Corollary, it shall prepare the local annual report.
- f) Enforce the apprehension of dog and dog impounding to eliminate stray dogs;
- g) The Committee shall conduct Information Dissemination Campaign to discourage the community in seeking the services of quack doctor, or *manunupsop* as treatment for Rabies;
- h) Conduct “Search for Best Barangay in Rabies Prevention and Control Program” to assess or evaluate if the objective of the program is achieved; and

- i) It shall identify “rabies risk” barangays or areas within the City.

**SECTION 70. CREATION AND COMPOSITION OF THE BARANGAY RABIES PREVENTION AND CONTROL COMMITTEE.** – Effective immediately, there shall likewise be created in every barangay a Barangay Rabies Control Committee (BRCC) who shall implement the program activities in the barangay, the BCRCC shall oversee the proper implementation and monitoring of activities of the BRCC to be composed of the following:

- a) Barangay Captain : Chairperson
- b) The School Principal : Vice Chairperson or in such absence be the *Sangguniang Barangay* Chairperson (Committee on Agriculture and Veterinary or Committee on Health)
- c) Members : The Barangay Secretary  
The Barangay Rabies Coordinator  
The Barangay Councilors (Committee Chairperson on Agriculture and Health)  
The Chief of Barangay Police  
Dog Catcher / Dog Pound In-Charge

**SECTION 71. FUNCTIONS AND DUTIES.** – As stated in this Ordinance:

- a) Appoint the Barangay Rabies Coordinator preferably from Barangay Health Worker of the City Health Office (CHO);
- b) Implement and supervise census of animals every first quarter of the year to be submitted to the Office of the City Veterinary and Agricultural Services on the last office day of February annually;
- c) Strictly implement, supervise and monitor rabies program and activities such as dog registration, immunization and education information campaign in the barangay;
- d) Strictly enforce dog leashing and confinement of stray dogs;

- e) Formulate measures on control of stray dogs or dog impounding in form of imposing fine to raise revenue;
- f) Accommodate and assist BCRCC, veterinary and health personnel during conduct of rabies vaccination and other related activities; and
- g) See to it that penalties to violators under existing laws are properly enforced.

**SECTION 72. OTHER RELATED FUNCTIONS AND DUTIES.** – As stated in this Ordinance:

- a) The BRCC shall conduct regular monthly meetings and may call special meeting when necessary. The presence of at least four (4) members including the Chairperson shall constitute a quorum.
- b) The BRCC shall appoint a dog catcher and dog in-charge from the Barangay Police who shall be trained by the BCRCC and shall be given with incentives and/or additional honoraria from a certain percentage of the impounding fee or any penalty to be imposed by the barangay through an ordinance.
- c) The BRCC shall identify activities, projects and priority areas for rabies elimination and shall conduct a BRCC performance evaluation annually or as deemed necessary and assess if the objectives of the program were achieved. Corollary, it shall prepare the local annual report.
- d) The barangay secretary shall take all records of the meeting to be submitted to BCRCC for monitoring and recommendation.
- e) The BRCC shall prepare, propose and recommend work and financial plan for the Program for inclusion in the barangay budget proposal under the General Appropriation Act and shall allocate funds for the construction of temporary dog confinement facility or pens in accordance with the standards set by the BCRCC in their respective Barangay Internal Revenue Allotment.

**SECTION 73. LOCAL CENTRAL REGISTRY OFFICE.** – The Office of the City Veterinary and Agricultural Services is designated as the central registry of all

rabies related undertakings in the locality. As such, all barangays in the City including private clinics and private veterinary practitioners conducting dog vaccinations are directed to submit updated reports in the office. No veterinarian shall vaccinate dogs without dog registration certificate issued by the BCRCC.

**SECTION 74. DOG REGISTRATION.** – There shall be a compulsory registration of all dogs in the barangay. All dogs found within the City, including those that had been previously registered shall be registered at their respective barangay office.

**SECTION 75. COLLECTION OF MANDATORY REGISTRATION AND LICENSE FEE FOR REGISTERED DOGS.** – BRCC shall collect mandatory registration and license tag fee for registered dogs. The registration fee shall be Twenty Pesos (Php 20.00) and the license tag fee shall also be provided by the BCRCC. Sixty percent (60%) of the said amount shall be remitted to the City Treasurer's Office while the remaining forty percent (40%) shall remain in the barangay. This shall constitute the Special Fund of the BCRCC and BRCC to be used in implementing this Ordinance, respectively.

**SECTION 76. ISSUANCE OF MANDATORY DOG REGISTRATION AND VACCINATION CERTIFICATE.** – The BRCC through the Barangay Secretary shall issue a Mandatory Dog Registration and Vaccination Certificate to the animal owner.

**SECTION 77. PERMANENT DOG REGISTRATION TAG.** – The BCRCC shall prescribe an appropriate permanent Dog Registration Tag for free, appropriately hang in a dog collar and to be worn especially when in public places, in a leash for easy identification of BCRCC registered dogs.

**SECTION 78. REGISTRATION OF DOGS.** – Registration of dogs shall be done only in the Local Veterinary Services Office or in a particular barangay during scheduled mass registration and rabies activities where the owner of the animal resides.

**SECTION 79. DOG IMMUNIZATION.** – There shall be a scheduled free mass anti-rabies vaccination in every barangay for registered dogs giving priority in high-risk areas. Likewise, the Office of the City Veterinarian is open to conduct daily vaccination from Monday through Friday to accommodate unvaccinated dogs. Only healthy dogs shall be vaccinated against rabies using vaccine registered and licensed by the Bureau of Animal Industry (BAI). Private veterinarians or group is allowed to conduct rabies vaccination, with the consent and authority of the BCRCC.

**SECTION 80. DOG VACCINATION TAG.** – Dog Vaccination Tag as assigned by the NRPCP may be issued upon vaccination, in which the color and shape shall vary from year to year to easily identify the vaccinated from unvaccinated animals. Private veterinarians or group shall only issue dog vaccination tag assigned by the National Rabies Prevention and Control Program (NRPCP) as stated in this Section.

**SECTION 81. INFORMATION AND EDUCATION CAMPAIGN.** – As stated in this Ordinance:

- a) Rabies education and “Responsible Pet Ownership” modules approved by the NRPCP for inclusion to elementary and high school curriculum will be monitored by the BCRCC if properly implemented;
- b) Public lectures on “Responsible Pet Ownership” and rabies awareness will also be conducted during public forum and extension services;
- c) Rabies ads shall be made available through every possible medium of communication at regular basis by BCRCC through the Batangas City Public Information Office;
- d) The National Annual Rabies Consciousness Month shall be observed every month of March and the World Rabies Day every September 28 and a city-wide pet and dog show shall be conducted during City Celebration, particularly Fiestas and City Day to encourage people’s awareness on rabies and promote “Responsible Pet Ownership”; and
- e) NRPCP approved educational reading materials on rabies shall be distributed to different schools, public libraries and barangay halls. Poster-version of such materials shall be sold to pet shops which are required to post the same in their stores.

**SECTION 82. PROVISION ON QUACK DOCTOR OR *MANUNUPSOP*.** – The LGU shall conduct Information Education Campaign against resorting to the services of quack doctors or *manunupsop* to stop the illegal practice of administering false cures and giving of unfounded pieces of advice on bite victims. Individuals to be found to have administering such false cures shall be deemed to have performed illegal medical malpractice and shall be held liable to the fullest extent in accordance with existing laws.

**SECTION 83. DOG IMPOUNDING.** – A BCRCC approved withholding pen must be provided by the BRCC in every barangay which may serve as temporary shelter for BRCC- apprehended dogs prior to delivery for impounding in the City pound. The budget for the construction of said BRCC withholding pen shall be taken from the Barangay Internal Revenue Allotment (IRA) while the City Pound or Animal Shelter Facility will come from the LGU IRA or from any available source. Such barangay or barangays that are unable to provide a withholding pen due to lack of space shall coordinate with the nearest barangay/barangays through a Memorandum of Understanding and submit to BCRCC the status of their partnership.

**SECTION 84. REPOSSESSION OF IMPOUNDED DOG.** – As stated in this Ordinance, dog owners shall have three (3) days to claim their animals from the barangay collection pen. All unclaimed dogs after this period will be transferred to the City pound and dog owners shall have three (3) days from confinement to claim them. Beyond this time, the animal shall be disposed according to the guidelines to be set forth by the BCRCC in accordance with the Animal Welfare Act or Article 83 stated herein; and the dog owner shall be liable to pay the corresponding impounding fee only in accordance with existing laws and ordinances.

**SECTION 85. HUMANE DISPOSAL OF DANGEROUS DOGS.** – All vicious, temperamental and dangerous dogs must be humanely disposed under supervision of Animal Welfare Officer, in accordance with the Animal Welfare Act and all existing laws, ordinances, rules and regulations.

**SECTION 86. CREATION OF DOG ADOPTION POLICY AND GUIDELINES.** – The BCRCC shall make policy and guidelines for dog adaptation in accordance to existing laws and shall likewise ensure to regularly inform the general public about such program.

**SECTION 87. SLAUGHTERING OF DOGS.** – As stated in this Ordinance:

- a) Slaughtering and selling of dogs for meat shall be strictly prohibited. This may spread rabies and other diseases especially if the said dogs are astray or of unknown origin. Slaughtering and selling of dog's meat include but shall not be limited to buying and/or selling of dogs, dog meats and carcasses, dog farming, collecting and/or slaughtering of dogs for commercial consumption; and

- b) Slaughtering of dogs maybe allowed only as provided in accordance with the provisions of Animal Welfare Act of 1998 or RA 8485, pursuant to Department of Agriculture Administrative Order No. 25, Series of 2007, if done as part of the religious ritual of an established religion or sect or a ritual required by a tribal or ethnic custom of indigenous cultural communities as in religious feast and offering and the like **provided**, that it must be coordinated first with the BRCC.

**SECTION 88. KILLING OF DOGS.** – Killing of dogs may be allowed in the following instances:

- a) When subject animals are afflicted with incurable disease as determined and certified by a duly licensed veterinarian with the aim to end the suffering of the dog;
- b) For the purpose of population control;
- c) To prevent imminent danger to human being and;
- d) If used in authorized research and experiments as provided for by the Animal Welfare Act of 1998.

**SECTION 89. PRE-EXPOSURE MANAGEMENT.** – A free pre-exposure anti-rabies vaccine shall be provided and be maintained by the City Health Office on all individuals engaged in rabies-related activities particularly the City Health Rabies Coordinators and all personnel of the Veterinary Services engaged in rabies prevention and control.

**SECTION 90. POST- EXPOSURE MANAGEMENT.** – A post-exposure treatment shall be given to any person bitten by a suspected rabid animal at minimum expense or free subject to the availability of stock, otherwise, the dog owner shall purchase the needed human vaccine. As a pre-requisite in availing himself/herself of the free human vaccine if available, the victim must present as proof, the result of laboratory exam signifying that the biting dog is positive for necro bodies. Further, the dog owner must show five (5) updated dog registration and anti-rabies vaccination certificates to the attending City Health physician every time the dog owner will obtain a dose of free human vaccine for the dog bite victim.

In case the animal that has bitten or scratched a human is not available for testing, the victim shall be regarded as having been exposed to a rabid animal, thus in urgent need of preventive vaccination measures.

A vaccinated dog that bites a human shall still be observed for a period of fourteen (14) days while the victim shall undergo preventive vaccination.

A dog that has bitten a human shall not be vaccinated, killed or euthanized within the fourteen (14) days observation period. In cases when it is deemed necessary to vaccinate or kill the animal, the attending veterinarian must get permission from the Committee.

When an unvaccinated dog is bitten by a confirmed rabid animal, it shall be euthanized immediately and disposed of properly.

The City Health Office shall coordinate with the Department of Health regarding any possible shortage of preventive or anti-rabies vaccines for the succeeding year and formulate a program wherein post-exposure treatment may still be provided by the City Government for free through private medical centers or clinics.

**SECTION 91. REPORTING OF RABIES CASES AND SURVEILLANCE SYSTEM.** – As stated in this Ordinance:

- a) It is the duty of the dog owner and the victim to report all dog bite incidents to the City Veterinarian and City Health Officer or to any licensed veterinarian or physician for proper guidance within twenty-four (24) hours after the incident. The physician will treat the bite victim, while the veterinarian shall handle the biting animal. Should the dog die during the observation period of fourteen (14) days, the dog owner shall immediately submit the dog for rabies examination;
- b) The City Veterinary and Health Office shall conduct a thorough investigation on all incidents of dog and human rabies cases and submit reports to NRPPC and copy furnish for Department of Agriculture and Department of Health, respectively;
- c) To assess the extent of rabies incidence in the locality, veterinarians, owners and operators of medical health facilities, etc., shall likewise be

required to submit reports to the City Health Office and City Veterinary Office; and

- d) All residents in the barangay are also encouraged to report all suspected or confirmed rabies cases in both human and animals to the BRCC and the BCRCC.

**SECTION 92. RESPONSIBILITIES OF THE OWNER OF DOGS THAT BITE HUMANS.** – The dog owner shall be liable to bring the victim to a doctor. In all dog biting cases, the dog owner shall be liable to pay one hundred percent (100%) of all the expenses incurred during the period of medication in cases of negligence or unprovoked bite cases. Failure of the dog owner to assist the dog bite victim shall be penalized in accordance with the penal provisions herein imposed. However, in provoked cases and unlawful entry, the owner shall not be liable to pay.

**SECTION 93. DOG CONTROL MEASURE.** – The BRCC shall strictly implement mandatory confinement or leashing of dogs. Stray dogs are prohibited and violators will be penalized.

**SECTION 94. NEUTERING OF DOGS.** – The City Local Veterinary Office shall conduct mass neutering of male and female dogs. Those that avail the program will be given an incentive by way of giving fifty percent (50%) discount or veterinary assistance available from the City Veterinary Services or whichever the BCRCC may prescribe.

**SECTION 95. COMMUNITY PROGRAM.** – A “Search for the Best Barangay in Rabies Control Program” shall be undertaken every year by the BCRCC. The guidelines for the contest shall be provided by the committee and the budget to constitute the search which shall be included in the annual budget of the City Veterinary Services and will be awarded annually during City Fiesta celebration.

**SECTION 96. PROMOTION OF ADVOCACY.** – The BCRCC and BRCC shall promote the advocacy that each household can maintain more than three (3) heads of dogs *provided*, that the owner shall have them leash or confined them inside a pen in order to provide better care by the owner to their pets and as a way to control dog population in the community. Registered dog breeders are allowed to maintain more than three heads.

**SECTION 97. PENALTIES.** – As stated in this Ordinance:

- a) Pet owners who shall fail or refuse to have their dog registered and immunized against rabies shall be meted with the following penalties:
  - (i) First Offense – Written warning
  - (ii) Second Offense - Fine of One Thousand Five Hundred Pesos (Php 1,500.00) or Community Service of Two (2) Months or Imprisonment of One (1) Month or both upon the discretion of the Court.
  - (iii) Third Offense - Fine of Two Thousand Pesos (Php 2,000.00) or Community Service of Three (3) Months or Imprisonment of Two (2) Months or both upon the discretion of the Court.
- b) Violation of Section 92 shall be meted a fine of not less than Five Thousand Pesos (Php 5,000.00) and subjected to imprisonment for one (1) year or both upon the discretion of the Court.
- c) A dog owner who shall refuse to put his/her dog under observation after said dog had bitten an individual shall be meted a fine of not less than Five Thousand Pesos (Php 5,000.00) and subjected to imprisonment for one (1) year or both upon the discretion of the Court.
- d) Pet owners who shall refuse to put a leash on their dog when they are brought outside the house shall be meted with the following penalties:
  - (i) First Offense – Written warning
  - (ii) Second Offense - Fine of Three Hundred Pesos (Php 300.00) or Community Service of Three (3) Weeks or Imprisonment of Two (2) Weeks or both upon the discretion of the Court.
  - (iii) Third Offense - Fine of Five Hundred Pesos (Php 500.00) or Community Service of One (1) Month or Imprisonment of Three (3) Weeks or both upon the discretion of the Court.

- e) Any person found guilty of trading dogs for meat shall be meted a fine of not less than Five Thousand Pesos (Php 5,000.00) or imprisonment of one (1) year or both upon the discretion of the Court.
- f) Any person found guilty of using electrocution as a method of euthanasia shall be fined not less than Five Thousand Pesos (Php 5,000.00) or imprisonment of one (1) year or both upon the discretion of the Court.
- g) If the violation is committed by an alien citizen, he or she shall be immediately recommended for deportation to the Bureau of Immigration after service of sentence without further proceedings.

**SECTION 98. ADMINISTRATIVE PENALTIES.** – As stated in this Ordinance:

- a) Administrative or Voluntary Fine – In lieu of prosecution for Section 97 (a) the offender may opt to pay an administrative fine with the Office of the City Treasurer, as follows:
  - (i) First Offense – Written warning
  - (ii) Second Offense - One Thousand Pesos (Php 1,000.00) to be paid at the Office of the City Treasurer within seventy-two (72) hours from apprehension.
  - (iii) Third Offense - One Thousand Five Hundred Pesos (Php 1,500.00) to be paid at the Office of the City Treasurer within seventy-two (72) hours from apprehension.
- b) Administrative or Voluntary Fine – In lieu of prosecution for Section 97 (d) the offender may opt to pay an administrative fine with the Office of the City Treasurer, as follows:
  - (i) First Offense – Written warning
  - (ii) Second Offense – Two Hundred Pesos (Php 200.00) to be paid at the Office of the City Treasurer within seventy-two (72) hours from apprehension

- (iii) Third Offense - Four Hundred Pesos (Php 400.00) to be paid at the Office of the City Treasurer within seventy-two (72) hours from apprehension
- c) An impounded dog at the City Pound shall be released only to its owner upon payment to the Office of the City Treasurer of the following:
  - (i) 1<sup>st</sup> Day or within twenty-four (24) Hours of impoundment – One Hundred Fifty Pesos (Php 150.00)
  - (ii) 2<sup>nd</sup> Day or within forty-eight (48) Hours of impoundment – Three Hundred Pesos (Php 300.00)
  - (iii) 3<sup>rd</sup> Day or within seventy-two (72) Hours of impoundment – Five Hundred Pesos (Php 500.00)
- d) Administrative or Voluntary Fine – In lieu of prosecution for Section 97 (e) the offender may opt to pay an administrative fine of Four Thousand Five Hundred Pesos (Php 4,500.00) to the Office of the City Treasurer.
- e) Administrative or Voluntary Fine – In lieu of prosecution for Section 97 (f) the offender may opt to pay an administrative fine of Four Thousand Five Hundred Pesos (Php 4,500.00) to the Office of the City Treasurer.

**SECTION 99. SPECIAL FUND ACCRUAL.** – Fifty percent (50%) of the total amount that may be collected from all penalties shall be remitted to the City Treasurer to constitute special fund of BCRCC and the remaining fifty percent (50%) shall accrue to the special fund of BRCC.

## CHAPTER II DRUG-FREE BATANGAS CITY

**SECTION 100. DECLARATION OF POLICY.** – It is hereby declared the policy of the City Government of Batangas to promote a drug-free city to ensure health, safety and peace and order for its constituents as well as to protect the youth from the evils of drug abuse and addiction.

**SECTION 101. DEFINITION OF TERMS.** – For the purpose of this Ordinance, the following definition of terms shall apply:

- a) **CADAC** – refers to the Batangas City Anti-Drug Abuse Council.
- b) **Cannabis or commonly known as “Marijuana”, or Indian Hemp**, or by its any other name – embraces every kind, class, genus, or specie of the plant *Cannabis sativa* L. and embraces every kind, class and character of marijuana, whether dried or fresh and flowering, flowering or fruiting tops, or any part or portion of the plant and seeds thereof, and all its geographic varieties or in any form whatsoever.
- c) **Laboratory** – refers to any facility used for the illegal manufacture of any dangerous drugs and/or controlled precursor and essential chemical.
- d) **Cultivate or culture** – refers to any act of knowingly planting, growing, raising, or permitting the planting, growing, or raising of any plant which is a source of a dangerous drug.
- e) **Dangerous drug** – refers to either prohibited drugs or regulated drugs which require a special prescription form, the use of which is monitored by the Dangerous Drugs Board.
- f) **Den, dive or resort** – refers to a place where any dangerous drugs and/or controlled precursor and essential chemical is administered, delivered, stored for illegal purposes, distributed, sold, or used in any form.

- g) **Drug abuse** – shall refer to the deliberate use or taking of substance for other than its intended purpose or of dangerous drugs, both prohibited and regulated drugs.
- h) **Drug dependence** – As based on the World Health Organization definition, it is a cluster of physiological, behavioral and cognitive phenomena of variable intensity, in which the use of psychoactive drug takes on a high priority thereby involving, among others, a desire or sense of compulsion to take the substance and the difficulties in controlling substance-taking behavior in terms of its onset, termination, or levels of use.
- i) **Employee** – refers to any individual employed by an employer.
- j) **Employer** – refers to any person acting directly or indirectly in the interest of an employer in relation to an employee and shall include the government and all its branches, subdivision and instrumentalities, all government-owned or controlled corporations and institutions as well as non-profit private institutions, organization.
- k) **Methamphetamine Hydrochloride or commonly known as “shabu”, “ice”, “Meth”,** or by its any other name – refers to the drug having such chemical composition, including any of its isomers or derivatives in any form.
- l) **Methylene dioxymethamphetamine (MDMA) or commonly known as “Ecstasy”** or by its any other name – refers to the drug having such chemical composition, including any of its isomers or derivatives in any form.
- m) **PDEA** – refers to the Philippine Drug Enforcement Agency.
- n) **Pot session** – refers to the activity of more than one person or a group of people using or taking dangerous drugs or substance together.
- o) **Prohibited drug** – includes opium and its active components and derivatives, such as heroin and morphine, coca leaf and its derivatives,

principally cocaine, alpha and beta eucaine, hallucinogenic drugs, such as mescaline, lysergic acid diethylamide (LSD) and other substances producing similar effects, Indian hemp and its derivatives, all preparations made from any of the foregoing and other drugs, whether natural or synthetic, with the physiological effects of a narcotics drugs.

- p) **Protector/coddler** – refers to any person who knowingly and willfully consents to the unlawful acts provided for in this Ordinance and uses his/her influence, power or position in shielding, harboring, screening, or facilitating the escape of any person suspected to have violated the provisions of this Ordinance.
- q) **Pusher** – refers to any person who sells, trades, administers, dispenses, delivers, or gives away to another, on any terms whatsoever, or distributes, dispenses in transit or transports dangerous drugs or who acts as a broker in any such transactions.
- r) **Random drug test** – refers to the subjection of a group of persons to drug testing following no specific pattern and without prior notice/information.
- s) **Regulated drug** – includes self-inducing sedatives, such as secobarbital, phenobarbital, pentobarbital, barbital, and amobarbital and any other drug which contains a salt or a derivative, a salt of barbituric acid, any salt, isomer, or salt an isomer, of amphetamine, such as Benzedrine or Dexedrine, or any drug which produces a physiological action similar to amphetamine, and hypnotic drugs, such as methaqualone or any other compound producing similar physiological effects.
- t) **Rehabilitation** – refers to the processes of medical and/or psychotherapeutic treatment for dependency on prohibited drugs with the intention to enable the patient to cease substance abuse, in order to avoid the psychological, legal, financial, social, and physical consequence that can be caused, especially by extreme abuse.

**SECTION 102. IMPLEMENTATION AND MONITORING.** – The effective implementation of the provisions of this Ordinance, and the monitoring of compliance

thereof by individuals, groups and other entities, public and private, are hereby tasked to the City Anti-Drug Abuse Council (CADAC) and the Office of the Associations of Barangay Councils (ABC). Towards this end, coordination and cooperation of the CADAC and ABC with the PNP, Department of Education, Barangay Council, employer and employee groups or organizations, and concerned non-government organizations or people's organization is hereby enjoined.

**SECTION 103. PRE-EMPLOYMENT REQUIREMENT.** – All employers shall include as a mandatory requirement for the hiring/placement of employees/workers the submission of drug test clearance issued by government or government-accredited drug testing facility. No employee/worker shall be hired or admitted for job placement without having submitted the required drug test clearance.

**SECTION 104. RANDOM DRUG TEST.** – All employers shall conduct random drug testing of its employees at least twice a year, or at a shorter frequency whenever in the employer's determination, there is compelling reason to undertake such drug testing, or whenever the CADAC, PDEA, or PNP, recommends the undertaking thereof among the employees.

**SECTION 105. DRUG-FREE CERTIFICATION.** – Employers who have undertaken random drug-testing of their employees, and whose employees have all been cleared by the drug-testing center or facility, shall be issued a Drug-Free Workplace Certificate by the CADAC.

**SECTION 106. DISCLOSURE OF RESULTS.** – Results of the drug test conducted on employees as herein provided shall be kept confidential between the employee and his employer and may be disclosed only in accordance with a valid order of the Court or upon a waiver of confidentiality duly executed by the employee or his legal representative.

**SECTION 107. RIGHT OF THE EMPLOYER TO TERMINATE EMPLOYMENT.** – Subject to the rights granted to the employee by the Labor Code and other labor laws, the employer may impose appropriate penalty to employees found positive in drug use in the drug testing conducted, imposable penalties may include suspension or termination, but without forfeiture of salaries, benefits, or any form of compensation for services rendered or may be due to the employee.

**SECTION 108. BUSINESS PERMIT REQUIREMENT.** – Employers, owners, or proprietors of a business establishment, or agency doing business in Batangas City shall be required to submit copies of their Drug-free Workplace Certificates upon securing Business Permit/Mayor’s Permit or renewal thereof. For this purpose, the requirements for Business Permit/Mayor’s Permit application or renewal thereof provided in the Batangas City Revenue Code and other related ordinances are hereby amended to include the submission of the Drug Free Workplace Certificate.

**SECTION 109. PARTICIPATION OF GOVERNMENT OFFICES.** – Government offices, agencies and instrumentalities, including government owned or controlled corporations, located in Batangas City, shall promote drug-free workplace and adopt policies and programs for drug-abuse prevention in the workplace.

**SECTION 110. RANDOM DRUG TESTING OF GOVERNMENT EMPLOYEES.** – The agency head shall direct or authorize the conduct of random drug testing of employees of the agency, and its offices. Personnel found to be positive on drug use shall be imposed the penalty of dismissal from the service in accordance with Civil Service Law.

**SECTION 111. PARTICIPATION OF BARANGAYS.** – The barangays, being the basic units of the City, are mandated to actively participate and cooperate in the campaign against the use and trafficking of dangerous drugs and ensure effective implementation of the programs of the CADAC, PDEA, and the PNP at the barangay. To this end, all barangays of Batangas City, through the *Sangguniang Barangay* shall:

- a) Create, by ordinance, the Barangay Anti-Drug Abuse Council (BADAC), provide for its composition, duties, and functions in consonance with the composition, duties and functions of the CADAC;
- b) Formulate practicable and sustainable plan of action for the effective implementation and enforcement in the barangay level of policies, programs and activities against drug abuse;
- c) Facilitate the conduct of activities and programs by government authorities in the barangay for the purpose of drug abuse prevention and eradication, and for this purpose, give assistance, allow access to barangay facilities and/report information, and in general cooperate with

government authorities in the pursuit of the aforestated drug abuse prevention and eradicating activities and programs; and

- d) Plan and implement viable rehabilitation programs and activities.

**SECTION 112. PARTICIPATION OF THE COMMUNITY.** – Barangay Communities shall be primarily responsible for policing their respective neighborhood and shall have the duty to report to barangay or authorities the presence of unregistered non-permanent resident/s the commission of acts directly or indirectly related to the use or trafficking of dangerous drugs, or any activity inimical to peace and order in their community.

Reports or information may be given anonymously which shall be treated with utmost confidentiality and shall be processed for verification by legitimate authorities. The Barangay shall submit such information to the CADAC, or to the PNP for proper disposition.

**SECTION 113. LABORATORIES, DRUG DENS, DIVE OR RESORT.** – It shall be the duty of the barangay to provide information to the proper authorities regarding the existence, maintenance, or establishment of drug laboratories, dens, dives, or resort and to assist and cooperate in the dismantling or destruction of any such facility.

**SECTION 114. COMPLIANCE.** – The *Sangguniang Barangay* and/or the BADAC shall submit to the CADAC a report of compliance to the foregoing mandates within a reasonable time to be determined by the CADAC. The report of compliance shall contain concise identification of the activities or programs undertaken and the results thereof.

**SECTION 115. NON-COMPLIANCE.** – Non-compliance of the mandates provided in this Ordinance by the Barangay authorities shall constitute sufficient cause for disciplinary action for gross dereliction of duty.

**SECTION 116. PARTICIPATION OF SCHOOLS.** – Public and private schools located in the barangays of Batangas City shall have the duty of promoting the education and awareness of the students on the ill effects of dangerous drugs, and shall undertake a close monitoring of students who may be susceptible to drug abuse.

## **CHAPTER III**

# **MULTI-SECTORAL SEXUALLY TRANSMITTED INFECTION (STI), HUMAN IMMUNODEFICIENCY VIRUS (HIV) AND ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS) COUNCIL**

**SECTION 117. DECLARATION OF POLICY.** – Batangas City Government hereby declares the policy that creates the Multi-Sectoral Sexually Transmitted Infection (STI), Human Immunodeficiency Virus (HIV) and Acquired Immune Deficiency Syndrome (AIDS) Council with vested powers and duties necessary for the composition of central advisory, formulation of plans and enactment of policies for the attainment of purposes stated in this Ordinance.

**SECTION 118. PURPOSE.** – The Council is created to be the central advisory, planning, and policy-making body for:

- a) The prevention and control of Sexually Transmitted Infections (STIs), Human Immunodeficiency Virus (HIV) and Acquired Immune Deficiency Syndrome (AIDS);
- b) Defining the functions of the Council in its working group; and
- c) Providing response through programs, projects and other related initiative and purposes.

**SECTION 119. DEFINITION OF TERMS.** – As used in this Ordinance, the following terms are defined as follows:

- a) **Sexually Transmitted Infections (STIs)** – are diseases acquired from sexual contact such as, but not limited to gonorrhea, syphilis, trichomoniasis, chlamydia, genital herpes, genital warts, hepatitis B, bacterial vaginitis, scabies, pubic lice, HIV and AIDS;
- b) **Human Immunodeficiency Virus (HIV)** – is a retrovirus that infects cells of the immune system, destroying or impairing their function. As the infection progresses, the immune system becomes weaker, and the person becomes more susceptible to infection (WHO definition);

- c) **Acquired Immune Deficiency Syndrome (AIDS)** – refers to the clinical manifestations of Ely infection that are only seen when the body falls ill due to opportunistic infections;
- d) **Peer Educators (PE)** – are volunteers from the community who have the knowledge, skills and dedication to educate others about STIs, Ely, AIDS and same sex practices;
- e) **Entertainment Establishments** – refer to business establishments which include but are not limited to the following: bars, night clubs, disco houses and other similar establishments wherein the services of hired entertainers are employed and patrons or customers are entertained by seating, conversing, dancing, singing, eating or drinking with them and thus, secure a permit to operate within the City; and
- f) **Prophylactic** – shall mean any agent or device used to prevent the transmission of a disease (e.g., Condom).

**SECTION 120. COMPOSITION.** – The Council shall be composed of the following:

- a) Chairperson : City Mayor
- b) Vice Chairperson : City Health Officer
- c) Vice Chairperson : SP, Chairperson -Committee on Health
- d) Members : City Planning and Development Officer  
City Budget Officer  
City Local Department of the Interior and Local Gov't. Director  
City Social Welfare and Development Officer  
City DepEd Superintendent  
ABC President  
One (1) representative from each of the civil society organization/group (duly recognized by the local accrediting body and certified by the Local Chief Executive):
  - 1) Entertainment Establishments;

- 2) Faith-based Group;
- 3) Women and young people group;
- 4) Other organization (based on local trend of STI and HIV epidemic) (Shell Foundation, BARAKO INC., TLF SHAPE)

**SECTION 121. POWERS AND FUNCTIONS.** – For the attainment of the aforestated purpose, the Batangas City Multi-Sectorial STI, HIV and AIDS Council shall be charged and vested with the following functions and powers, respectively:

- a) Formulate policies and strategies for the prevention and control of STI, HIV and AIDS within the City of Batangas.
- b) Prepare short, medium and long-term plans for the prevention and control of STI, HIV and AIDS;
- c) Monitor and evaluate the implementation of its program, campaigns and strategies;
- d) Organize and encourage owners/operators/managers of night entertainment establishments, massage parlors, sauna or any establishments that cater to adult entertainment, to actively participate in the prevention of possible infection or transmission and control of possible spread of STI, HIV, and AIDS;
- e) Identify and recommend priorities and gaps in local STI, HIV and AIDS related cases.
- f) Spearhead the conduct of Information and Education Campaign (IEC) activities in the promotion of STI, HIV and AIDS related activities in different communities and barangays;
- g) Conduct HIV and Syphilis Serological and Behavioral Surveillance every two years, through the City Health Office and the Department of Health among the people with high-risk sexual behavior or those who by the nature of their work is prone of contracting HIV;

- h) Initiate skills capability building and advocacy programs and develop strategies that are beneficial to the people with high risk of contracting STI and HIV;
- i) Recommend enactment of laws and ordinances, to the *Sangguniang Panlungsod*, which shall assist in the control and prevention of STI and HIV;
- j) Recommend closure of entertainment establishment as imposition of sanctions or penalties if found violating the prohibited acts as mentioned under the existing laws or related ordinances:
  - (i) RA 8504 (AIDS Law) on Human Rights and Confidentiality;
  - (ii) PD (DOLE and DSWD) on Hiring Minors;
  - (iii) PD 856 (Sanitation Code) failure to undergo regular smearing; and
  - (iv) PD 856 (Sanitation Code) on health education attendance.
- k) Assist in the source/request for funding and recommend allocation of resources;
- l) Act as the primary agency that shall represent the City in all the conventions, conferences, forums or gathering of other agencies, organizations, leagues, chambers or groupings whether national, local or international pertaining to the issues of STI, HIV and AIDS;
- m) Monitor, in coordination with the City Health Office, all STI, HIV and AIDS cases;
- n) Monitor, inspect and examine the compliance of facilities, practices and procedures of hospitals, laboratories, medical/dental clinics regularly, with existing minimum standards in the prevention and containment of STI, HIV and AIDS cases;
- o) Oversee the implementation of policies, programs and activities of the Council;
- p) Identify STI, HIV and AIDS cases through passive and active surveillance; and

- q) Perform all other tasks and functions related to the overall objective of preventing and controlling STI, HIV and AIDS in the City of Batangas.

**SECTION 122. MANDATORY STI AND HIV EDUCATION/ISSUANCE OF PERMIT TO OPERATE.** – It shall be mandatory for all operators and/or managers and entertainers of night entertainment establishments to attend seminars about STI, HIV and AIDS prevention conducted by the Batangas City Health Office; otherwise, **NO PERMIT TO OPERATE** shall be granted to non-complying establishments.

**SECTION 123. WORKPLACE POLICY AND EDUCATION PROGRAMME ON STI, HIV AND AIDS.** – In compliance to the Department Order No. 102–10 Series of 2010 of the Department of Labor and Employment, all government agencies/institutions are urged to implement a Workplace Policy and Education Programme on STI, HIV and AIDS. Members of the Batangas City Multi-Sectorial STI, HIV and AIDS Council and Civil Societies accredited by the LGU of Batangas City are hereby tasked to periodically promote STI, HIV and AIDS awareness activities in the workplace (e.g., Basic HIV 101) periodically and to make themselves accessible and available for seminar purposes to individuals or groups who may need STI, HIV and AIDS services.

**SECTION 124. MEDICAL CONFIDENTIALITY.** – The Council shall ensure that all professionals, medical instructors, workers, employers, hospitals, laboratory personnel, recruitment agencies, insurance companies, data encoders and other custodians of any medical record, file, data or test result and the handling of all medical information particularly the identity and status of person with STI, HIV and AIDS shall be treated **STRICTLY CONFIDENTIAL**.

**SECTION 125. DECLARATION OF AIDS AWARENESS MONTH.** – The Council shall spearhead the commemoration of national events pertaining to HIV and AIDS. This shall be the observance of AIDS Candlelight Memorial during the third Sunday of May and the World AIDS Day on the first day of December. The Council shall ensure that appropriate funds for these events shall be appropriated/allocated or sourced out;

## CHAPTER IV

# CITY EPIDEMIOLOGICAL SURVEILLANCE UNIT

**SECTION 126. DECLARATION OF POLICY.** – In response to the national order, the Batangas City Local Government Unit shall establish a functional health or disease surveillance system to intensively ensure that targets for disease elimination, prevention and control are attained. The system is further viewed as a contract component of health systems providing essential information for the optimal health care delivery and cost-effective disease control and prevention strategies of the City. Furthermore, timely reporting of notifiable diseases and vital health information is viewed to be beneficial in aiding policy makers in formulating strategies for interventions or actions that address health problems. Thus, the City shall maintain a comprehensive and quality reporting system of vital health information such as but not limited to communicable and non-communicable disease, death, cause of death, births immunization and other health data deemed necessary in the formulation of strategies and prioritization of health programs.

**SECTION 127. COVERAGE.** – All health facilities such as hospitals, lying in clinics, infirmary, medical/surgical clinics, health centers, laboratories and all medical and non-medical entities such as medical doctors, nurses, midwives, allied medical professionals and traditional birth attendants are hereby mandated to report all attended cases listed in Section 132 (Reportable Health Data) of this Ordinance either directly to the BCESU or through their respective hospital or barangay surveillance coordinators.

**SECTION 128. DEFINITION OF TERMS.** – As used in this Ordinance, the following shall mean:

- a) **Epidemiology** – refers to the study of the distribution and determinants of health-related states or events in specified populations and the application of this study to the control of health problems.
- b) **BCESU** – refers to Batangas City Epidemiological Surveillance Unit
- c) **Notifiable Diseases** – refers to disease that, by the virtue of Administrative Order No. 2008-0009, must be reported to the public health authority in the pertinent jurisdiction where the diagnosis is made. Such diseases are categorized into two according to the urgency of

reporting, namely: Immediately Notifiable Disease Syndrome Events and Conditions (Category I) and Weekly Notifiable Disease or Syndrome (Category II). Such diseases include:

(i) Immediately Notifiable Disease/Syndrome/Events and Conditions (Category I)

- |   |                 |
|---|-----------------|
| 1. Acute Flaccid Paralysis              | syndrome        |
| 2. Adverse Event Following Immunization | (AEFI) syndrome |
| 3. Anthrax                              | A22             |
| 4. Human Avian Influenza                | J10             |
| 5. Measles                              | B05             |
| 6. Meningococcal Disease                | A39             |
| 7. Neonatal Tetanus                     | A33             |
| 8. Paralytic Shellfish Poisoning        | T61.2           |
| 9. Rabies                               | A82             |
| 10. Severe Acute Respiratory Syndrome   | (SARS) U04.9    |
| 11. Outbreaks                           |                 |
| 12. Clusters of Diseases                |                 |
| 13. Unusual diseases or threats         |                 |

(ii) Weekly Notifiable Disease or Syndrome (Category II)

- |                                     |          |
|-------------------------------------|----------|
| 1. Acute Bloody Diarrhea            | syndrome |
| 2. Acute Encephalitis Syndrome      | syndrome |
| 3. Acute Hemorrhagic Fever Syndrome | syndrome |
| 4. Acute Viral Hepatitis            | B15–B17  |
| 5. Bacterial Meningitis             | A37      |
| 6. Cholera                          | A30      |
| 7. Dengue                           | A90-A91  |
| 8. Diphtheria                       | A36      |
| 9. Influenza like illnesses         | 311      |
| 10. Leptospirosis                   | A27      |
| 11. Malaria                         | B50–B54  |
| 12. Non-Neonatal Tetanus            | A35      |
| 13. Pertussis                       | A37      |
| 14. Typhoid and Paratyphoid fever   | A01      |

- d) **Stakeholders** – shall refer to health facilities, such as hospital, lying-in clinics, infirmary, medical/surgical clinics, health centers, laboratories and allied medical professionals and traditional birth attendants.

**SECTION 129. THE HEALTH SURVEILLANCE UNIT.** – The health surveillance unit of the City shall be called “*The Batangas City Epidemiological Surveillance Unit*”.

**SECTION 130. COMPOSITION.** – The City Epidemiological Surveillance Unit shall be composed of the following:

- a) City Epidemiological Surveillance Officer
- b) Assistant City Epidemiological Surveillance Officer
- c) Encoder
- d) Disease Surveillance Coordinator (in every hospital within the City)
- e) Assistant Disease Surveillance Coordinator (in every hospital within the City)
- f) Barangay Disease Surveillance Coordinator (in every barangay)
- g) Assistant Barangay Disease Coordinator

**SECTION 131. DUTIES AND RESPONSIBILITIES.** – As stated in this Ordinance:

- a) The City Epidemiological Surveillance Unit shall have the following duties and responsibilities:
  - (i) Be responsible for collecting, analyzing and disseminating reliable and timely information on the health status and investigate disease outbreaks and other notifiable disease-related threats to public health.
  - (ii) Develop and maintain surveillance and other health information system that generates accurate, reliable and timely information for decision making.
  - (iii) Establish a network with hospitals, clinics and other municipal surveillance units.

- (iv) Support the surveillance activities and programs of the provincial, regional and national epidemiological and surveillance units.
- b) The City Epidemiological Surveillance Officer shall have the following duties and responsibilities:
  - (i) Coordinate with hospital clinic and barangay disease coordinators for the systematic and timely reporting of reportable disease and other relevant health data.
  - (ii) Review pertinent hospital records and laboratory tests, verify diagnosis based on standard case definition and interview patients for more specific information that is deemed necessary in controlling possible outbreak.
  - (iii) Collate and analyze all reported data for review and appropriate action of the City Health Office and other higher authorities.
  - (iv) Update the City Health Officer and other higher authorities on the health status of the community.
  - (v) Submit periodic report to the Provincial or Regional Epidemiological Surveillance Unit.
  - (vi) Perform other health surveillance functions which may be assigned by the City Health Officer or other local health authority.
- c) The Encoder shall be responsible for the encoding data and generating computer outputs of all reported data for easy analysis of the end-users;
- d) The Hospital and Barangay Surveillance Coordinators shall be responsible for the mechanism of active case finding and investigation of all reportable cases and other health information in the hospital and community, respectively. They shall be responsible for the accomplishment and submission of surveillance forms to the BCESU operating under the Batangas City Health Office; and
- e) The assistant officers and coordinators shall help their immediate and direct higher officer or coordinators in performing their respective tasks and shall act as the alternate whenever necessary;

- f) The Batangas City Epidemiological Surveillance Unit will be guided by the following legal issuances:
  - (i) Republic Act 3573 (Law on Reporting of Communicable Disease) requires all individuals and health facilities to report notifiable diseases to local and national authorities.
  - (ii) Administrative Order No.2005–0023 (Implementation Guidelines for Formula One for Health as Framework for Health Reforms). Section C (2) (c) (iii) states that “Disease surveillance shall be intensified to ensure that the targets for disease elimination, prevention and control are attained”.
  - (iii) Administrative Order No. 2007–0036. Guidelines on the Philippine Integrated Disease Surveillance and Response (PIDSR) framework.

**SECTION 132. REPORTABLE HEALTH DATA.** – The following health information/data shall be reported to the Batangas City Health Office through the Batangas City Epidemiological Surveillance Unit.

- a) All notifiable diseases listed in Administrative Order No. 2008-2009. (Adopting the 2008 Revised List of Notifiable Disease, Syndromes, Health-Related Events and Conditions);
- b) Deaths and cause of death;
- c) Birth deliveries attended in the community and birthing facilities;
- d) Immunization given at birth;
- e) Newborn screening done at health facilities;
- f) Birth defects seen at the community and health facilities; and
- g) Other health data which may be prescribed by the City Epidemiological Surveillance Unit (CESU), Provincial Epidemiological Surveillance Unit (PESU), Regional Epidemiological Surveillance Unit (RESU) or National Epidemiological Center (NEC).

**SECTION 133. GUIDELINES IN REPORTING.** – The time frame for reporting health data to the City Epidemiological Surveillance Unit shall be the following:

- a) Notifiable diseases shall be reported based on the guideline set by AC No. 2008-2009 (Adopting the 2008 Revised List of Notifiable Diseases Syndromes, Health Related Events and Conditions);
- b) Deaths must be reported by relatives or attending medical or non-medical personnel within forty-eight (48) hours, or within seventy-two (72) hours if death occurs on a Friday. If the cause of death however is due to a suspected communicable disease or a medical-legal case, it should be reported as soon as possible or within twenty-four (24) hours;
- c) Births attended at birthing facilities shall be reported on a monthly basis. Births attended at home or in the community however shall be reported by the attending traditional birth attendant, midwife, nurse, doctor or relatives to the barangay surveillance coordinator or to the nearest health center as soon as possible or within forty-eight (48) hours after birth, or within seventy-two (72) hours if birth occurs on a Friday;
- d) Immunization and newborn screening done at health facilities shall be reported on a monthly basis; and
- e) Birth defects seen at birthing facilities or in the community must be reported as soon as possible to the BCESU or to nearest health center.

**SECTION 134. PENAL PROVISIONS.** – The following penalties shall be imposed upon individuals or institutions or facilities found to have violated the provisions of this Ordinance:

- a) Against public employee – subject to pertinent Civil Service Rules and Regulations, the imposable penalties for erring government employees are the following:
  - (i) First Offense: Reprimand
  - (ii) Second Offense: Suspension for one (1) to thirty (30) days

(iii) Third Offense: Suspension for thirty (30) days –  
sixty (60) days

b) Against private individual health/institutions facilities, and  
persons/institutions / facilities.

(i) First Offense: Fine of Three Thousand Pesos  
(Php 3,000.00)

(ii) Second Offense: Fine of Four Thousand Pesos  
(Php 4,000.00)

(iii) Third Offense: Fine of Five Thousand Pesos  
(Php 5,000.00) and recommended for  
suspension of Business Permit to  
operate or Health and Sanitary Permit or  
Occupational Mayor's Permit.

## **CHAPTER V ANTI-SMOKING ORDINANCE**

**SECTION 135. DECLARATION OF POLICY.** – It is hereby declared the policy of the City Government to promote the health and safety of people, particularly, the protection of youth, children and the unborn from the hazard of the cancer-producing habit of smoking.

**SECTION 136. ABSOLUTE PROHIBITIONS AND PUNISHABLE ACTS.** – The following acts are absolutely prohibited and punishable:

- a) It shall be unlawful for any person to smoke or burn cigarette, cigar or any tobacco derivative with or without the use of the holder, pipe or any contrivance within the jurisdiction of the Batangas City in the following places:
  - (i) Preparatory schools, elementary schools, high schools, colleges and universities, including its premises;
  - (ii) Centers of youth activity such as playschools, youth hostels and all recreational facilities for minors under 18 years old;
  - (iii) Elevators and stairwells;
  - (iv) Gas stations, store or storage area for flammable liquids, gas, explosives or combustible materials, including location in which fire hazards are present;
  - (v) Public and private hospitals, medical, dental and optical clinic, health centers, nursing homes, dispensaries and laboratories, including its premises;
  - (vi) Inside tricycles, passenger jeepneys, bus, van and other public conveyance and public facilities;
  - (vii) Ship terminals, bus and jeepney terminals or stations, whether registered or not, restaurants, conference halls and hotels, except

in separate smoking areas duly designated with legible and visible sign posted, namely "SMOKING AREA";

- (viii) Food preparation area;
  - (ix) Tricycle terminals, whether registered or not; and
  - (x) City Hall, *Sangguniang Panlungsod*, Barangay Hall, Barangay Health Centers, Barangay Community Centers and all government buildings and offices, including its premises.
- b) Theaters, Cinema and concert halls;
  - c) Selling or giving cigarettes or tobacco products to minors;
  - d) Purchasing cigarettes or tobacco product from minor;
  - e) Cigarette smoking of minors;
  - f) Selling or distributing cigarettes or tobacco products by ambulant vendors within fifty (50) meters from any point of the perimeter of a school, public playground or other facility frequented by minors; and
  - g) Cigarettes or tobacco advertising except inside the premises of point-of-sale establishment.

**SECTION 137. ADMINISTRATIVE PENALTIES.** – Without prejudice to the provisions of Section 138 hereof and with observance of due process, the following penalties shall be imposed on the following persons for violation of this Ordinance:

- a) If the violator is a City Government employee, he or she shall be suspended for five (5) days without pay for the first (1<sup>st</sup>) offense; for the second (2<sup>nd</sup>) offense he/she shall be suspended for ten (10) days without pay; and for the third (3<sup>rd</sup>) offense he/she shall be suspended for fifteen (15) days without pay and for the fourth (4<sup>th</sup>) and succeeding offence he/she shall be suspended for thirty (30) days without pay;

- b) If the violators are those hired without employee-employer relationship and paid from non-Personal Services Appropriations, those hired for a limited period to perform specific activities or services with expected outputs; laborers hired through job contracts; students, laborers and apprentices, and those hired through job orders and contract of service, the violators shall be removed from his employment or recommended for immediate termination of service whichever is applicable;
- c) If the violators are driving passenger vehicles, including tricycles, his franchise or Permit to Operate or Mayor' s Permit shall be revoked without prejudice to re-application; and
- d) If the violators are minors below eighteen (18) years old, upon arrest for violation of this Ordinance, the minor shall immediately be returned to the custody of the mother or father, or guardian or in their absence the nearest relative or school principal if a student, or in their absence, to the City Social Worker, wherein the violators shall be lectured on the importance of non-smoking by the custodian.

**SECTION 138. PENALTY CLAUSE.** – Any person, who shall violate the provision of this Ordinance, shall upon conviction be punished by a fine of One Thousand Pesos (Php 1,000.00) or imprisonment of not less than ten (10) days or both at the discretion of the Court. If, however, the violator is below eighteen (18) years old, he shall be exempted from criminal liability but shall be subject to the so-called intervention program, similar to that provided in R.A. 9344 (Juvenile Justice and Welfare Act of 2006).

**SECTION 139. COMMUNITY SERVICE.** – If the violator cannot pay the fine or penalty provided in the preceding Section, the Court may impose thirty (30) days community service.

**SECTION 140. ENFORCEMENT.** – All Traffic Enforcers of the Transportation Development Regulatory Office (TDRO), members of the Defense and Security Services (DSS), and persons that may be deputized by the City Mayor are enjoined to enforce this Ordinance. The members of the Philippine National Police (PNP) stationed in Batangas City may be called–upon for assistance. Failure to enforce this Ordinance when the violation is committed in their presence will be a ground for disciplinary administrative action.

## CHAPTER VI

# STRICT MEASURES ON FOOD AND DRUG SAFETY FOR THE HEALTH AND WELFARE OF CONSUMING PUBLIC

**SECTION 141. DECLARATION OF POLICY.** – It is hereby declared the policy of Batangas City Government to create a Local Consumer Affairs Council that shall improve the management, coordination and effectiveness of the implementation of strict measures on food and drug safety for the health welfare of consuming public.

**SECTION 142. DEFINITION OF TERMS.** – The definition of terms provided in Consumer Act of the Philippines and Sanitation Code of the Philippines as far as applicable are hereby made part of this Ordinance. For the purpose of this Ordinance the following terms and phrases shall apply:

- a) **Adulterated Products** – impure and contaminated products, products with undesirable substance;
- b) **Adulteration** – to make products impure by adding undesirable substance to lessen the value by adding inferior ingredients;
- c) **Business name, firm name or style** – any name or designation other than the true name of a person, partnership, corporation or association which is used or signed in connection with his/its business or in any written or printed receipt, including receipt for tax or business; any written or printed contract nor verified by a notary public; any written or printed evidence of any agreement or business transaction; any sign or billboard kept conspicuously exhibited in plain view in or at the place of the business, announcing a firm name or business name or style;
- d) **Coded Dates** – That’s exactly what they look like, codes. Normally, these codes are stamped on food packages to track them in case of a recall. They are decipherable if you have the “key”. Several code “keys” for popular food manufacturers are listed further down on this page. Date format used and interpret the “best by” or expiration date accordingly. Most list the date in a standard MM/DD/YYYY format, some with or without slashes. Other only list the month and year 12-2008 or December, 2008;

- e) **Commerce** – the sale, lease, exchange, traffic or distribution of goods, commodities, productions, services or property, tangible or intangible;
- f) **Consumer** – a natural person who is a purchaser, lessee, recipient or prospective purchaser, lessor or recipient of consumer product;
- g) **Consumer Products** – goods which are primarily for personal, family, household or agricultural purposes, which shall include but not limited to food and drugs;
- h) **Distributor** – any person to whom a consumer product is delivered or sold for purposes of distribution in commerce, except that such term does not include a manufacturer or retailer of such product;
- i) **Drugs** – when used in this Act shall include herbal and/or traditional drug. They are defined as sections from indigenous plant or animal origin used in folk medicine which are: (1) recognized in the Philippine National Formulary; (2) intended for use in the treatment or cure, mitigation of disease symptoms and injury or bodily defect for use in man; (3) other than food, intended to affect the structure of any function of the body of man; (4) put into finishes and ready to use form by means of formulation and dosage or dosage directions; and (5) intended for use as a component of any of the Sections specified in clauses (1), (2), (3), and (4) of this paragraph;
- j) **Expiry or expiration date** – the date stated on the label of food, drug after which they are not expected to retain their claimed safety, efficacy and quality or potency and after which it is no longer permissible to sell them;
- k) **Food** – any substance, whether processed, semi-processed or raw, intended for human consumption and includes chewing gum, drinks and beverages and any substance which has been used as an ingredient or a component in the manufacture, preparation or treatment of food;
- l) **Food Safety** – is a scientific discipline describing handling, preparation and storage of food in ways that prevent foodborne illness. This includes a number of routines that should be followed to avoid potentially severe health hazards;

- m) **Food Cart** – a non-enclosed movable food stand with or without wheels used for selling takeout food and drinks such as bread, pastries, cakes, bottled or canned drinks in mechanical dispensers and usually located in fast-food areas of mall, atrium, shopping complex or multipurpose establishment;
- n) **Food Stall** – a permanently constructed food booth with partition, walls, dividers or equivalent with food showcases and food displays counter with or without kitchen, selling cooked meals or snack foods and usually found in fast-food area or multipurpose establishments, sometimes referred to as self service restaurants;
- o) **Generic name** – is the identification of drugs and medicines by their scientifically and internationally recognized active ingredients or by their official generic name as determined by the Bureau of Food and Drugs of the Department of Health;
- p) **Grocery** – where staple food commonly called groceries are handled and sold;
- q) **Guarantee** – an expressed or implied assurance of the quality of the consumer products and services offered for sale or length of satisfactory use to be expected from a product or other similar specified assurances;
- r) **Manufacturer** – any person who manufactures, assembles or processes consumer products, except that if the goods are manufactured, assembled or processed for another person who attaches his own brand name to the consumer products, the latter shall be deemed the manufacturer. In case of imported products, the manufacturer's representatives or in his absence, the importer shall be deemed the manufacturer;
- s) **Misbranding** – indicates all possible conditions of fraud, imitation or misrepresentation of food products and drugs;
- t) **Mislabelled Food** – A food shall also be deemed mislabelled:
  - (i) If its labelling or advertising is false or misleading in any way;
  - (ii) If it is offered for sale under the name of another food;

- (iii) If it is an imitation of another food, unless its label bears in type of uniform size and prominence, the word “imitation” and immediately thereafter, the name of the food imitated;
  - (iv) Its containers are so made, formed, or filled as to be misleading;
  - (v) If any word, statement or other information required by or under authority of this Ordinance to appear on the principal display panel of the label or labeling is not prominently placed thereon with such conspicuousness as compared with other words, statement, designs or devices in the labeling and in such terms as to render it; and
  - (vi) If it purports to be or is represented as a food for which a definition or standard of identity has been prescribed unless;
- u) **Restaurants** – coffee shops, canteens, *panciteria*, *bistro*, *carinderia*, fast-food, refreshment parlors, cafeteria, snack bars, cocktail lounge, bars, disco, night club, food kitchen caterer’s premises and all other eating or drinking establishments in which food or drink is prepared for sale elsewhere;
  - v) **Sanitation Inspector** – an officer employed by national, provincial, city, municipal government who enforces sanitary rules, laws and regulations and implements environmental sanitation activities;
  - w) **Sari-sari Store** – a convenient store where variety of food materials and other household merchandise are sold in small scale;
  - x) **Shelf Life** – specifies the period of time which a product can be stored, under specified conditions and remain in optimum condition and suitable for consumption. A product’s shelf life or safe storage time of a product, is affected by a number of variables, including intrinsic parameters, such as pH and moisture content, and extrinsic parameters, such as environmental factors;
  - y) **Stamped with “Sell By”** – Usually a perishable food item. This is the date a grocer should pull the item from the shelf. Safe dates vary, for instance, milk is usually good for seven to ten days after the “sell by” date, hamburger and raw chicken one to two days after;

- z) **Stamped with “Best if Used Before”** – This is the date the manufacturer feels the food product’s peak quality date. The product may still be safe to eat, but the flavor or texture may be comprised by time; and
- aa) **Stamped with “Used By”** – This is the one take seriously, it’s the last day the product should be eaten, especially if it is stamped on the unpreserved, perishable food. If product has a “use-by” date, follow the date.

**SECTION 143. CREATION OF THE LOCAL CONSUMER AFFAIRS COUNCIL.**

– To improve the management, coordination and effectiveness of this Ordinance, to oversee the implementation of the provisions of this Ordinance and other related activities as may be provided by rules and guidelines promulgated by higher authority or mandated by law, a Local Consumer Affairs Council is hereby created in this City and it shall be composed of:

- a) Chairperson : City Mayor
- b) Vice Chairperson : Chairperson of Committee on Trade  
Commerce, Industry and Operation of  
Markets - City Council  
Chairperson of Committee on Health -  
City Council
- c) Members : Chairperson of Committee on Peace and  
Order and Public Safety - City Council  
Chairperson of Committee on Education  
- City Council  
City Health Officer  
City Social Welfare and Development  
Officer  
Chief, Philippine National Police  
President, Association of Barangay  
Captains  
President, *Sangguniang Kabataan*  
Federation  
Public Information Officer

The Council shall be headed and presided by a Chairperson. He shall establish with the concurrence of the Council, the policies, procedures and standards to govern the implementation and explanation of the functions and responsibilities of the Council.

The Local Consumer Affairs Council shall be responsible for the following:

- a) Rationalize and coordinate the functions of the agencies and ensure that an effective, coordinated and integrated system of consumer protection, research and implementation and enforcement of such ordinance shall be achieved;
- b) Recommend amendments to existing ones;
- c) Monitor and evaluate implementation of consumer programs and projects and to take appropriate steps to comply with the established priorities, standards and guidelines;
- d) Undertake a continuing education and information campaign to provide the consumer with facts about consumer products and services, consumer rights and the mechanism, information on new concepts and developments on consumer protection, general knowledge and awareness necessary for a critical and better judgment on consumption and such other matters of importance to the consumer's general well-being; and
- e) Random or scheduled inspection of any Food and Business establishments and drugstores for compliance of this Ordinance.

**SECTION 144. PROHIBITED ACTS.** – The following acts and the causing thereof are hereby prohibited:

- a) Sale, offering for sale, distribution or transfer of any food and/or drug that is beyond its expiration or expiry date by any fast-food chains or restaurants, supermarket and department stores and drugstores, respectively;
- b) Adulteration of any food and drug;
- c) Refusal to permit inspection by schedule or in random by the members of City Health Office or the City Health Officer;

- d) Alteration or obliteration of the whole or any part of the labeling with respect to a food, drug, if such act is done while such product is held for sale (whether or not the first sale) and results in such product being adulterated;
- e) Manufacture, importation, exportation, sale, offering for sale, distribution, or transfer of any drug or device which is not registered with the Department of Trade and Industry and Department of Health pursuant to this Ordinance;
- f) Manufacture, importation, exportation, sale, offering for sale, distribution, or transfer of any food and drug or device by any person without the license or permit to do business;
- g) Sale of Mislabeled Food and Drugs;
- h) Sale of Misbranded Food and Drugs;
- i) Sale of any spoiled food from restaurants and fast-food chain causing sickness, endangering life of any person or death of any person;
- j) Sale of consumer products leading to poisoning, causing sickness, and/or endangering life of any person or death of any person; and
- k) Non-compliance of restaurants and fast-food chains to food safety practices upon random inspection and checking by any of the members of Local Consumer Affairs Council or representative from City Health Office or Sanitation Inspector.

**SECTION 145. PENALTY FOR VIOLATION OF THIS ORDINANCE.** – Any person, association, partnership or corporation who shall violate any of the provisions of this Ordinance be subject to a fine of not less than Two Thousand Pesos (Php 2,000.00) but not more than Five Thousand Pesos (Php 5,000.00) or an imprisonment of not less than ten (10) days but not more than thirty (30) days or both upon the discretion of the Honorable Court.

If the offense is committed by a corporation, partnership or association, the managing office or person in charge of the business shall be held liable.

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# ARTICLE V: HUMAN RIGHTS

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**WHEREAS**, human rights are the basic rights and freedoms that belong to every person in the world, from birth until death;

**WHEREAS**, the State values the dignity of every human person and guarantees full respect for human rights;

**WHEREAS**, by virtue of Section 2, Article II of the 1987 Constitution adopting generally accepted principles of international laws as part of the law of the land, the Philippines adheres to international human rights law and conventions, the Universal Declaration of Human Rights, including the International Covenant on Civil and Political Rights (ICCPR) and the Convention Against Torture (CAT) and Other Cruel, Inhuman or Degrading Treatment or Punishment which impose on each State party the obligation to enact domestic legislation to give effect to the rights recognized therein and to ensure that any person whose rights or freedoms have been violated shall have an effective remedy, even if the violation is committed by persons acting in official capacity;

**WHEREAS**, despite significant strides in the advancement of gender equality in the Philippines, little progress has been made in recognizing the rights of the persons to be protected from various forms of discrimination in public and private institutions;

**WHEREAS**, the absence of protective legal mechanism for gender equality leaves the citizens vulnerable to discriminatory practices that exclude them from full and meaningful participation in work, education, and training institutions and which limit their access to basic services; and

**WHEREAS**, the *Sangguniang Panlungsod* aims to protect the rights of all its residents through various legislations.

# CHAPTER I

## ANTI-TRAFFICKING TASK FORCE

**SECTION 146. DECLARATION OF POLICIES AND PRINCIPLES.** – It is hereby declared that the Batangas City Government values the inalienable dignity and individual rights of every human being. The City Government shall therefore give the highest priority to enacting measures, developing programs and taking actions that promote human rights and dignity protection of persons from threats of violence, abuse and exploitation.

The Batangas City Government recognizes, in particular, that it has a critical role to play in addressing within its area of jurisdiction the problem of trafficking in persons, especially the trafficking of women and children, by instituting programs to prevent and to interdict such trafficking in all forms, to protect potential and actual victims of such trafficking and to rehabilitate victims of such trafficking.

**SECTION 147. DEFINITION OF “TRAFFICKING IN PERSONS”.** – In this Ordinance “trafficking in persons” and “trafficking” shall have the meaning given to “trafficking in persons” by R.A. 9200.

**SECTION 148. BATANGAS CITY ANTI -TRAFFICKING TASK FORCE.** – As provided by this Ordinance, the following provisions shall apply:

- a) **Creation of the Task Force; Task Force Members.** A special committee, which shall be named the “Batangas City Anti-Trafficking Task Force” shall be created. The Chairperson of the task force shall be the Batangas City Mayor. Other Members of the task force shall include the following: the Batangas City Chief of Police, Health Officer, the CPDO Officer, the City Social Welfare and Development Officer, the President of the League of Barangays in Batangas City, representatives of the Batangas City Prosecutor’s Office and the *Sangguniang Panlungsod*. Invitation to join this task force as members shall also be extended by the Mayor to the head of Coast Guard forces stationed in Batangas City, to a representative of the Philippine Port Authority to at least one representative selected by one or more companies providing transportation into or out of Batangas City; and to one representative for each institution of higher learning, NGO and faith-based organization with a proven record of advocating and working in Batangas City to support

the rights and concerns of women and children, especially in relation to trafficking in persons.

- b) **Purpose of the Task Force.** The purpose of the task force shall be to review and to improve in the City (i) the enforcement of the laws against trafficking in persons, (ii) the protection of potential targets of such trafficking, and (iii) the protection and rehabilitation of victims of such trafficking, recognizing that a trafficked person is thereby a victim of crime and not a criminal.
- c) **Meeting and Rules of the Task Force.** Upon notice of the City Mayor the task force shall convene, beginning the month after in which this Ordinance is enacted. The task force may convene in a special session as the task force may deem necessary. The task force may also make rules for establishing a quorum of the task force and for conducting official business, as the task force deems necessary for fulfilling its purpose effectively.
- d) **Specific Responsibilities of the Task Force.** The task force shall take actions to fulfill its purpose, including but not limited to the actions listed below:
  - (i) Develop and implement programs informing the public in Batangas City of the illegality of and problems posed by trafficking in persons. Programs should include, but not be limited to, programs each year on December 12, the International Day Against Human Trafficking;
  - (ii) Develop and implement programs informing the public in Batangas City of forms of identification and other information useful for individuals to have on their persons to enable law enforcement personnel to verify readily the lawful nature of any travel by those individuals out of the City. These programs should focus especially on travel of minors (persons below 18 years of age) and on key hubs of transportation out of the City;
  - (iii) Develop and implement strategies for effectively investigating and interdicting trafficking in persons in the City;

- (iv) Have appropriate officials appoint law enforcement personnel whose primary task include monitoring the travel of minors into and out of the City with view to investigating and interdicting illegal trafficking of minors;
- (v) Develop and implement programs for training law enforcement personnel working in the City to detect and to investigate effectively potential cases of trafficking in persons and to arrest and to process properly suspected traffickers;
- (vi) Recommend to the City Mayor to have the permits or license of business establishment suspended or revoked for activities related to trafficking in persons;
- (vii) Develop and implement a means of recording and of reporting to the Local Council for the Protection of Women and Children (LCPWC) in Batangas City the data on suspected and actual cases of trafficking in persons in and from the City, including data on minors rescued from suspected or actual traffickers and data on prosecutions of individuals charged with trafficking in persons;
- (viii) Review the services made available to potential and actual victims of trafficking in persons, provided by national and local government offices and by NGOs, faith-based organization, and others;
- (ix) Coordinate efforts, in implementing programs to address trafficking in persons, with other relevant government offices, including the Philippine Ports Authority, the Coastal Guard of the Philippines, Local Prosecutors, and the Social Welfare and Development Office in Batangas City, as well as with other organizations, including NGOs and faith-based organizations with a proven record of advocating and working in Batangas City to support the rights and concerns of women and children, especially in relation to trafficking in persons; and
- (x) Regularly review the programs implemented and other actions taken, by the task force, with a view to improving those programs and actions so that the task force effectively and efficiently fulfills its purpose as set forth in this Ordinance.

## **CHAPTER II**

# **BATANGAS CITY COUNCIL AGAINST HUMAN TRAFFICKING**

**SECTION 149. DECLARATION OF POLICY.** – It is hereby declared the policy of Batangas City Government to prevent human trafficking and to value the dignity of every human person and guarantees full respect for human rights.

**SECTION 150. CREATION.** – There is hereby created a Batangas City Council Against Human Trafficking which shall be responsible for the prevention of trafficking of humans within the City.

**SECTION 151. COMPOSITION.** – The Batangas City Council Against Human Trafficking shall be composed of the following:

|                   |  |
|-------------------|--|
| Chairperson:      | City Mayor   |
| Vice Chairperson: | City Social Welfare and Development Officer  |
| Members:          | City Legal Officer<br>City Council, Chairperson of the Peace and Order Committee<br>City Council, Chairperson of the Family and Women Committee<br>Department of Interior and Local Government<br>City Health Officer<br>Batangas City Philippine National Police Accredited Non-Government Organizations (whose primary purpose and objective are actions against human trafficking)<br>Philippine Coast Guard<br>Philippine Maritime Authority<br>President, Association of Barangay Council |

**SECTION 152. DUTIES AND FUNCTIONS OF THE COUNCIL.** – The duties and functions of the Council are as follows:

- a) Formulate a comprehensive and integrated program to prevent and suppress the trafficking of persons;
- b) Monitor and oversee the strict implementation of this Ordinance;
- c) Adopt measures and policies to protect the rights and needs of trafficked persons within the City;
- d) Initiate training programs in identifying and providing the necessary intervention or assistance to trafficked persons;
- e) Exercise all the powers and perform such other functions necessary to attain the spirit of this Ordinance.

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# ARTICLE VI: PEACE AND ORDER

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**WHEREAS**, Section 458, Article III, Chapter III, Tittle III, of the Local Government Code of 1991 grants the local government legislative body the power to enact ordinances, approve resolutions and appropriate funds for the general welfare of the City and its inhabitants;

**WHEREAS**, the Local Government Code also empowers the local government legislative body to enact ordinances intended to maintain peace and order by enacting measures to prevent, suppress lawlessness, disorder, riot and violence and impose appropriate penalties for activities inimical to the health, welfare and morals of the inhabitants of the City;

**WHEREAS**, the sanctity of one's home is at times violated because of certain act of disturbance by other persons leading to unbearable patience resulting to commission of crimes against persons and property or animosity among neighbors; and

**WHEREAS**, the welfare of the youth particularly the minors should receive utmost concern and protection of our society and the government should help the parents in the rearing of the children to be good citizens of our country and of Batangas City in particular.

# CHAPTER I

## FIRECRACKERS AND PYROTECHNICS ORDINANCE

**SECTION 153. DECLARATION OF POLICY.** – As stated in this Ordinance, it is hereby declared the policy of Batangas City to:

- a) Regulate and control the manufacture, sale, distribution and use of firecrackers and other pyrotechnic devices consistent with, and in furtherance of, public safety, order and security, as well as the enhancement of the cultural traditions; and
- b) Take into consideration the protection, safety and well-being of children with ages eighteen (18) years old and below in as far as the handling of fire crackers and other pyrotechnic devices.

**SECTION 154. DEFINITION OF TERMS.** – For purposes of this Ordinance the following terms shall mean and be interpreted as hereunder defined:

- a) **Firecracker** – a small, paper cylinder casing containing a fuse and set off to explode and make a noise;
- b) **Manufacture** – making of firecrackers whether in personal or commercial quantities or purposes;
- c) **Pyrotechnic Device** – a device that produces a bright light, either for illumination purposes or a colored light for warning or entertainment, and is consumed in the process;
- d) **Wholesaler** – person or entity that sells firecrackers and pyrotechnic devices in large quantities, as for resale by retail;
- e) **Retailer** – person or entity that resell firecrackers and pyrotechnic devices in small quantities directly to consumers or end users;

- f) **Government Center** – refers to the area or place for selling and distributing firecrackers and pyrotechnic devices, commonly known as the site of the Batangas City Sports Coliseum; and
- g) **Minor** – refers to an individual eighteen (18) years old and below are prohibited to buy firecrackers.

**SECTION 155. PROHIBITION.** – Manufacturing of firecrackers and other pyrotechnic devices are prohibited in the City.

**SECTION 156. DESIGNATED SELLING AREA** – All sales and distribution of firecrackers and other pyrotechnic devices shall be under taken only at the parking lot of (North, South, East) portion of the government center.

**SECTION 157. PERIOD OF SELLING.** – The sale and distribution of firecrackers and pyrotechnic devices within the territorial boundaries of the City shall be allowed only for period from December 22, 23, 24 to December 29, 30 and 31.

**SECTION 158. TYPES OF FIRECRACKERS AND PYROTECHNIC DEVICES ALLOWED IN THIS ORDINANCE.** – The following common types of firecrackers and pyrotechnic devices may be manufactured, distributed, sold and used, except to children with ages eighteen (18) years old and below or those over but unable to fully take care of themselves because of physical or mental disability or condition.

- a) **Firecrackers** – are those loud, explosive fireworks, typically wrapped in paper and lit with a fuse like:
  - (i) **Baby Rocket** – a firecracker with a stick or so constructed that the lighting of a wick will propel the whole thing to lift as few meters before exploding. The firecracker is about 1 ½ inches in length by 3/8 inch in diameter while the stick is about a foot in length;
  - (ii) **Bawang** – a firecracker larger than the *triangulo* with 1/3 teaspoon of powder packed in cardboard tied around with abaca strings and wrapped in shape of garlic;

- (iii) **Small Triangulo** – a firecracker shaped like a *triangulo* with powder content less than the *bawang* and usually wrapped in brown paper measuring 3/4-inch length in its longest side;
  - (iv) **Pulling of Strings** – a firecracker consisting of a small tube about an inch in length and less than 1/4 of an inch in diameter with strings on its end. Pulling both strings will cause the firecracker to explode;
  - (v) **Paper Caps** – Minute amount of black powder spread in either small strip of paper on a small sheet for children’s toy gun;
  - (vi) **El Diablo** – Firecrackers that are tubular in shape about 1 1/4 inches in length and less than 1/4 inch in diameter with a wick; also known as *labintador*;
  - (vii) **Judas Belt** – a string of firecrackers consisting of either diablos or small *triangulo* that can number up to a hundred or thereabout and culminating in large firecracker usually a *bawang*;
  - (viii) **Sky Rocket (*kwitis*)** – a large version of a baby rocket designed to be propelled to a height of forty (40) to fifty (50) feet before exploding;
- b) **Pyrotechnic devices** – are those materials or devices capable of undergoing self-contained and self-sustained exothermic chemical reactions for the production of heat, light, gas, smoke and/or sound like:
- (i) **Fountain** – a kind of sparkler conical in shape which is lighted on the ground and designed to provide various rising colors and intermittent lights upon being ignited;
  - (ii) **Jumbo Regular and Special** – a kind of sparkler similar to a “fountain” but bigger in size;
  - (iii) **Luces** – any of several kinds of sparklers;
  - (iv) **Mabuhay** – Sparklers bunched into a bundle of a dozen pieces;

- (v) **Roman Candle** – a sparkler similar to a “fountain” but shaped like a big candle;
  - (vi) **Sparklers** – Pyrotechnic devices usually made of black powder on a piece of wire or inside a paper tube designed to light up and a glow after igniting; and
  - (vii) **Trompillo** – A pyrotechnic device usually fastened at the center and designed to spin first clockwise and then counter-clockwise and produces various colored lights upon being ignited;
  - (viii) **Airwolf** – a kind of sky rocket shaped like an airplane with a propeller to rise about forty (40) or fifty (50) feet and provide various kinds of light while aloft;
  - (ix) **Whistle device** – any of the various kind of firecrackers or pyrotechnic designed to either simply emit a whistle-like sound or explode afterwards upon being ignited;
  - (x) **Butterfly** – butterfly-shaped pyrotechnic device designed to lift above while providing light;
- c) **All kinds of pyrotechnic devices (pailaw); and**
  - d) **Other types of firecrackers and pyrotechnic devices not mentioned in the preceding Section.**

**SECTION 159. PROHIBITED TYPES OF FIRECRACKERS AND PYROTECHNIC DEVICES.** – The sale, distribution and use of other types of firecrackers and pyrotechnic devices not mentioned in the foregoing Section, of such explosive content that could endanger life and limb, and containing more than one third (1/3) teaspoon of gunpowder shall be prohibited such as the Atomic Big *Triangulo*, Super Lolo, Lolo Thunder, *Bawang* (large), *Plapla*, *Kwiton*, Giant Whistle, Judas Belt (Large), *Og*, Atomic Bomb, Piccolo, Goodbye Philippines, *Kabasi*, and their equivalent, as well as Watusi and Boga, a pyrotechnic device made of pipes (PVC), tin cans, metals, to include the traditional Boga which is made of bamboo.

Determination of what constitutes prohibited firecrackers and pyrotechnic devices not herewith included shall be vested with the Philippine National Police (PNP). Hereinafter, all firecrackers and pyrotechnic devices declared by the PNP as prohibited shall also be adopted by the City as illegal.

**SECTION 160. LICENSE OR PERMIT REQUIREMENTS.** – License or Permit to Manufacture, sell and distribute firecrackers and other pyrotechnic devices shall be granted for the manufacture, sale and distribution of firecrackers and other pyrotechnic devices enumerated in Section 158 hereof. Under no circumstances shall a license or permit be granted for the manufacture, sale and distribution of prohibited firecrackers and other pyrotechnic devices mentioned in Section 159 hereof.

Any person desiring to manufacture, sell or distribute fireworks and other pyrotechnic devices shall file his application for the issuance of License or Business Permit with the Chief PNP of Batangas City. Other rules and regulations relevant with the application for the issuance of License or Business Permit shall be in accordance with the provisions of Republic Act No. 7183.

Before any person/s or entity can sell or display legal firecrackers and pyrotechnic devices, they must first secure a Fire Safety Clearance from Philippine National Police (PNP) Batangas City, Bureau of Fire Protection (BFP), Batangas City Fire Station and then proceed to get a Special Mayor’s Permit from the Office of the City Mayor through the Business Permit and Licensing Office (BPLO).

**SECTION 161. SAFETY GUIDELINES IN THE USE OF FIRECRACKERS AND PYROTECHNIC DEVICES.** – As stated in this Ordinance:

- a) It shall be prohibited to use fireworks and/or pyrotechnic devices in streets and anywhere near residential houses;
- b) The use of firecracker and/or pyrotechnic devices during occasion like Christmas, New Year’s Eve, foundation day, festivals and other traditional celebrations, shall only be allowed at places with a distance of ten (10) meters away from houses, establishments and other buildings like gas stations, electrical aid communications facilities and storages of flammable and combustible materials;

- c) Minors especially children are not allowed to use firecrackers and pyrotechnics;
- d) It is a must for each barangay and subdivisions to assign a common designated area intended for firecrackers and pyrotechnics;
- e) It is a must for retailers and sellers to put signage warning minors and children that they are not allowed to buy firecrackers and pyrotechnics; and
- f) No Smoking Ordinance is strictly enforced.

**SECTION 162. PROHIBITION ON THE SALE OF PYROTECHNIC DEVICES TO CHILDREN.** – It shall be absolutely and strictly prohibited to sell firecrackers and/or pyrotechnic devices to children. Children are the young individuals aged eighteen (18) years old and below and those of age but mentally and physically incapacitated.

**SECTION 163. FEES.** – Fees shall be charged for the issuance of a Special Mayor’s Permit based on the type of business, to defray the cost of regulating the sale and distribution of firecrackers and pyrotechnic devices in accordance with the Batangas Revenue Code.

**SECTION 164. PENALTIES.** – As stated in this Ordinance:

- a) Any person who manufactures, sells or distributes or uses firecrackers and other pyrotechnic devices in violation of the provisions of this Ordinance shall be punished by a fine of not less than Three Thousand Pesos (Php 3,000.00) but not more than Five Thousand Pesos (Php 5,000.00) or imprisonment of not less than three (3) months nor more than six (6) months, or both such fine and imprisonment at the discretion of the Court in addition to the cancellation of his License to Operate and Business Permit and the confiscation by the government of his inventory or stock; and
- b) Any person or entity who violates the provision on the selling of firecrackers and/or pyrotechnic devices to children shall be punished by

a fine of not less than Three Thousand Pesos (Php 3,000.00) but not more than Five Thousand Pesos (Php 5,000.00) or imprisonment of not less than three (3) months nor more than six (6) months, or both such fine and imprisonment at the discretion of the Court in addition to the cancellation of his License to Operate and Business Permit and the confiscation by the government of his inventory or stock.

**SECTION 165. ADMINISTRATIVE PROVISIONS.** – As stated in this Ordinance:

- a) The PNP and BFP shall be primarily responsible for the administration and enforcement of this Ordinance. The barangay officials shall be deputized to implement this Ordinance in their respective barangays. They shall be authorized to apprehend violators whom they will turn over to the PNP for proper disposition;
- b) All prohibited firecrackers and other pyrotechnic devices sold in the City shall be confiscated and disposed of accordingly;
- c) The PNP shall not be precluded from transmitting and filing cases for prosecution arising from violation of this Ordinance to proper government prosecutors for appropriate action; and
- d) The City Government through Business Permit and Licensing Office (BPLO) shall automatically cancel the Special Mayor's Permit of those who sell and distribute prohibited firecrackers and other pyrotechnic devices.

## **CHAPTER II PEACE AND SECURITY OF FINANCIAL INSTITUTIONS, INCLUDING PAWNSHOPS, MONEY CHANGING SHOPS AND SIMILAR LENDING INSTITUTIONS**

**SECTION 166. DECLARATION OF POLICY.** – It is hereby declared as a policy of the City of Batangas to:

- a) Uphold the right of the people to a peaceful and orderly community for peace and order is the foundation of development and progress. Suppression of criminality and lawlessness is not the exclusive role of the Government but active participation and cooperation of its people and stakeholders is imperative in the promotion and maintenance of peace and order and public safety;
- b) Recognize the vital role of civil society organizations and business establishment in attaining peaceful and orderly and economically stable communities;

**SECTION 167. COVERAGE.** – This Ordinance shall be applicable to all banks and their subsidiaries, money-changing shops, pawnshops and all similar financial-lending institutions or establishments, regardless of capitalization located within the jurisdiction of Batangas City.

**SECTION 168. PROACTIVE MEASURES.** – All financial institutions and/or establishments located within the jurisdiction of Batangas City and enumerated in Section 167 are hereby required to comply with the following:

- a) Employment of security guard/personnel on their establishments;
- b) Construction/installation of an emergency alarm system or a direct communication line with the Batangas City PNP Office and Batangas City Fire Department for emergency purposes;

- c) Construction of a CCTV camera inside and outside the establishment; and
- d) At the discretion of the aforementioned establishments, allowing the PNP Batangas City and the City Government inspector to yearly inspect the said establishments' CCTV Camera, alarm system or direct communication line to the PNP Batangas City Police Station and Fire Department to determine the functional character of the security system or in lieu of the said inspection, the banks and concerned establishments located within the jurisdiction of Batangas City hereof may issue a certification under oath to be part of the yearly application for Mayor's Permit that their CCTV camera, alarm or security system or direct communication line are functional.

**SECTION 169. DUTIES OF BARANGAY OFFICIALS AND BARANGAY TANOD.**

– It shall be the duty of all Barangay Officials including Barangay *Tanod*/Police to conduct inspection or oral inquiries on persons performing unusual activities in their barangay leading them to believe that there exists reasonable ground to conclude that there exists a probable cause for an impending commission of a crime. The *Sangguniang Barangay* where the said establishments are located shall submit at least annually a report of the prevailing peace and order situation to the City Peace and Order Council and shall note specific places in the barangay where criminality is concentrated so that more responsive action could be undertaken.

**SECTION 170. PENALTIES FOR VIOLATION OF SPECIFIC ACTS ENUMERATED IN SECTION 168 HEREOF. – As stated in this Ordinance:**

- a) For failure to employ or secure the services of security guard or security personnel, the manager or officer-in-charge of banks or financial institutions, pawnshops or money changing shop, money lending shops and similar lending institutions shall be liable to a fine of One Thousand Pesos (Php 1,000.00) or imprisonment of ten (10) days or both, or community service for fifteen (15) days, at the discretion of the Honorable Court;
- b) For failure to construct an emergency alarm system or direct communication line with the Batangas City PNP Office and the Fire

Department, the Manager or Officer-in-Charge of the banks or financial institutions, including pawnshops, money lending shops, money changing shops and similar lending institutions shall be liable to a fine of One Thousand Pesos (Php 1,000.00) or imprisonment of ten (10) days, or both, or community service for fifteen (15) days, at the discretion of the Honorable Court;

- c) For failure to establish/install a CCTV Camera inside and outside the banks or financial institutions, including pawnshops, money lending shops, money changing shops and similar lending institutions, the manager or officer-in-charge shall be liable to a fine of One Thousand Pesos (Php 1,000.00) or imprisonment of ten (10) days, or both, or community service for ten (10) days, at the discretion of the Honorable Court; and
- d) For failure to issue a yearly certification under oath as mentioned in Section 168, paragraph (d), the manager or officer-in-charge of the banks or financial institutions, pawnshops, money lending shops and money changing shops, and similar lending institutions shall be liable to a fine of One Thousand Pesos (Php 1,000.00) or imprisonment of ten (10) days, or both, or community service for ten (10) days, at the discretion of the Honorable Court.

**SECTION 171. ADMINISTRATIVE SANCTIONS FOR VIOLATIONS.** – In case of failure to comply with this Ordinance, in spite of due notice, the business license to operate or Mayor’s Permit shall not be issued, and if already issued the business license to operate or Mayor’s Permit shall be suspended for thirty (30) days. However, non-issuance of Mayor’s Permit and suspension could only take effect after due notice and compliance to due process. The establishment who still refused to comply with the Ordinance in spite of due notice and due process shall be subject to CLOSURE ORDER to be ordered by the City Legal Officer.

## CHAPTER III

# ANTI-SOCIAL BEHAVIOR ORDINANCE

**SECTION 172. DECLARATION OF POLICY.** – It is hereby declared the policy of Batangas City Government to enact ordinances intended to maintain peace and order by way of identifying comportment tagged as anti-social behaviours and prescribed enforcement and penal mechanisms, as stated in this Ordinance.

**SECTION 173. ACTS CONSIDERED AS ANTI-SOCIAL BEHAVIOR AND PENALTIES FOR VIOLATION.** – Without prejudice to any civil action that may be filed by the complainant, the following acts shall be considered anti-social behavior punishable under this Ordinance:

- a) Using his house, building or premises for activities offensive to the decency of the neighbourhood or community. Punishable by a fine of One Thousand Pesos (Php 1,000.00) or imprisonment of not more than six (6) months, or both, at the discretion of the Honorable Court;
- b) Loitering or entering in any inhabited or uninhabited place belonging to another without any lawful or justifiable purpose or without the consent of the owner. Punishable by a fine of Two Thousand Pesos (Php 2,000.00) or imprisonment of not less than three (3) months, or both, at the discretion of the Honorable Court;
- c) Those who shall send text or picture or multi-media messages or files through mobile phone or similar instrument to another which are obscene, indecent or contrary to public morals or in the nature of threat to life or property. Punishable by a fine of Two Thousand Five Hundred Pesos (Php 2,500.00) or imprisonment of not less than six (6) months, or both, at the discretion of the Honorable Court;
- d) Those who shall engage in *budol-budol* or acts to illegally, fraudulently or intentionally extract money or property from another person by whatever device or means and which includes attempted, frustrated or consummated acts. Punishable by a fine of Five Thousand Pesos (Php 5,000.00) or imprisonment of not less than one (1) year, or both, at the discretion of the Honorable Court;

- e) Those who shall deliberately cause damage to another's property, even in the absence of malice or even if not done out of hatred or revenge. Punishable by a fine of One Thousand Five Hundred Pesos (Php 1,500.00) or imprisonment of not less than thirty (30) days or both, at the discretion of the Honorable Court;
- f) Those who shall deliberately or negligently cause the animal waste, whether the animal is owned by him or merely under his care or custody, to be discharged on roads, streets, sidewalks or property of another; Punishable by a fine of Five Hundred Pesos (Php 500.00) or imprisonment of not less than five (5) days, or both, at the discretion of the Honorable Court;
- g) Those who shall slap, injure or ridicule or humiliate, directly or indirectly, a person, particularly, minors or students or those belonging to the third sex or trans-gender, whether with felonious intent or not or whether merely for fun or whether it is part of an initiation of students' fraternity group or association. Punishable by a fine of One Thousand Pesos (Php 1,000.00) or imprisonment of not less than ten (10) days, or both, at the discretion of the Honorable Court;
- h) Those who shall engage in hazing of whatever form outside the premises of their schools, whether or not such fraternity or association is recognized by their school. Punishable by a fine of Two Thousand Pesos (Php 2,000.00) or imprisonment of not less than thirty (30) days, or both, at the discretion of the Honorable Court;
- i) Those who shall drive his vehicle or motor vehicle as if engage in "car racing" or "drag race" particularly along the major streets or roads of Batangas City. Punishable by a fine of Five Hundred Pesos (Php 500.00) or imprisonment of not less than five (5) days, or both, at the discretion of the Honorable Court;
- j) Those who shall write, print, paint, draw any letter, sign, caricature on any part of the motor vehicle, on the wall, post, signages or property of another, or those who shall commit any act of vandalism. Punishable by a fine of One Thousand Pesos (Php 1,000.00) or imprisonment of not less than ten (10) days, or both, at the discretion of the Honorable Court;

- k) Those who shall allow his house, building or premises of the house, building or premises he is occupying or renting to be used as drug den by drug/heroine addicts or house of ill repute or for illegal gambling and for other activities in violation of City Ordinances, including the rules and regulations promulgated pursuant thereto. Punishable by a fine of Five Thousand Pesos (Php 5,000.00) or imprisonment of not less than six (6) months, or both, at the discretion of the Honorable Court;
- l) Those who owned or possessed a dog or several dogs belonging to the family or kept under his control that keeps barking at the hours of day or night causing nuisance on his neighbor or the neighborhood. Punishable by a fine of One Thousand Pesos (Php 1,000.00) or imprisonment of not less than five (5) days, or both, at the discretion of the Honorable Court;
- m) Those engaged in dumping or throwing rubbish and garbage on another's property, except on pick-up points established by the City ENRO. Punishable by a fine of One Thousand Pesos (Php 1,000.00) or imprisonment of not less than thirty (30) days, or both, at the discretion of the Honorable Court;
- n) Allowing persons to stay in or to lease his property knowing that the said person is with pending warrant of arrest or fugitive from justice. Punishable by a fine of Two Thousand Pesos (Php 2,000.00) or imprisonment of not less than thirty (30) days, or both, at the discretion of the Honorable Court;
- o) Failure of the owner or administrator of the property to report to the barangay officials or to give notice to one's tenant or lessor to maintain order or to act with due respect to the rights of others to prevent nuisance to the neighbor or the community. Punishable by a fine of One Thousand Pesos (Php 1,000.00) or imprisonment of not less than thirty (30) days, or both, at the discretion of the Honorable Court;
- p) Unjustifiable refusal of the lessee or tenant or persons claiming right from the lessee or tenant to leave the property in spite of written demand or notice to vacate for non-payment of rentals for at least two (2) months or if occupation is by mere tolerance at least fifteen (15) days of notice to vacate has already lapsed. Punishable by a fine of One Thousand Pesos

(Php 1,000.00) or imprisonment of not less than three (3) months, or both, at the discretion of the Honorable Court;

- q) Persons who do not normally live at the premises or who are not the owners of the property and who have occupied the property of another by force, threat, strategy or stealth but continue to reside within the premises or property over the objection of the property owner or the property administrator. Punishable by a fine of Five Thousand Pesos (Php 5,000.00) or imprisonment of not less than six (6) months, or both, at the discretion of the Honorable Court;
- r) Drinking wine or liquor on sidewalk or street, selling liquor or wine to minor, walking on the Street in a state of drunkenness. Punishable by a fine of Five Hundred Pesos (Php 500.00) or imprisonment of not less than five (5) days, or both, at the discretion of the Honorable Court;
- s) Walking or staying on-the-road, streets or public places naked or almost naked of covering only one's private parts or without shirt. Punishable by a fine of One Thousand Pesos (Php 1,000.00) or imprisonment of not less than twenty (20) days, or both, at the discretion of the Honorable Court;
- t) Using profane and contemptuous language against a person in front of several persons or in public places. Punishable by a fine of Five Thousand Pesos (Php 5,000.00) or imprisonment of not less than thirty (30) days, or both, at the discretion of the Honorable Court;
- u) Looting of property during conflagration, earthquake or calamity, irrespective of the value of the property taken. Punishable by a fine of One Thousand Pesos (Php 1,000.00) or imprisonment of not less than thirty (30) days, or both, at the discretion of the Honorable Court;
- v) Performing lustful, vexatious or insolent acts against an opposite sex or even on the same gender. Punishable by a fine of One Thousand Pesos (Php 1,000.00) or imprisonment of not less than ten (10) days, or both, at the discretion of the Honorable Court;
- w) Roaming the streets of the *Poblacion* or public places with venomous or non-venomous snake or ferocious animal causing alarm to the public particularly to children. Punishable by a fine of Five Hundred Pesos (Php

500.00) or imprisonment of not less than five (5) days, or both, at the discretion of the Honorable Court;

- x) Refusing to comply with the written lawful agreement of the parties executed before the *Sangguniang Barangay* or the *Katarungang Pambarangay*. Punishable by a fine of One Thousand Pesos (Php 1,000.00) or imprisonment of not less than ten (10) days, or both, at the discretion of the Honorable Court;
- y) Recruiting minors for work or employment or minors for begging alms without permit from the City Social Welfare and Development Office (CSWDO) of Batangas City. Punishable by a fine of Five Hundred Pesos (Php 500.00) or imprisonment of not less than five (5) days, or both, at the discretion of the Honorable Court;
- z) Begging alms or donation of whatever kind without a written permit from the Punong Barangay that has jurisdiction over the place. Punishable by a fine of Five Hundred Pesos (Php 500.00) or imprisonment of not less than five (5) days, or both, at the discretion of the Honorable Court;
- aa) Maliciously spreading panic to the neighborhood or to the public by spreading rumors of an impending or existing disaster, bomb threat, conflagration, tsunami, flood, earthquake or other calamities or phenomenon. Punishable by a fine of Five Thousand Pesos (Php 5,000.00) or imprisonment of not less than thirty (30) days, or both, at the discretion of the Honorable Court;
- bb) Obtaining or extorting or demanding money from drivers, operators or owners of motor vehicles for securing passengers to ride on vehicles or engaging in the so-called “barking for a fee” or for guiding vehicles for a fee to use or leave a parking area. Punishable by a fine of Three Hundred Pesos (Php 300.00) or imprisonment of not less than ten (10) days, or both, at the discretion of the Honorable Court;
- cc) Riding a passenger jeepney or bus for the purpose of soliciting or begging for money or alms. Punishable by a fine of Two Hundred Pesos (Php 200.00) or imprisonment of not less than two (2) days, or both, at the discretion of the Honorable Court;

- dd) Committing gross indecency against a minor. Punishable by a fine of Five Thousand Pesos (Php 5,000.00) or imprisonment of one (1) year, or both, at the discretion of the Honorable Court;
- ee) Indecent assault or direct assault against a barangay official, person in authority and agents of person in authority. Punishable by a fine of One Thousand Pesos (Php 1,000.00) or imprisonment of not less than thirty (30) days, or both, at the discretion of the Honorable Court;
- ff) Burning leaves, wood, plastic, rubber or any materials where its smoke or smell causes nuisance to his neighbor or the public. Punishable by a fine of Five Hundred Pesos (Php 500.00) or imprisonment of not less than ten (10) days, or both, at the discretion of the Honorable Court;
- gg) Smoking while on duty driving a City Government Vehicle or garbage collection vehicle or throwing cigarette butts on the street or texting while on duty enforcing traffic rules and regulations. Punishable by a fine of Five Hundred Pesos (Php 500.00) or imprisonment of not less than five (5) days, or both, at the discretion of the Honorable Court;
- hh) Maliciously or negligently selling fake or adulterated products or goods or double-dead meat or poultry products. Punishable by a fine of Five Thousand Pesos (Php 5,000.00) or imprisonment of not less than six (6) months, or both, at the discretion of the Honorable Court;
- ii) Sexual battery or maliciously touching one's private parts. Punishable by a fine of One Thousand Pesos (Php 1,000.00) or imprisonment of not less than thirty (30) days, or both, at the discretion of the Honorable Court;
- jj) Cyber bullying or uploading of photos and videos on social network or websites without the consent of the affected persons. Punishable by a fine of Three Thousand Pesos (Php 3,000.00) or imprisonment of not less than sixty (60) days, or both, at the discretion of the Honorable Court;
- kk) Maliciously preventing the lawful exercise of one's profession or occupations. Punishable by a fine of One Thousand Pesos (Php 1,000.00) or imprisonment of not less than thirty (30) days, or both, at the discretion of the Honorable Court;

- ll) Vendors in public or private markets smoking while serving food or goods to the public. Punishable by a fine of Five Hundred Pesos (Php 500.00) or imprisonment of not less than fifteen (15) days, or both, at the discretion of the Honorable Court;
- mm) Maliciously gossiping on the personal affairs of an individual or family. Punishable by a fine of Two Thousand Pesos (Php 2,000.00) or imprisonment of not less than thirty (30) days, or both, at the discretion of the Honorable Court;
- nn) Failing to prevent his piggery or poultry farm from emitting foul odor or spread of vermin or failing to maintain the cleanliness of his piggery or poultry causing nuisance or danger to health of the neighbor or neighborhood. Punishable by a fine of Five Thousand Pesos (Php 5,000.00) or imprisonment of not less than thirty (30) days, or both, at the discretion of the Honorable Court;
- oo) Causing to be carried, wash away or set adrift to the open canal or on part of a street or sidewalk their leftover food, scraps of meat, garbage, slops, kitchen swill or waste of animals. Punishable by a fine of One Thousand Pesos (Php 1,000.00) or imprisonment of not less than fifteen (15) days, or both, at the discretion of the Honorable Court;
- pp) Carrying deadly weapons outside one's residence, such as fan knife, *balisong*, bob, brass-knuckles and other deadly weapons. Punishable by a fine of Five Hundred Pesos (Php 500.00) or imprisonment of not less than three (3) days, or both, at the discretion of the Honorable Court;
- qq) Maliciously or negligently failing to dim the headlights or tilt the beams downward of the motor vehicle he is driving whenever such vehicle meets another vehicle on any public street or highway during nighttime. Punishable by a fine of Three Thousand Pesos (Php 3,000.00) or imprisonment of not less than fifteen (15) days, or both, at the discretion of the Honorable Court;
- rr) Operating a motor vehicle in such a manner as to cause it to emit or make any unnecessary or disagreeable odor, smoke or noise. Punishable by a fine of One Thousand Pesos (Php 1,000.00) or imprisonment of not less than ten (10) days, or both, at the discretion of the Honorable Court;

- ss) Playing his stereo or a musical instrument in a loud sound annoying to the peace and tranquility of his neighbor or the neighborhood or engaging in charivari drinking spree or unruly, disorderly or offensive behavior or conduct causing nuisance to the neighborhood or the public. Punishable by a fine of One Thousand Five Pesos (Php 1,500.00) or imprisonment of not less than thirty (30) days, or both, at the discretion of the Honorable Court;
- tt) Stalking a woman, child, student or any person, including repeated phone calls, or text messaging, knowingly and without justification causing nuisance, psychological or emotional distress. Punishable by a fine of Three Thousand Pesos (Php 3,000.00) or imprisonment of not less than three (3) months, or both, at the discretion of the Honorable Court;
- uu) Sniffing of rugby or volatile substance that induces a condition of intoxication or irrational behavior. Punishable by a fine of Three Thousand Pesos (Php 3,000.00) or imprisonment of not less than thirty (30) days, or both, at the discretion of the Honorable Court. **Provided, however,** that no information or case shall be filed against a minor below eighteen (18) years old, instead the minor taken into custody shall be dealt with in accordance with Section 175 of this Ordinance for appropriate counselling and treatment program;
- vv) Engaging in the business of profiting in prostitution or enlisting the services of any other person for the purpose of prostitution or corruption of persons to satisfy the lust of another or to act as pimp. Punishable by a fine of Five Thousand Pesos (Php 5,000.00) or imprisonment of not less than one (1) year, or both, at the discretion of the Honorable Court;
- ww) Using deadly weapon replicas or pellet guns or air guns or similar weapons for intimidation of persons causing intense emotional, psychological or physiological stress or tensions. Punishable by a fine of Three Thousand Pesos (Php 3,000.00) or imprisonment of not less than thirty (30) days, or both, at the discretion of the Honorable Court; and
- xx) Performing other similar activities causing nuisance or acts inimical to the welfare and morals of the inhabitants of the City. Punishable by a fine of Five Hundred Pesos (Php 500.00) or imprisonment of not less than five (5) days, or both, at the discretion of the Honorable Court.

**SECTION 174. OTHER VIOLATIONS AND PENALTIES.** – As stated in this Ordinance:

- a) Violation of any provision of this Ordinance and the Implementing Rules and Regulations issued by the City Mayor for which no specific penalties imposed shall be punished by a fine of One Thousand Pesos (Php 1,500.00) or imprisonment of not less than fifteen (15) days, or both at the discretion of the Court; and
- b) If the violation is committed by a juridical entity or a partnership or association, the President, Manager, Owner or Officer-In-Charge shall be held liable.

**SECTION 175. DUTIES OF LAW ENFORCEMENT OFFICER TAKING CUSTODY OF A MINOR FOR VIOLATION OF THIS ORDINANCE.** – Any person or law enforcement officer taking custody or arresting a minor (below 18 years old) shall:

- a) Explain to the minor in simple language and in a dialect that can be understood the reason for placing him under custody and the offense allegedly committed.
- b) Advise the minor of his constitutional rights in a language or dialect understandable by the minor.
- c) Present proper identification to the minor.
- d) Avoid displaying or using any firearm, weapon, handcuffs or other instrument of force or restraint.
- e) Avoid violence or unnecessary force.
- f) Ensure that a body search of the minor is done only by a law enforcement officer of the same gender as to that of the minor. Punishable by a fine of Five Hundred Pesos (Php 500.00) or imprisonment of not less than five (5) days, or both, at the discretion of the Honorable Court.
- g) Within five (5) hours after apprehension turn the custody of the minor to the City Social Welfare and Development Office or nearest police station.

**SECTION 176. LAW ENFORCEMENT OFFICERS.** – The following are the Law Enforcement Officers who are duty bound to enforce this Ordinance:

- a) *Punong Barangay, Barangay Kagawad and Barangay Tanod / Barangay Police;*
- b) Members of the Defense and Security Services (DSS);
- c) Persons that may be deputized by the City Mayor; and
- d) Members of the Philippine National Police (PNP) stationed in Batangas City.

**SECTION 177. CLOSURE NOTICE.** – The *Sangguniang Barangay* where the subject property is located shall, by majority vote of its members or any concerned persons, natural or juridical, may request the Office of the City Legal Officer the issuance of a CLOSURE NOTICE to the owner, administrator or persons occupying the house, building or premises being used in violation of this Ordinance or for illegal activities or purposes, with a warning that continuance of violation or illegal activities shall compel the City Legal Officer to issue a CLOSURE ORDER. The City Legal Officer shall act upon the request within ten (10) days from receipt thereof.

**SECTION 178. PENALTY FOR VIOLATION OF CLOSURE ORDER.** – Any person who shall continue to use the property in violation of the Closure Order or who shall remove, destroy or deface the posted CLOSURE ORDER or its instrument shall be liable to a fine of Five Thousand Pesos (Php 5,000.00) or imprisonment of one (1) year or both, at the discretion of the Court. If the violation is committed by a juridical person, the Officer responsible therefore shall serve the imprisonment when imposed.

**SECTION 179. CIVIL LIABILITY OF OFFENDER.** – Without prejudice to any independent civil action that may be filed against the offender, any person found guilty of violating this Ordinance shall be liable for damages. The Court shall determine the amount of damages, taking into consideration, among others, the value of the thing, the reparation of the damage and consequential damages.

**SECTION 180. COMMUNITY SERVICE.** – If the offender cannot pay the fine provided in Section 173 and Section 174 hereof, in lieu thereof, the Court shall impose a community service of not less than thirty (30) days in the barangay as determined by the Court.

**SECTION 181. CREATION OF A TASK FORCE AND BARANGAY MONITORING TEAM.** – The City Mayor shall create a “City Task Force” to be headed by

the City Administrator, to develop and implement programs and strategies for the effective implementation of this Ordinance. On the other hand, the Punong Barangay shall create a “Barangay Monitoring Team” to monitor the proper implementation of this Ordinance in their barangay.

**SECTION 182. ADMINISTRATIVE FINE.** – Failure to enforce this Ordinance or to take the necessary action when the violation is committed in their presence or when the offense has been committed and has probable cause to believe based on personal knowledge of the facts or circumstances that the person to be held in custody has committed the offense will be a ground for disciplinary administrative action.

Any person found violating Sections this Ordinance or apprehended for violation of this Ordinance may settle his obligation by paying the corresponding amount for each violation stated in Sections 173 and 174 of this Ordinance in the Office of the City Treasurer within seventy-two (72) hours from his apprehension. Upon receipt of the payment of the administrative fine the City waives its right to file a case in court for violation of this Ordinance or its implementing rules and regulations. The apprehending *Barangay Officials or Barangay Tanod / Barangay Police* shall be entitled to twenty-five percent (25%) of the administrative fine paid as a reward, subject to implementing rules that may be issued by the City Administrator with the approval of the City Mayor.

## CHAPTER IV

# PROVISIONS FOR PEACE AND ORDER AND PUBLIC SAFETY OF SHOPPING CENTERS OR MALLS

**SECTION 183. DECLARATION OF POLICY.** – This Ordinance declares the policy of Batangas City Government that shall mandate shopping centers or malls and its mall managers, operators and security officers to comply with the prescribed peace and order and public safety provisions, as stated in this Ordinance.

**SECTION 184. COVERAGE.** – This shall cover all existing Shopping Centers and Malls and those which in the future may be established within the jurisdiction of Batangas.

**SECTION 185. DEFINITION OF TERMS.** – As used in this Code, the following words and terms and phrases shall mean as follows:

- a) **Shopping Centers** – a complex of stores, restaurants, etc. with or without an adjoining parking lot;
- b) **Malls** – a completely enclosed air-conditions shopping centers;
- c) **Premises** – a part of a building and the area of ground belonging to it; and
- d) **Trauma** – a bodily injury, wound or emotional shock.

**SECTION 186. COMPLIANCE REQUIREMENT.** – Within sixty (60) days from effectivity of this Ordinance, the Owner, Manager or Operator of shopping centers and malls shall provide in their establishment the following:

- a) A medical unit of at least two (2) individuals equipped with complete first aid kit that have been trained in the application of first aid emergency assistance in cases of physical injuries, trauma and accidents inside the shopping centers or malls;
- b) An emergency ambulance or vehicle always stationed within the premises of the Shopping Center or Mall for bringing the individuals that suffered injuries trauma and accidents inside the shopping center or mall or within its immediate premises to the nearest hospital or medical clinic for treatment;
- c) All security guards/officers equip with first aid kit and trained in emergency response or life-saving skills.

**SECTION 187. OTHER OBLIGATIONS OF THE SHOPPING CENTER AND MALL MANAGERS, OPERATORS AND SECURITY OFFICERS / GUARDS / DETACHMENT COMMANDERS. – As stated in this Ordinance:**

- a) Prohibit inside the said establishment the carrying of deadly weapons or illegal drugs;
- b) Prohibit inside the establishment persons with unruly behavior and under the influence of liquor;
- c) Prohibit inside the establishment persons with unruly behavior due to the influence of prohibited drugs;
- d) Prohibit inside the establishment persons engaging in reckless conduct which may cause emotional or psychological distress, such as, stalking a woman, a child or minor or any person inside the shopping center or mall;
- e) Prevent any form of harassment, violence, verbal and physical abuse and unruly behavior of persons inside the shopping center or mall; and
- f) Persons committing the aforementioned acts shall immediately be made to leave the Shopping Center or Mall or reported to the police for proper action, if necessary.

**SECTION 188. PENALTY CLAUSE. – The following penalties shall be imposed upon individuals or institutions or facilities found to have violated the provisions of this Ordinance:**

- a) The manager, officer-in-charge or operator who violates Section 186 hereof, shall upon conviction, be punished by a fine of Five Thousand Pesos (Php 5,000.00) or imprisonment of thirty (30) days or both at the discretion of the Honorable Court; and
- b) The manager, operator, security officer/guard/detachment commander who violates any of the provisions of Section 186 and Section 187 hereof, shall upon conviction be punished by a fine of Three Thousand Pesos (Php 3,000.00) or imprisonment of fifteen (15) days or both at the discretion of the Honorable Court.

## **CHAPTER V**

### **THE ANTI-DRUG ABUSE COUNCIL (ADAC)**

**SECTION 189. DECLARATION OF POLICY.** – It is the duty of the City Government of Batangas as a Local Government Unit to promote health and safety, improve public morals, maintain peace and order and pursue the comfort and convenience of its inhabitants.

**SECTION 190. PURPOSE.** – The purpose of this Ordinance is to establish a Council that shall serve as the policy-making, monitoring and coordinating body on the prevention and control of drug abuse in Batangas City and that shall execute programs and projects under this Ordinance, with the goal of formulating and implementing sustainable solutions to the drug problem.

**SECTION 191. DEFINITION OF TERMS.** – As used in this Ordinance, the terms:

- a) **Council** – shall refer to the Anti-Drug Abuse Council of Batangas City or ADAC;
- b) **Drug abuse** – shall refer to the deliberate use or taking of substance for other than its intended purpose or of dangerous drugs, both prohibited and regulated drugs;
- c) **Rehabilitation** – a term for the processes of medical and/or psychotherapeutic treatment, for dependency on prohibited drugs with the intention to enable the patient to cease substance abuse, in order to avoid the psychological, legal, financial, social, and physical consequences that can be caused, especially by extreme abuse.

**SECTION 192. COMPOSITION.** – The Council herein created shall be composed of the following:

- a) Chairperson : City Mayor
- b) Vice Chairperson : Chief of Police

- c) Members : City Vice Mayor  
DILG City Director  
City Schools Superintendent  
City Prosecutor  
City Health Officer  
Chief, Public Information Office  
City Social Welfare and Development Officer  
City Probation and Parole Officer  
President, ABC  
President, SK  
Representative from Socio-Civic Groups  
Representative from Religious Groups  
Others, as may be deemed necessary

**SECTION 193. DUTIES AND FUNCTIONS.** – The Council shall have the following duties and functions:

- a) Formulate and issue Implementing Rules and Regulations (IRR) to carry out the thrust of this Ordinance;
- b) Pursue an intensive and unrelenting campaign against the trafficking and use of dangerous drugs and other similar substances through an integrated system of planning, implementation and enforcement of anti-drug abuse policies, programs and projects;
- c) Plan and implement programs on drug abuse prevention and control;
- d) Conduct information and education campaign that would ensure the community and citizen's active participation and involvement in drug abuse prevention through regular consultation with the barangays, schools and other sectors;
- e) Provide rehabilitation program and/or clinic;
- f) Coordinate with the concerned agencies and non-government organizations the plans and programs approved by the Council;

- g) Make program evaluation on quarterly and annual bases and after the conduct of each and every project;
- h) Conduct regular seminar to help rehabilitate detention prisoners in Batangas City Jail who are charged with offenses involving violations of the Comprehensive Dangerous Drugs Act of 2002 and whose charges are based upon probable cause;
- i) Set annual celebration of anti-drug abuse week for Batangas City;
- j) Monitor and maintain the necessary records on the status of drug related cases in Batangas City and submit quarterly summary reports thereof to the *Sangguniang Panlungsod*;
- k) Provide the Local Chief Executive and the Chairperson/Chairpersons of the concerned committee/s of the *Sangguniang Panlungsod* with minutes, plans of action, policy recommendations and other pertinent decisions regarding the programs and projects of the Council;
- l) Provide for an effective mechanism for the coordination of existing service and programs which might be developed in the future;
- m) Recommend the grant of compensation, reward and award to any person providing information and to law enforcers participating in a successful drug operation, as provided for in Sec. 22 of RA 9165;
- n) Charge reasonable fees for drug dependency examination, drug test, treatment and rehabilitation and other medical and legal services provided to the public, which shall accrue to the Council's fund;
- o) Provide for mechanism to obtain funds, volunteers, facilities and technical expertise that would comprehensively address the drug menace; and
- p) Perform such other functions, necessary and proper, to effect the foregoing functions

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# ARTICLE VII: PUBLIC WORKS AND ENGINEERING

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**WHEREAS**, Chapter 3, Article III, Section 458 (a) (4) (iii) of the Local Government Code of 1991 provides that the *Sangguniang Panlungsod*, as the legislative body of the City, shall enact ordinances and resolutions to regulate activities relative to the land use, buildings and structures within the City in order to promote general welfare among its inhabitants;

**WHEREAS**, the Government formulated policies, plans, specifications and guidelines on structural design through the passage of P.D. No. 1096, otherwise known as the “*National Building Code of the Philippines*”;

**WHEREAS**, it is the intention of the government to provide all the technological requirements of buildings and structures to ensure the safety as well as the best use, occupancy and maintenance of buildings and other structures; and

**WHEREAS**, Batangas City Government, in cognizant to national government thrusts, shall continuously provide professional engineering services that are appropriate, innovative and economical in order to transform Batangas City into a more progressive metropolis in terms of infrastructures and sustainable development; further, provide cost-effective solutions that meet the present and future requirements of the City by studying all reasonable options through new technologies in order to offer excellence in design and delivery of engineering services.

# CHAPTER I

## RELOCATION OF UTILITY SERVICE POLES FROM INNER REAR PORTIONS OF ROAD

**SECTION 194. DECLARATION OF POLICY.** – It is hereby declared the policy of Batangas City Government to require electric power distributors, telecommunication companies, cable television service providers and other similar companies operating or doing business within the territorial jurisdiction of Batangas City to relocate its utility service poles to inner rear portions of road within the period and compliance requirement as stated in this Ordinance.

**SECTION 195. DEFINITION OF TERMS.** – For purposes of this Ordinance, the following terms are defined as follows:

- a) **Cable Television** – corporation or business entity which has a franchise to operate a system of delivery of television programming to paying subscribers via radio frequency (RF) signals transmitted through coaxial cables or light pulses through fiber optic cables;
- b) **CEO** – refers to the City Engineering Office or Office of the City Engineer;
- c) **City ENRO** – City Environment and Natural Resources Office;
- d) **DENR** – refers to the Department of Environment and Natural Resources;
- e) **DPWH** – refers to the Department of Public Works and Highways;
- f) **Electric Power Distributor** – refers to any company, private corporations which has a franchise to operate a distribution system for the supply of electricity;
- g) **Feeder Road** – a smaller perpendicular roadway that fed into a grander one; a road that serves as a traffic feeder to a more important road;
- h) **Highway** – refers to the national primary road which form part of the main trunk-line system continuous in extent; such as roads leading to the Batangas International Port, and coast-to-coast roads;
- i) **Local Government Unit** – refers to the City Government of Batangas and its barangays;

- j) **Major Thoroughfares** – refers to all roads extending from the public plazas and city roads of sufficient importance, or extending from the City to any public wharf, transport station, and other similar areas of the City;
- k) **National Road** – refers to roads which form the secondary trunk-line system such as access roads, national, provincial and city roads but shall exclude “feeder roads”;
- l) **Right-of-way** – refers to a part of the entirety of a property, site, or location, with defined physical boundaries, used by utility companies for the installation/erection of their facilities such as posts, poles, towers, distribution lines, cables, power generators, and similar facilities;
- m) **Telecommunication Company** – refers to any company, private corporation or business entity which has a franchise to operate a system of transmission of signs, signals, messages, words, writings, images and sounds or information of any nature by wire, radio, optical or electromagnetic systems; and
- n) **Utility Companies** – refers to companies, private corporations or business entities which has a franchise to operate electric power distribution, telecommunication services, cable television, and other similar services.

**SECTION 196. CREATION OF THE TECHNICAL WORKING GROUP.** – It is hereby created a Technical Working Group for the accomplishment of the purposes of this Ordinance, and shall be composed of the following:

- a) Chairperson of the *Sangguniang Panlungsod* Committee on Engineering and Public Works;
- b) City Engineer;
- c) City Environment and Natural Resources Officer;
- d) Association of Barangay Chairmen;
- e) District Engineer;
- f) Representatives from MERALCO;

- (i) Design Officer
  - (ii) Right of Way Officer
  - (iii) Construction Officer
  - (iv) Foreign Attachment Officer
- g) Representatives from Telecommunication Companies; and
- h) Representatives from Cable TV Companies.

**SECTION 197. POLE RELOCATION PLAN.** – Within thirty (30) days from the effectivity of this Ordinance, the Technical Working Group created under Section 196 hereof shall submit to the City Mayor a plan identifying the affected thoroughfares within the territorial jurisdiction of Batangas City.

The plan shall provide a workable table of pole relocation projects on the basis of priority. Each project shall be completed within a period of eight (8) months from the date of its commencement. The preparation of design, costing, and securing of permits are activities covered within the eight-month period herein provided for the completion of each pole relocation project.

**SECTION 198. NOTIFICATION OF CUSTOMERS.** – The utility company relocating their poles shall implement an effective program of notification of its customers to minimize or avoid inconvenience to them. The utility company shall likewise adopt measures practicable to lessen disruption of service to customers during the period of pole relocation.

**SECTION 199. COSTS.** – All expenses and costs incidental to the relocation of service poles shall be a utility company-borne concern. The government, its instrumentalities and agencies, including the Local Government Unit and its Offices, shall not be liable for any amount related to the compliance by the utility companies to this Ordinance.

**SECTION 200. DUTIES OF UTILITY COMPANY.** – As stated in this Ordinance:

- a) It is the duty of the utility company causing the relocation of its service poles to secure clearances and permits from concerned government

agencies including, but not limited to, the DPWH, DENR, City ENRO, CEO, and Barangay Government when necessary;

- b) It is the duty of the utility company relocating its own poles to repair any damage caused to any government property by reason of the removal and relocation of its service poles. Any portion of the highway, national road, or thoroughfare from where the poles are removed shall be reinstated to its repaired condition at the cost of the utility company subject to specifications and approval of the DPWH or of the Office of the City Engineer; and
- c) Any damage caused to private property by reason of the relocation of poles are subject to the agreement or settlement agreed upon by the utility company and the owner of the private property.

**SECTION 201. COMPLIANCE.** – All utility companies covered under this Ordinance shall complete the pole relocation projects within the period provided herein in accordance with the plan prepared and submitted by the Technical Working Group. Pursuant to the provisions of the Revised Philippine Highway Act, as amended, all service poles remaining in the inner portions of the City thoroughfares subject of this Ordinance after the period for compliance and presenting obstruction thereat shall be immediately removed at the expense of the utility company concerned.

Any damage caused to the utility company or its customers by reason of the summary removal by the City Government of their service poles shall be borne by the non-complying utility company.

**SECTION 202. PENALTIES.** – The failure of any utility company covered under this Ordinance to relocate its service poles in accordance with the requirements hereof shall be imposed the following penalties:

- a) Warning, and an order to comply within thirty (30) days from receipt thereof. For this purpose, the City Mayor or his authorized representative shall issue the warning and order to comply; and
- b) Fine of Five Thousand Pesos (Php 5,000.00) in case of failure to comply within the period of thirty (30) days stated in the Warning and Order to Comply stated in the preceding paragraph.

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# ARTICLE VIII: SOCIAL CONTINGENCY RESPONSE MEASURES

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**WHEREAS**, the 1987 Constitution provides that the maintenance of peace and order, the protection of life, liberty, and property, and promotion of general welfare are essential for the enjoyment by all the people of the blessings of democracy;

**WHEREAS**, enshrined in the Constitution is the policy of the State to 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 echoes the Constitution in providing that local government units shall promote and safety of the people; and it shall ensure and support the promotion of health and safety of the people, improve public morals, maintain peace and order, and preserve the comfort and convenience of its inhabitants;

**WHEREAS**, the emergence of COVID-19 and its progression into a global pandemic, and the lack of any known cure, medicine or therapy to prevent or treat the disease, requires that the populace take stringent personal and social hygiene practices;

**WHEREAS**, the Department of Health recommends that local government units take more proactive interventions in battling COVID-19 or any infectious disease and compliance with the guidelines on community quarantine is considered most effective in battling and defeating COVID-19 and similar infectious diseases; and

**WHEREAS**, while we are still under the diverse effects of the current COVID-19 pandemic and until the present, no proven cure or vaccine is yet approved or accepted in the field of medicine, there is a strong need to include practicable means of achieving the purpose of these Ordinances.

# CHAPTER I

## WAIVING MARKET RENTAL FEES OF STALL HOLDERS ENGAGED IN THE BUSINESS OF SELLING NON-ESSENTIAL PRODUCTS

**SECTION 203. DECLARATION OF POLICY.** – It is hereby declared the policy of Batangas City to waive market rental fees of stall holders engaged in the business of selling non-essential products in Batangas City Public Market I, II, and III from periods stated in this Ordinance.

**SECTION 204. COVERAGE.** – This Ordinance shall apply to all duly registered market stall holders in the Batangas City Public Market I, II, and III which are engaged in selling non-essential products from September 1 to December 31, 2020.

**SECTION 205. DEFINITION OF TERMS.** – Whenever used in this Ordinance, the terms shall be construed to have the following meaning:

- a) **Public Market** - refers to the place, building or structure designated as such by the *Sangguniang Panlungsod*. It includes Market I, II, and III of the Batangas City Public Market;
- b) **Non-Essential Products** - refer to non-food products sold in the City market such as but not limited to party needs, souvenirs, toys, clothing, glassware, native products and shoes;
- c) **Market Rental Fees** - refer to the fees imposed to lessees of stalls in the City market as per Section 109 of the Batangas City Revenue Code of 2009;
- d) **Stall Holder** - refers to the awardee or recipient of the award for a particular space located in the City market; and
- e) **Senior Citizen** - refers to people aged 60 and above.

**SECTION 206. RENTAL FEES FOR STALLS OF NON-ESSENTIAL PRODUCTS.**

– The market rental fees for stall holders engaged in the business of selling non-essential products shall be waived for the period of September 1 to December 31, 2020, whether these stalls continued their operations or not. ***Provided further,*** that existing unpaid rental of stall holders before September shall not be included in the waived market fee rentals.

**SECTION 207. RENTAL FEES FOR SENIOR CITIZEN.** – The market rental fees for Senior Citizen stall holders shall hereafter be waived from September 1 to December 31, 2020 ***provided,*** that the stalls awarded to senior citizens are closed for the entire duration of the waiver.

## **CHAPTER II**

# **CONTACT-TRACING FOR COVID-19 IN BATANGAS CITY**

**SECTION 208. DECLARATION OF POLICY.** – It is hereby declared the policy of the City Government to enforce all the means necessary to contain the COVID-19 pandemic. Towards this end, the City Government shall be proactive in its interventions through aggressive contact tracing and strict enforcement of public health protocols during a public health crisis.

**SECTION 209. PURPOSE.** – The Ordinance shall be used to improve, sustain, and rectify the City’s contact tracing efforts in combating the deadly COVID-19 pandemic.

**SECTION 210. DEFINITION OF TERMS.** – Whenever used in this Ordinance, the following terms shall have the following meaning, as defined by the Department of Health (DOH):

- a) **Close Contact** – a person who may have come into contact with the probable or confirmed case two days prior to onset of illness of the confirmed COVID-19 case (DOH);
- b) **Contact Tracing** – the identification, listing, and follow-up of persons who may have come into close contact with a confirmed COVID-19 case (DOH);
- c) **Confirmed COVID-19 Case** – any individual who tested positive for COVID-19 through laboratory confirmation at the national reference laboratory, subnational reference laboratory, or a DOH-certified laboratory testing facility (DOH);
- d) **Coronavirus** – also known as COVID-19, is an infectious disease caused by a newly discovered coronavirus. The virus spreads primarily through droplets of saliva or discharge from the nose when an infected person coughs or sneezes. (WHO);
- e) **Notifiable Disease** – refers to a disease that by legal requirements, must be reported to the public health authorities (RA 11132);

- f) **Probable COVID-19 case** – a suspect case who fulfills anyone of the following listed below:
- (i) Suspect case whose testing for COVID-19 is inconclusive; or
  - (ii) Suspect who tested positive for COVID-19 but whose test was not conducted in a national or subnational reference laboratory or officially accredited laboratory for COVID-19 confirmatory testing; and
  - (iii) Suspect case who died without undergoing any confirmatory testing (WHO)
- g) **Suspect COVID-19 case** – a person who is presenting any of the conditions below:
- (i) ALL Severe Acute Respiratory Infection (SARI) cases where no other etiology that fully explains the clinical presentation;
  - (ii) Influenza Like Illness (ILI) cases with any one of the following:
    - (1) With no other etiology that fully explains the clinical presentation and a history of travel to or residence in an area that reported local transmission of COVID-19 disease during the fourteen (14) days prior to symptom onset; or
    - (2) With contact to a confirmed or probable case of COVID-19 disease during the fourteen (14) days prior to the onset of symptoms
  - (iii) Individuals with fever or cough or shortness of breath or other respiratory signs or symptoms fulfilling any one of the following conditions:
    - (1) Aged 60 years and above;
    - (2) With a comorbidity;
    - (3) Assessed as having a high-risk pregnancy; and/or

(iv) Health worker (DOH)

**SECTION 211. PROHIBITED ACTS.** – The following acts are prohibited under this Ordinance:

- a) Verbal and physical threats to disclose personal information, from probable, suspected, and close contact cases of COVID-19, by persons authorized for contact tracing;
- b) Refusal to submit to testing and other activities resulting to the non-cooperation of persons and entities that should report and/or respond to notifiable diseases such as COVID-19 or health events of public concern;
- c) Malicious falsification, in whole or in part, of COVID-19 test results, including the tampering of medical records and forgery of medical signatures and other information;
- d) Violation of fourteen (14) days quarantine and other appropriate public health protocols for confirmed, probable, suspected, and close contacts of COVID-19 cases;
- e) Unauthorized and bogus contact tracing not recognized by the Department of Health and the City Health Office;
- f) Willful and malicious lying of information needed for contact tracing forms such as, but not limited to travel history and medical history;
- g) Improper disposal and documentation of COVID-19 tests results and other pertinent information.

**SECTION 212. PENALTY.** – Any person found violating the protocol on physical distancing and prohibition of mass gathering shall suffer a fine of less than Five Thousand Pesos (Php 5,000.00) or imprisonment of not less than one (1) month or both fine and imprisonment at the discretion of the Court.

**SECTION 213. AUTHORIZATION.** – The City Mayor shall have the authority to determine and declare the proper implementation of this Ordinance, and to declare, whenever warranted by a declaration of a state of calamity in Batangas City by the *Sangguniang Panlungsod*, the future re-imposition of such Ordinance.

## CHAPTER III ANTI-FAKE NEWS

**SECTION 214. DECLARATION OF POLICY.** – The City Government of Batangas declares a policy to recognize the right of the people to accurate information for their safety and well-being for the purpose of enhancing their awareness and compliance with the law, and preparedness to respond to emergency situations where their lives can be at stake.

**SECTION 215. PURPOSE AND COVERAGE.** – This Ordinance shall apply to all duly registered citizens of the City of Batangas, as well as individuals in the City temporary residing at the time of the offense, in a residential unit which includes but not limited to a house, apartment and villa, for academic, professional, employment and other related purposes.

**SECTION 216. DEFINITION OF TERMS.** – As used in this Ordinance:

- a) **Disaster** – is a sudden, calamitous event that seriously disrupts the functioning of a community or society and causes human, material, and economic or environmental losses that exceed the community's or society's ability to cope using its own resources. Though often caused by nature, disasters can have human origins;
- b) **Emergency** – a sudden, urgent, usually unexpected occurrence or occasion requiring immediate action;
- c) **Fake News** – also known as junk news, pseudo-news, alternative facts or hoax news, is a form of news consisting of deliberate disinformation or hoaxes spread via traditional news media or online social media. Digital news has brought back and increased the usage of fake news, or yellow journalism;
- d) **False Information** – any written or verbal statement or representation of fact that is not true and that was made intentionally, knowingly or without having taken reasonable steps to ascertain whether or not the information was true;

- e) **Health Crisis** – a difficult situation or complex health system that affects humans in one or more geographic areas from particular locality;
- f) **Intervention Program** – the conduct of counselling or rehabilitation program, including rendition of socio-cultural services in Batangas City, such as, but not limited to repacking of relief of goods, distribution of relief of goods in various barangays, or other community services; and
- g) **Natural Calamity** – is a traumatic environmental event, such as flood, earthquake, typhoon, hurricane, tornado, mudslide, landslide, volcanic eruption, wildfire or other events.

**SECTION 217. PROHIBITED ACTS.** – No person shall willfully and maliciously convey, communicate, transmit, impart, pass on, or otherwise disseminate, by word of mouth or in written, printed, or video form, through whatever form or medium of communication, including but not limited to, telephone, cellular phone, electronic mail, messaging, electronic chat in whatever platform, or internet-based social media platform, false information concerning but not limited to the spread of infectious diseases, natural hazards and other similar calamities that would cause alarm or public scare, misinformation, or could influence people to do acts to aggravate the existing social situation;

**SECTION 218. PENALTY.** – Any person found violating the protocol on physical distancing and prohibition of mass gathering shall suffer a fine of less than Five Thousand Pesos (Php 5,000.00) or imprisonment of not less than one (1) month or both fine and imprisonment at the discretion of the Court.

## **CHAPTER IV PENALTY FOR THE VIOLATION OF HEALTH PROTOCOLS ON PHYSICAL DISTANCING AND MASS GATHERINGS**

**SECTION 219. DECLARATION OF POLICY.** – It is hereby declared the policy of Batangas City Government to penalize persons violating the health protocols on physical distancing and mass gatherings during the imposition of community quarantine amidst the prevalence of COVID-19 pandemic.

**SECTION 220. COVERAGE.** – This Ordinance shall cover all persons in Batangas City, whether residents or staying temporarily in Batangas City, during the period of COVID-19 pandemic and until such time that the state of health emergency is lifted by competent authorities;

**SECTION 221. HEALTH PROTOCOLS.** – The following health protocols provided in Ordinance No. 12 S. 2020 also known as The GCQ Ordinance of Batangas City are hereby reiterated:

- a) Physical distancing – minimum health standards and precautions such as maintenance of physical distancing of one (1) meter between and among persons; and
- b) Mass gathering – non-essential mass gatherings, and those which are entertainment-related such as, but not limited to, movie screenings, concerts, and sporting events are prohibited. While adhering to prescribed minimum health standards, religious gatherings are not encouraged but, in any case, should not be more than ten (10) persons.

**SECTION 222. PENALTY.** – Any person found violating the protocol on physical distancing and prohibition of mass gathering shall suffer a fine of less than Five Thousand Pesos (Php 5,000.00) or imprisonment of not less than one (1) month or both fine and imprisonment at the discretion of the Court.

## **CHAPTER V**

# **IMPLEMENTATION OF CURFEW HOURS DURING PANDEMIC PREVALENCE**

**SECTION 223. DECLARATION OF POLICY.** – It is hereby declared the policy of Batangas City Government to penalize persons violating the implemented curfew hours during the period of community quarantine in Batangas City.

**SECTION 224. COVERAGE.** – This Ordinance shall cover all persons in Batangas City, not specifically exempted hereunder whether residents of or staying temporarily in Batangas City during the period of any classification of community quarantine in Batangas City.

**SECTION 225. CURFEW.** – The movement of all persons in Batangas City during the period of any classification of community quarantine shall be limited to accessing essential goods and services, and for work in the offices or industries permitted to operate provided in the succeeding Section. For this purpose, a curfew shall be observed from 9:00 o'clock in the evening until 4:00 o'clock in the morning of the following day. All persons not exempted as provided herein shall not be allowed outside of residence during curfew hours.

**SECTION 226. EXEMPTION.** – Only the following persons shall be exempt from the curfew provided in this Ordinance:

- a) Persons accessing essential goods and services;
- b) Workers or employees of the government offices or agencies whose mandate are considered essential for the provision of public services;
- c) Accredited diplomatic missions and international organizations operating in Batangas City whose mandate are considered essential for the provision of benevolent public service or social welfare operation; and
- d) Workers or employees of permitted establishments, ***provided***, that their work shift necessitate movement outside residence within the curfew period.

**SECTION 227. ESSENTIAL GOODS AND SERVICES.** – Covers health and social services to secure the safety and well-being of persons, such as but not limited to, food, water, medicine, medical services, public utilities, energy, and others as may be determined by the IATF.

**SECTION 228. PERMITTED ESTABLISHMENTS.** – The permitted establishments listed under the Guidelines for Areas Under General Community Quarantine under the Omnibus Guidelines on the Implementation of Community Quarantine in the Philippines dated July 02, 2020 are hereby adopted in this Ordinance:

- a) Public and private hospitals;
- b) Health, emergency and frontline services, including those provided by dialysis centers, chemotherapy center, and the like;
- c) Manufacturers of medicine, medical supplies, devices and equipment, including suppliers of input, packaging, and distribution;
- d) Industries involved in agriculture, forestry, and fishery and their workers, including farmers, Agrarian Reform Beneficiaries (ARBs), fisherfolks, agri-fishery stores, and such other components of the food value chain; and
- e) Delivery and courier services, whether in-house or outsourced, transporting food, medicine, or other essential goods, including clothing, accessories, hardware, housewares, school and office supplies, as well as pet food and other veterinary products.

In addition, workers or employees of the following sectors or industries shall be exempt from the curfew imposed in this Ordinance ***provided***, that their work shifts necessitate movement outside residence within the curfew period:

- f) **Category I Industries** – Power, energy, water, and other utilities; agriculture, fishery, and forestry industries; food manufacturing and food supply chain businesses including food retail establishments such as supermarkets, grocery stores, and food preparation establishments insofar as take-out and delivery services; health-related establishments;

the logistic sector; information technology and communication companies; the media;

- g) **Category II Industries** – Mining and other manufacturing, and electronic commerce companies. As well as other delivery, repair and maintenance, and housing and offices services;
- h) **Category III Industries** – Financial services, legal and accounting, and auditing services; professional, scientific, technical, and other non-leisure services; barbershops and salons; and other non-leisure wholesale and retail establishments.

**SECTION 229. MANDATORY PROHIBITION.** – Any person below twenty-one (21) years old, those who are sixty (60) years old and above, those with immunodeficiency, comorbidity, or other health risks, and pregnant women, including any person who resides with the aforementioned, shall be required to remain in their residences at all times, except when indispensable under the circumstances for obtaining essential goods and services or for work in permitted industries and offices.

**SECTION 230. PENALTY.** – Any person found violating the mandatory prohibition provided in Section 229 thereof shall suffer a fine of less than Five Thousand Pesos (Php 5,000.00) or imprisonment of not less than one (1) month or both fine and imprisonment at the discretion of the Court.

## **CHAPTER VI**

# **LIQUOR BAN DURING PANDEMICS AND OTHER SIMILAR CALAMITIES**

**SECTION 231. DECLARATION OF POLICY.** – This Ordinance declares liquor ban policy during pandemics and other similar calamities in Batangas City.

**SECTION 232. COVERAGE.** – This Ordinance shall cover all persons in Batangas City, whether or not engaged in a legitimate business of selling alcoholic beverages, residents of, or staying temporarily in Batangas City, during the period of pandemic such as but not limited to COVID-19, and other similar calamities affecting Batangas City.

**SECTION 233. PROHIBITION.** – Selling, furnishing, offering, buying, serving or consuming alcoholic beverages in Batangas City is hereby prohibited during the period of pandemic and similar calamities.

**SECTION 234. PENALTY.** – Any person found violating the prohibition provided in Section 233 shall suffer a fine of less than Five Thousand Pesos (Php 5,000.00) or imprisonment of not less than one (1) month or both fine and imprisonment at the discretion of the Court.

**SECTION 235. AUTHORIZATION.** – The City Mayor shall have the authority to determine and declare the proper time of lifting the ban on sale and consumption of alcoholic beverages provided in this Ordinance, and to declare, whenever warranted by a declaration of a state of calamity in Batangas City by the *Sangguniang Panlungsod*, the future re-imposition of such liquor ban.

## **CHAPTER VII**

# **WAIVING THE MEDICAL EXAMINATION CERTIFICATE FEES OF INDIVIDUALS FOR THE DURATION OF THE COMMUNITY QUARANTINE**

**SECTION 236. DECLARATION OF POLICY.** – It is hereby declared the policy of Batangas City Government to waive medical examination certificate fees of individuals for the duration of the community quarantine in the City.

**SECTION 237. COVERAGE.** – This Ordinance shall apply to all individuals securing Health Certificates/Clearance from the City Health Office, Batangas City Government.

**SECTION 238. WAIVER.** – The Medical Examination Certificate Fee of One Hundred Pesos (Php 100.00) provided under Section 97 (B), (E) of the Batangas City Revenue Code of 2009 is hereby waived. No fees or any other amount shall be paid by any individual securing Medical Examination Certification Fee or Health Certificate or Health Clearance.

**SECTION 239. PERIOD OF WAIVER.** – The waiver of fees provided in this Ordinance shall be effective during the period that Batangas City is under any kind of community quarantine only. The lifting of community quarantine shall automatically terminate the effectivity of the waiver.

## CHAPTER VIII

# WAIVING THE MARKET RENTAL FEES OF STALL HOLDERS AFFECTED BY THE GENERAL COMMUNITY QUARANTINE

**SECTION 240. DECLARATION OF POLICY.** – It is hereby declared the policy of Batangas City Government to waive market rental fees of stall holders affected by the General Community Quarantine in Batangas City Public Market I, II, and III from periods specified in this Ordinance.

**SECTION 241. COVERAGE.** – This Ordinance shall apply to stalls affected by the General Community Quarantine such as but not limited to the party needs section, lotto outlets and senior citizen market stall holders at the Batangas City Public Market I, II, and III during the entire period that Batangas City is declared under the General Community Quarantine by the Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF) and three months thereafter.

**SECTION 242. DEFINITION OF TERMS.** – Whenever used in this Ordinance, the terms shall be construed to have the following meaning:

- a) **Lotto outlet** refers to stalls who are approved by the Philippine Charity Sweepstakes Office to sell tickets for lotto games, KENO, Scratch It! and the like;
- b) **Market Rental Fees** refer to the fees imposed to lessees of the stalls in the City Market as per Section 109 of the Batangas City Revenue Code of 2009;
- c) **Party needs stall holder** refers to stalls who are engaged in selling products used in birthdays, anniversaries, weddings and other special occasions;
- d) **Public Market** refers to the place, building or structure designated as such by the *Sangguniang Panlungsod*. It includes Market I, II, and III of the Batangas City Public Market;

- e) **Senior citizen** refers to individual aged 60 and above;
- f) **Stall Holder** refers to the awardee or recipient of the award for a particular space located in the City Market.

**SECTION 243. RENTAL FEES FOR AFFECTED STALLS.** – The market rental fees for affected stall holders such as but not limited to those engaged in the business of selling party needs, lotto outlets and senior citizen stall holders shall hereafter be waived for the whole duration of the General Community Quarantine and three months thereafter, ***provided***, that existing unpaid rentals of stall holders before the community quarantine are not included in the waived market fee rentals.

## **CHAPTER IX**

# **CONTACTLESS TRANSACTION AND ONLINE REMITTANCE OF CONTRIBUTIONS/PAYMENTS AND ACCEPTANCE OF GOVERNMENT TAXES**

**SECTION 244. DECLARATION OF POLICY.** – In order to devise mechanism that lessens the chance of transmitting COVID-19, it is hereby declared the policy of Batangas City Government to authorize the City Local Government to open an e-government savings account for the purpose of facilitating a contactless transaction and online remittance of contributions and/or payments and acceptance of government taxes.

**SECTION 245. DEFINITION OF TERMS.** – As used in this Ordinance, the following terms shall construe the meaning of:

- a) **Contactless Transaction** – transactions that require no physical contact between the payor, the agent, the payor’s payment device, the payee, and the physical payment terminal. This type of payment can be through banks, online channels and contactless mobile and web applications including but not limited to G-Cash, PayMaya, credit/debit cards, and remittance centers.
- b) **Payment Channel** – the platform on which the payor can make a payment and/or remittance which includes online and mobile channels.
- c) **Payment Type** – the method of payment that the payor uses to transfer its payment and/or remittance. This includes credit/debit cards, mobile payments, online or over-the-counter bank transfers, e-wallets, direct deposits, etc.

**SECTION 246. COVERAGE.** – This Ordinance shall apply to the following:

- a) Acceptance of taxes and payments from all duly registered businesses, professions and taxpayers within the territorial jurisdiction of the City of Batangas;
- b) Acceptance of payments of real property taxes, local business taxes, licenses, fees and charges due to the City Government;
- c) Acceptance of payments of surcharges, penalties and interest arising from non-payment of business and real property taxes;
- d) Acceptance of all such payments due to the City Government of Batangas which are not specified herein;

- e) Payment of all remittances contributions of the City Government to other government agencies including but not limited to the Government Service Insurance System (GSIS), Home Development Mutual Fund (Pag-IBIG) and Philippine Health Insurance Corporation (PhilHealth).

**SECTION 247. PAYMENT/TRANSFER OF PAYMENT.** – Taxpayers of all such taxes, fees and charges mentioned in Section 246 herein shall have the option to choose the method of payment and payment channel of such taxes, fees and charges due to the City Government and secure proof of such payment including but not limited to electronic receipts and others to be able to present proof of payment should the need arise. Payers may opt to choose any payment channel according to one’s convenience but not limited to G-Cash, PayMaya and Online/Mobile Banking.

**SECTION 248. PAYMENT OF GOVERNMENT REMITTANCES AND CONTRIBUTIONS.** – All contributions, remittances and payments charged by other government agencies including but not limited to the Government Service Insurance System (GSIS), Home Development Mutual Fund (Pag-IBIG) and Philippine Health Insurance Corporation (PhilHealth) which are against the City Government may be paid contactless through the Digital Banking Portal as discussed in the preceding paragraphs herein.

**SECTION 249. OPENING OF AN E-GOVERNMENT (E-GOV) SAVINGS ACCOUNT.** – To effectively carry out this Ordinance, the City Treasurer and the City Mayor shall be authorized to open an E-Gov Savings Account at the Development Bank of the Philippines (DBP) Batangas City Branch and to enroll the said E-Gov Savings Account in the Digital Banking Portal feature of DBP for the purposes of embracing the contactless transaction method as hereby discussed.

- a) The City Treasurer shall have exclusive authority to access and manage the Batangas City Government Account in the DBP Digital Banking Portal and shall keep a physical record of all such transactions as appearing in the same. The City Treasurer shall also have the authority to request a detailed breakdown of all transactions which were made to and from the said E-Gov Savings Account if needed.
- b) The City Treasurer shall coordinate with other offices concerned including but not limited to the Business Permits and Licensing Office (BPLO), City Assessor’s Office and others with regards to the payments made through the City Government’s E-Gov Savings Account and keep an updated record of such payments made.

## CHAPTER X

# GENERAL COMMUNITY QUARANTINE ORDINANCE

**SECTION 250. DECLARATION OF POLICY.** – It is hereby declared the policy of Batangas City Government to adopt the Omnibus Guidelines on the Implementation of General Community Quarantine from the Inter-Agency task Force for the Management of Emerging Infectious Diseases, additional health and safety protocols and prescribed penalties as stated in this Ordinance.

**SECTION 251. COVERAGE.** – This Ordinance shall cover all the natural persons residing or sojourning in Batangas City during the period of General Community Quarantine and until the same is lifted.

**SECTION 252. ADOPTION OF THE OMNIBUS GUIDELINES ON THE IMPLEMENTATION OF COMMUNITY QUARANTINE.** – Batangas City hereby adopts the Omnibus Guidelines on the Implementation of Community Quarantine in the Philippines approved by the IATF dated 15 April 2020, and the pertinent portions of which are reproduced or otherwise made integral parts of this Ordinance.

**SECTION 253. DEFINITION OF TERMS.** – Whenever used in this Ordinance, terms shall be defined as follows:

- a) **Comorbidity** – refers to the presence of a pre-existing chronic disease condition;
- b) **Community quarantine** – refers to the restriction of movement within, into, or out of the area of quarantine of individuals, large groups of people, or communities, designed to reduce the likelihood of transmission of COVID-19 among persons in and to persons outside the affected area;
- c) **COVID-19** – refers to the Corona Virus Disease 2019 which is caused by the virus known as the severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2);
- d) **Enhanced Community Quarantine** – refers to the implementation of temporary measures imposing stringent limitations on movement and transportation of people, strict regulation of operating industries,

provision of food and essential services, and heightened presence of uniformed personnel to enforce community quarantine protocols;

- e) **Essential goods and services** – cover health and social services to secure the safety and well-being of persons, such as but not limited to, food, water, medicine, medical devices, public utilities, energy and others as may be determined by the IATF;
- f) **General Community Quarantine** – refers to the implementation of temporary measures limiting movement and transportation, regulation of operating industries, and presence of uniformed personnel to enforce community quarantine protocols;
- g) **Health and emergency frontline services** – refers to the services provided by public health workers, all employees of the Department of Health (DOH), DOH Hospitals, Hospitals of LGUs, and Provincial, City, and Rural Health Units, and Drug Abuse Treatment and Rehabilitation Centers, including those managed by other government agencies (e.g. police and military hospitals/clinics, university medical facilities), uniformed medical personnel, private health workers, such as but not limited to medical professionals, hospital and health facility administrative and maintenance staff, and aides from private health facilities, as well as their service providers, health workers and volunteers of the Philippine Red Cross and the World Health Organization, and employees of Health Maintenance Organizations, the Philippine Health Insurance Corporation, health insurance providers, disaster risk reduction management officers, and public safety officers;
- h) **Inter-zonal movement** – refers to the movement of people, goods and services across areas placed under different Community Quarantine classification;
- i) **Intra-zonal movement** – refers to the movement of people, goods and services between localities under the same quarantine classification, without transiting through an area placed under a different classification;

- j) **Minimum public health standards** – refers to guidelines set by the DOH, as well as sector-relevant guidelines issued by government agencies to aid all sectors in all settings to implement non-pharmaceutical interventions (NPI) which refer to public health measures that do not involve vaccines, medications or other pharmaceutical interventions, which individuals and communities can carry out in order to reduce transmission rates, contact rates, and the duration of infectiousness of individuals in the population to mitigate COVID-19;
- k) **Modified General Community Quarantine** – refers to the transition phase between GCQ and New Normal, when these temporary measures are relaxed: limiting movement and transportation, the regulation of operating industries, and the presence of uniformed personnel to enforce community quarantine protocols become less necessary;
- l) **New normal** – refers to the emerging behaviors, situations, and minimum public health standards that will be institutionalized in common or routine practices and remain even after the pandemic while the disease is not totally eradicated through means such as widespread immunization. These include actions that will become second nature to the general public as well as policies such as bans on large gatherings that will continue to remain in force;
- m) **Operational capacity** – refers to such a maximum number of employees or workers who can be permitted or required to physically report to work on-site in a particular office or establishment; and
- n) **Skeleton workforce** – refers to the operational capacity which utilizes the smallest number of people needed for a business or organization to maintain its basic function.

**SECTION 254. GUIDELINES FOR THE IMPLEMENTATION OF GENERAL COMMUNITY QUARANTINE.** – In accordance with the IATF Omnibus Guidelines on the Implementation of Community Quarantine in the Philippines, pertinent parts of which are reproduced hereunder, the following protocols shall be observed in Batangas City:

Minimum public health standards shall be complied with at all times for the duration of the GCQ, to wit:

- a) The movement of all persons shall be limited to accessing essential goods and services, and for work in the offices or industries permitted to operate hereunder. **Provided**, that movement for leisure shall not be allowed;
- b) Any person below twenty-one (21) years old, those who are sixty (60) years old and above, those with immunodeficiency, comorbidities, or other health risks, and pregnant women, including any person who resides with the aforementioned, shall be required to remain in their residences at all times, except when indispensable under the circumstances for obtaining essential goods and services or for work in permitted industries and offices;
- c) Work in all government offices may be at full operational capacity, or under such alternative work arrangements as agencies may deem proper in accordance with the relevant rules and regulations issued by the Civil Service Commission. **Provided**, that for offices requiring employees to report physically, commissioned shuttle services as well as point-to-point transport services may be provided;
- d) Accredited diplomatic missions and international organizations may operate at fifty percent (50%) capacity. Alternative work arrangements such as flexible work arrangements, compressed work week, telework, and telecommuting is strongly encouraged;
- e) In addition to sectors permitted to operate in areas under Enhanced Community Quarantine and Modified Community Quarantine at an operational capacity **provided therefor**, the following sectors or industries shall be allowed to operate in Batangas City:
  - (i) **Category I Industries** – Power, energy, water, and other utilities, agriculture, fishery, and forestry industries, food manufacturing and food supply chain businesses, including food retail establishments such as supermarkets, grocery stores, and food preparation

establishments insofar as take-out and delivery services, health-related establishments, the logistics sector, information technology and telecommunication companies, the media at full operational capacity;

- (ii) **Category II Industries** – Mining and other manufacturing, and electronic commerce companies, as well as other delivery, repair and maintenance, and housing and office services, at anywhere between fifty percent (50%) up to full operational capacity, and without prejudice to work-from-home and other alternative work arrangements; and
  - (iii) **Category III Industries** – Financial services, legal and accounting, and auditing services, professional, scientific, technical, and other non-leisure services, and other non-leisure wholesale and retail establishments, at fifty percent (50%) work-on-site arrangement, and without prejudice to work-from-home and other alternative work arrangements;
- f) Limited operations in malls and shopping centers shall be allowed, except for leisure establishments and services which shall continue to be closed. **Provided**, that establishments and services allowed to operate in malls and shopping centers may only operate at a capacity consistent with the preceding paragraph. **Provided further**, persons aged below twenty-one (21) years old, and those sixty (60) years old and above may not enter malls and shopping centers, except when indispensable under the circumstances for obtaining essential goods and services or for work in establishments located therein. **Provided finally**, that such operation must be subject to updated guidelines issued by the Department of Trade and Industry;
- g) All public and private construction projects shall be allowed, but with strict compliance to the issued construction safety guidelines for the implementation of infrastructure projects during the COVID-19 pandemic by the Department of Public Works and Highways;

- h) Amusement, gaming, and fitness establishments, as well as those in the kids and the tourism industries may not operate;
- i) No hotels or similar establishments shall be allowed to operate, except those accommodating guests who have existing long-term bookings, distressed OFWs and stranded Filipinos or foreign nationals, repatriated OFWs in compliance with approved quarantine protocols, non-OFWs who may be required to undergo mandatory facility-based quarantine, and healthcare workers and other employees from exempted establishments. **Provided**, that hotel operations shall be limited to the provision of basic lodging to guests;
- j) Residential or face-to-face classes shall be suspended for the duration of the GCQ. For Academic Year 2020-2021, the following shall be observed for the conduct of classes:
  - (i) For basic education, the Basic Education Continuity Plan of the Department of Education is hereby adopted.
  - (ii) For higher education, the recommendations of the Commission on Higher Education for higher education institutions are hereby adopted;
- k) Mass gatherings that are unauthorized, non-work essential or are entertainment-related such as movie screenings, concerts, and sporting events are prohibited. While adhering to the prescribed minimum health standards, religious gathering is not encouraged but, in any case, should be not more than ten (10) persons;
- l) Individual outdoor exercise such as outdoor walks, jogging, running or biking are allowed. **Provided**, that the minimum health standards and precautions such as the wearing of masks and maintenance of social distancing protocols are observed. All persons below 21 years old, those who are 60 years old and above, those with immunodeficiency, comorbidities, or other health risks, and pregnant women, including any person who resides with the aforementioned, may go outdoors for the purpose of individual exercise;

- m) The road and maritime sectors of public transportation shall operate at a reduced operational and vehicle capacity in accordance with the Batangas City Ordinance No. 9 S.2020 otherwise known as “the Interim Transport Ordinance of Batangas City”.

**SECTION 255. GUIDELINES FOR INTERZONAL AND INTRAZONAL MOVEMENT.** – As stated in this Ordinance:

- a) Batangas City abides by the national policy of allowing unhampered the movement of all types of cargoes by land, air or sea within or across its territorial jurisdiction. Workers in the logistics sector, such as cargo, trucking, courier delivery, and port operations shall likewise be allowed to transit across Batangas City. **Provided,** that only a maximum of five (5) personnel may operate cargo and delivery vehicles by land, with or without load. **Provided further,** that strict physical distancing measures shall be observed, including the putting up of additional safe and humane seats or space in the vehicles. **Provided finally,** that the Batangas City PNP retains its authority to conduct inspection procedures in checkpoints for the purpose of ensuring that quarantine protocols are observed;
- b) The movement of the following persons within and across the territorial jurisdiction of Batangas City shall be permitted:
  - (i) Health and emergency frontline services personnel;
  - (ii) Government officials and government frontline personnel;
  - (iii) Duly-authorized humanitarian assistance actors;
  - (iv) Persons travelling for medical or humanitarian reasons;
  - (v) Persons going to the airport for travel abroad;
  - (vi) Returning or repatriated OFWs and other Overseas Filipinos returning to their places of residence; and

- (vii) Other persons transported through the efforts of the national government upon observance of the necessary quarantine protocols and with the concurrence of the receiving LGUs.
- c) Repatriated OFWs or returning non-OFWs who have been issued a DOH or LGU certificate of completion of fourteen-day (14) facility-based quarantine, those who may be required to undergo a mandatory fourteen-day home quarantine, and those who are issued with travel authority upon testing negative for COVID-19, shall be granted unhampered transit across Batangas City *en route* to their final destination in the Philippines.

**SECTION 256. ADDITIONAL HEALTH AND SAFETY PROTOCOLS.** – Within the duration of the GCQ, the following additional health and safety protocols shall be strictly observed in Batangas City:

- a) Mass gatherings are prohibited. In all cases and activities allowed as provided in the foregoing, proper physical distancing shall be observed at all times;
- b) The compulsory wearing of facemask in accordance with the Face Mask Ordinance of Batangas City, and the use of other appropriate personal protection gears shall be observed. Health protocols issued by the Department of Health through the City Health Office shall likewise be strictly implemented;
- c) Stores, whether wholesale or retail, shall be allowed to sell liquor or alcoholic beverages. **Provided**, that sale to a single person shall be limited to a maximum of one (1) unit of one-liter (1 Li.) bottle for hard drinks, and six (6) bottles/cans for beer drinks;
- d) Drinking alcoholic beverages outside of residence and in view of the public is strictly prohibited. Consumption of such drinks shall be limited indoors, and no group of persons shall be allowed to consume alcoholic beverages together. **Provided**, that when residents of the same household shall consume the alcoholic beverage together, the use of common glasses, utensils, and other implements is strictly prohibited. **Provided finally**, that in such case of consuming alcoholic beverage in

the same household, no more than five (5) persons shall be allowed together maintaining physical distancing and other hygiene protocols;

- e) The use of quarantine pass shall still be implemented in Batangas City. The previously barangay-issued quarantine pass shall still be valid. **Provided**, that each household shall have only one quarantine pass issued to a member who shall be allowed to go out on the particular day stated in the Pass, and only for the purpose of acquiring essentials for the household. **Provided finally**, that where the household opts to change its quarantine pass, the old one shall be cancelled by the issuing barangay before a new pass, shall be issued to the household; and
- f) Other health and safety protocols similar to the foregoing that may be issued by the City Government through Executive Order, Ordinance or Resolution.

**SECTION 257. PENALTIES.** – Any person found violating any of the guidelines provided in this Ordinance shall be imposed the following penalties:

- a) **First Offense.** – The offender shall be reprimanded and warned that a repeat violation shall be meted with a more severe penalty;
- b) **Second Offense.** – The offender shall be required to render community service for a period of three (3) hours within the day the violation was committed, **provided**, that if the rendering of such community service is not practicable on the day of the commission of the violation, the penalty shall be served in the following day; and
- c) **Third and Succeeding Offense.** – The offender shall suffer the penalty of imprisonment of not more than six (6) months or pay a fine of not more than Five Thousand Pesos (Php 5,000.00) or both in the discretion of the Court.

## CHAPTER XI

# WAIVING THE MARKET RENTAL FEES FOR STALL HOLDERS ENGAGED IN THE BUSINESS OF SELLING NON-ESSENTIAL PRODUCTS AND GRANTING 25% DISCOUNT FOR STALL HOLDERS ENGAGED IN THE BUSINESS OF SELLING ESSENTIAL PRODUCTS IN PUBLIC MARKETS FOR THE DURATION OF THE ENHANCED COMMUNITY QUARANTINE

**SECTION 258. DECLARATION OF POLICY.** – It is hereby declared the policy of Batangas City to waive market rental fees of stall holders engaged in the business of selling non-essential products and granting 25% discount for stall holders engaged in the business of selling essential products in Batangas City Public Market I, II, and III for the duration of the enhanced community quarantine, as stated in this Ordinance.

**SECTION 259. COVERAGE.** – This Ordinance shall apply to all duly registered market stall holders at the Batangas City Public Market I, II, and III during the entire period that Batangas City is declared under Enhanced Community Quarantine (ECQ) by the Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF).

**SECTION 260. DEFINITION OF TERMS.** – Whenever used in this Ordinance, the terms shall be construed to have the following meaning:

- a) **Public Market** refers to the place, building or structure designated as such by the *Sangguniang Panlungsod*. It includes Market I, II, and III of the Batangas City Public Market.
- b) **Essential Products** refer to the basic necessities for consumption in order to sustain life. These are food products which include fish, meat, poultry, fruits, vegetables and rice.
- c) **Non-essential Products** refer to non-food products sold in the City Market.

- d) **Market Rental Fees** refer to the fees imposed to lessees of stalls in the City Market as per Section 109 of the Batangas City Revenue Code of 2009.
- e) **Stall Holder** refers to the awardee or recipient of the award for a particular space located in the City Market.

**SECTION 261. RENTAL FEES FOR STALLS OF NON-ESSENTIAL PRODUCTS.** – The market rental fees for stall holders engaged in the business of selling non-essential products shall be waived for the entire duration that that Batangas City is placed under the enhanced community quarantine by the Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF), **provided**, that these stall holders have ceased their operations in March 17, 2020 up to May 11, 2020. **Provided further**, that existing unpaid rental of stall holders before the enhanced community quarantine are not included in the waived market fee rentals.

**SECTION 262. RENTAL FEES FOR STALLS OF ESSENTIAL PRODUCTS.** – Stall holders engaged in the business of selling essential products shall be granted a twenty-five percent (25%) discount on the total market rental fee for the entire duration that Batangas City is placed under the enhanced community quarantine by the Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF). **Provided**, that existing unpaid rentals of stall holders before the enhanced community quarantine are not included in the waived market fee rentals.

## CHAPTER XII

# INTERIM TRANSPORTATION REGULATIONS

**SECTION 263. DECLARATION OF POLICY.** – Cognizant of the grave effects of the COVID-19 pandemic to the lives of the people and facing the challenges this health crisis brought to the socio-economic front, the City Government of Batangas stands by the primacy of life, health and safety of its constituents and endeavors to create a culture of cooperation among the different sectors of the society for the general welfare.

**SECTION 264. COVERAGE.** – This Ordinance shall cover all persons, natural or juridical, operating public utility buses (PUBs), public utility jeepneys, (PUJs), utility vans (UVs), and tricycles, to transport persons and cargoes, and owners or drivers of any kind of private vehicle including motorcycles and bicycles, within the territorial jurisdiction of Batangas City, to take effect only in the duration of community quarantine imposed by competent government authority, **provided**, that public utility buses and jeepneys herein referred to are covered by valid Certificate of Public Convenience or franchise issued by the Land Transportation Franchising and Regulatory Board (LTFRB), utility vans herein referred to are covered by valid Special Permit issued by the Land Transportation Franchising and Regulatory Board (LTFRB), and the tricycles herein referred to are covered by valid Mayor’s Permit issued by the City Mayor or his authorized representative; **provided further**, that private vehicles herein referred to are covered by valid Certificate of Registration; **provided finally**, that the regulations adopted in this Ordinance shall be implemented on all routes entering Batangas City, or going through, or using national highways, national roads, thoroughfares and streets in the *Poblacion* area of Batangas City.

Cargo vehicles referred to in this Ordinance shall likewise be duly registered and covered with appropriate Certificate of Public Convenience operate transportation of cargoes, and the business entity owning the cargo or products loaded for transport has a valid certificate of registration issued by the Department of Trade and Industry (DTI), **provided**, that such certificates herein required shall be readily available in the vehicle for verification purposes whenever necessary.

**SECTION 265. INTERIM REGULATIONS.** – Operators, owners, drivers, or conductors of public utility buses, jeepneys, utility vans, tricycles, private vehicles, and cargo vehicles shall observe and comply with the following interim regulations on transportation within Batangas City during the period of community quarantine:

- a) The number of passengers of any public utility bus shall be limited to fifty percent (50%) or half of its seating capacity excluding the driver and conductor to maintain a strict one (1) meter distance between passengers;
- b) The number of passengers of any public utility jeepney shall be limited to half of its seating capacity in order to maintain a strict one (1) meter distance between passengers. No public utility jeepney shall be boarded with more than ten (10) passengers including its driver;
- c) The number of passengers of any public utility van shall be limited to two passengers per row except the driver's row where only one passenger is allowed;
- d) Tricycles plying designated routes shall not be allowed to board more than one (1) passenger in the side-car to maintain a strict one (1) meter distance between passenger and driver. No back riding shall be allowed;
- e) The number of passengers of private vehicles shall be limited to ensure that the one (1) meter distancing between passengers is observed. For this purpose, cars shall be allowed one (1) passenger to occupy the front passenger seat, while two passengers shall be allowed per row of front-facing seats; and a utility van shall be allowed two passengers per row except the driver's row where only one passenger is allowed, **provided**, that no such utility van shall be allowed to board more than fifty percent (50%) or half of its seating capacity including the driver;
- f) Motorcycles are allowed to operate, **provided**, that back-ride passenger is strictly prohibited;
- g) The use of bicycles and similar devices are highly encouraged. The City Mayor, upon the recommendations of the Transportation Development and Regulatory Office (TDRO) shall identify, through appropriate Executive Order, temporary bike lanes or bike-only roads. No back riding shall be allowed for bicycles;

- h) Operators of public utility buses, jeepneys, and vans shall strictly comply with fare guidelines and regulations prescribed by the LTFRB;
- i) A special rate of tricycle fare is hereby fixed at Twenty Pesos (Php 20.00) per passenger for routes plying the *Poblacion* area of Batangas City composed of the four tricycle groups G-1, G-2, G-3, and G-4;
- j) A special rate of tricycle fare is hereby fixed at Twenty-Five Pesos (Php 25.00) per passenger for the first three (3) kilometers and an additional Five Pesos (Php 5.00) for every succeeding kilometer for routes plying outside the *Poblacion* area composed of tricycle group G-5;
- k) The operator of tricycle shall display in plain view of the passenger the special fare rate fixed in this Ordinance;
- l) Cargo vehicles shall strictly observe the one (1) meter distancing between persons aboard the vehicle. No other passenger shall be allowed to in the front seat of the vehicle beside the driver;
- m) The driver, conductor, and all passengers of the vehicles subject of this Ordinance shall comply with the requirements of the Face Mask Ordinance of Batangas City, maintain proper personal hygiene and grooming, and observe healthful etiquettes prescribed by the Department of Health;
- n) Drivers and conductors of any public utility vehicle subject of this Ordinance shall wear appropriate gloves and reduce physical contact with passengers. For this purpose, operators, drivers, and conductors are encouraged to innovate efficient and safe fare collection system;
- o) The operator, driver, or conductor of the vehicles subject of this Ordinance shall maintain the daily disinfection of the vehicle, as well as ensure the upkeep of the vehicle, provide appropriate trash can and strictly observe the provisions of the Batangas City Environment Code on waste disposal, vehicular emissions and road worthiness;

- p) The use and operation of private vehicles are subject to community quarantine guidelines on essential travel, travel pass and limitation of movement of people; and
- q) Any incidental exemption from any of the regulations herein **provided**, may be allowed when the operator or driver claiming exemption can show valid or justifiable reason for exemption, and the exemption shall be limited to the particular justified incident only;

**SECTION 266. TERMINALS.** – Transport terminals maintained by operators, drivers, or transport operators and driver’s association shall, at all times, be kept in strict compliance with the guidelines on health safety. All persons using the transport terminal shall adhere strictly to the protocol for disinfection, prevention or reduction of contact, transmission, and spread of virus and infectious diseases. The wearing of face mask, gloves, and other similar protective shields, and the observance of proper physical distancing, personal hygiene and grooming, and healthful etiquettes prescribed by the Department of Health shall likewise be strictly implemented in such transport terminals.

**SECTION 267. CHECKPOINTS AND ON-THE-SPOT INSPECTION.** – To ensure the effective implementation of this Ordinance, strategic checkpoints shall be established and conducted by the Incident Management Team in coordination with the Philippine National Police, Transportation Development and Regulatory Office, and other concerned government agencies. On-the-spot inspection of transport terminals shall likewise be conducted by the IMT in coordination with the PNP, TDRO and other concerned agencies.

**SECTION 268. PENALTIES.** – Any person found violating any of the regulations provided in Section 265 (Interim Regulations) of this Ordinance shall be imposed the following penalties:

- a) **First Offense.** – The offender shall be warned by the apprehending officer to avoid a repeat violation, the name of the operator or driver and the plate number of the vehicle shall be recorded for reference purposes. If the violation pertains to the maintenance or operation of transport terminal, the operator or officers of the transport association operating the terminal shall be given the warning and recorded for reference purposes;

- b) **Second Offense.** – The offender shall be required to render community service for a period of four (4) hours within the day he was apprehended, **provided**, that if the rendering of such community service is not practicable on the day of the apprehension, the penalty shall be served on the following day. If the violation pertains to the maintenance or operation of transport terminal, the operator or officers of the transport association operating the terminal shall render the community service herein provided; and
  
- c) **Third and Succeeding Offenses.** – The offender shall suffer the penalty of imprisonment of not more than six (6) months and pay the fine of not more than Five Thousand Pesos (Php 5,000.00), or both in the discretion of the Court. If the violation pertains to the maintenance or operation of transport terminal, the penalty shall be imposed on the operator or president of the transport association operating the terminal shall.

**SECTION 269. ENFORCEMENT.** – The regulations prescribed in this Ordinance shall be enforced while Batangas City is under community quarantine due to Covid-19 pandemic. The health safety protocol provided in this Ordinance for public utility vehicles, passengers, and transport terminals, presently accepted as the “new normal” social practices, shall remain in effect and shall be enforced even after the community quarantine period.

Unless otherwise integrated into the Batangas City Transportation Code, or authorized under subsequent law, or issuance by the Department of Transportation and other national government agencies consistent with the regulations provided in this Ordinance on coverage, capacity, fare, and penalty, the lifting of community quarantine shall consequently cease the enforcement of such other regulations.

For purposes of the implementation of this Ordinance, the application of relevant provisions of Ordinance No. 23, Series of 2019, otherwise known as “The Batangas City Transportation Code of 2019”, are temporarily suspended, **provided**, that all other provisions thereof not affected by these interim regulations shall remain in force and effect.

## **CHAPTER XIII**

# **ENHANCED COMMUNITY QUARANTINE ORDINANCE**

**SECTION 270. DECLARATION OF POLICY.** – Batangas City Government hereby declares the policy of adopting the Guidelines on the Imposition of Enhanced Community Quarantine and the Stringent Social Distancing Measures over the entire Luzon embodied in the Memorandum from the Executive Secretary dated 16 March 2020.

**SECTION 271. COVERAGE.** – This Ordinance shall cover all of natural persons residing or sojourning in Batangas City during the existence of COVID-19 pandemic and until the imposition of Enhanced Community Quarantine over the entire Luzon and the State of National Health Emergency throughout the Philippines due to COVID-19 is lifted.

**SECTION 272. PROHIBITIONS.** – In accordance with the stringent measures provided in the Guidelines on Enhanced Community Quarantine, any act violating the following are hereby declared prohibited:

- a) Mass gathering are strictly prohibited;
- b) Compulsory wearing of face mask in accordance with the Face Mask Ordinance of Batangas City;
- c) Observance of strict home quarantine in all households; movement shall be limited to accessing basic necessities;
- d) Regulation on the provision of food and essential health services;
- e) Implementation of work from home arrangement in the government offices, except in the PNP, health and emergency frontline services, and other key offices which shall ensure a skeletal work force;
- f) Only those private establishments providing basic necessities an such activities related to food and medicine production, i.e., public markets, supermarkets, groceries, convenience stores, hospitals, medical clinics, pharmacies and drugstores, food preparation and delivery services, water refilling stations, manufacturing and processing plants of basic food

products and medicines, banks, money transfer services, power, energy, water and telecommunications supplies and facilities, shall be open, **provided**, that in all such open establishments, their respective management shall ensure the adoption of a strict skeletal workforce to support operation, as well as all strict physical distancing measures;

- g) Business Process Outsourcing establishments and export-oriented industries shall remain operational, subject to the condition that strict physical distancing measures are observed, personnel are provided appropriate temporary accommodation arrangements and that a skeletal workforce shall be implemented;
- h) Media personnel intending to travel in the quarantine area shall have in their person the proper identification card issued by the Presidential Communications Operations Office or its duly authorized representative;
- i) Transit to and from the above exempt establishments anywhere within Batangas City shall be allowed, **provided**, that only private vehicles shall be used observing half-capacity load only for passengers;
- j) Mass public transport facilities are suspended;
- k) Batangas City adopts the “Stay Where You Are Policy” where residents caught outside Batangas City at the implementation of the Enhanced Community Quarantine are not allowed to enter Batangas City until the quarantine is lifted, **provided**, that residents of other localities caught inside Batangas City at the time of the implementation of the Enhanced Community Quarantine are not allowed to exit Batangas City until the same quarantine is lifted;
- l) Selling on retail of alcoholic beverages and similar liquor products is prohibited. For this purpose, a liquor ban is strictly enforced in Batangas City;
- m) Heightened presence of uniformed personnel to enforce the quarantine process; and

- n) Any measure or regulation synonymous to the foregoing that may be adopted by the City Government upon the recommendation of the Incident Management Team on the Covid-19 Crisis.

**SECTION 273. PENALTIES.** – Any person found violating any of the guidelines provided in Section 272 (Prohibitions) of this Ordinance shall be imposed the following penalties:

- a) **First Offense.** – The offender shall be brought by the apprehending officer or authority before the Incident Management Team and shall be lectured on the requirements stated in this Ordinance and a proper warning shall be issued to him to avoid a repeat violation;
- b) **Second Offense.** – The offender shall be required to render community service for a period of three (3) hours within the day he committed the violation, ***provided***, that if the rendering of such community service is not practicable on the day of the commission of the violation, the penalty shall be served in the following day; and
- c) **Third and Succeeding Offense.** – The offender shall suffer the penalty of imprisonment of not more than six (6) months and pay the fine of not more than Five Thousand Pesos (Php 5,000.00) or both in the discretion of the Court.

**SECTION 274. IMPLEMENTATION.** – To effectively implement this Ordinance, and in coordination with the Philippine National Police, the members of the Defense and Security Services (DSS), officers and personnel of the Transportation Development and Regulatory Office (TDRO), and members of the Incident Management Team (IMT) on Covid-19 Crisis and their authorized representatives, and the barangay officials of Batangas City, are hereby deputized to enforce the provisions of this Ordinance and apprehend violators thereof.

## **CHAPTER XIV**

# **MANDATORY INSTALLATION OF HAND WASHING STATIONS AND FOOTBATHS IN ALL PUBLIC AND PRIVATE ESTABLISHMENTS**

**SECTION 275. DECLARATION OF POLICY.** – It is hereby declared the policy of Batangas City Government to mandatory require all public and private establishments in the City to install hand washing stations and footbaths within its respective premises and provide penalty in violation thereof, as stated in this Ordinance.

**SECTION 276. COVERAGE.** – This Ordinance shall be applicable to all public and private establishments in Batangas City which include government buildings, halls, centers and other similar public edifices and private business, commercial, industrial, or agricultural establishments, whether an outbreak or epidemic exists or not.

**SECTION 277. DEFINITION OF TERMS.** – Whenever used in this Ordinance, terms shall be construed to have the following meaning:

- a) **Alcohol** or **Alcohol-based sanitizers** shall mean alcohol-containing preparations (liquid, gel or foam) designed for application to the hands to inactivate microorganisms and/or temporarily suppress their growth. Such preparations may contain one or more types of alcohol, other active ingredients with excipients, and humectants;
- b) **Footbath/foot soak** shall mean a contrivance composed of a basin or bath designed for soaking or washing the feet, containing a liquid mixture, often medicinal or disinfectant; and
- c) **Hand washing station** shall mean a contrivance composed of a sink and faucet, where people can wash their hands with soap or hand washing liquid.

**SECTION 278. INSTALLATION OF HAND WASHING STATION AND FOOTBATH OR FOOTSOAK, AND PROVISION OF ALCOHOL-BASED SANITIZERS.** – It shall be mandatory for all public and private establishments in

Batangas City to install hand washing stations and footbath or foot soak in their building or establishment, and provide alcohol-based sanitizers in exceptional cases.

a) **Hand Washing Stations**

- (i) Hand washing stations shall be installed in convenient places and as accessible as practicable to persons for whose use they are provided, or in such locations as may otherwise be prescribed in any particular case.
- (ii) Additional or separate hand washing station shall be installed in the toilet or comfort rooms of the establishment.
- (iii) 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 means or facility approved by the Department of Health, shall be provided in the hand washing station.
- (iv) All hand washing stations shall, at all times while the premises are being used, be supplied with tempered running water.
- (v) Clean trash bins shall likewise be provided in hand washing station for the proper disposal of used roller towels and similar trash.

b) **Footbath/Foot Soak**

- (i) A footbath or foot soak shall be installed in every entrance of the building or establishment where all persons entering shall step on to soak the underside of his footwear.
- (ii) The footbath or foot soak shall be a rectangular box-basin with the same width as the entrance door, at least 32 inches in length, and at least ½ inch in depth for the soaking solution. It shall be made of appropriate material lined with Nomad matting and capable of holding the soaking solution.

- (iii) Appropriate soaking solution or disinfectant shall be used in footbaths/foot soak.

c) **Alcohol-based Sanitizers**

- (i) In establishments where the installation of hand washing station is impracticable due to the limitation of space, availability of ready supply of water or connectivity to appropriate source of water, and other analogous cases, a ready and sufficient supply of alcohol-based sanitizers shall be provided at the entrance, on counters, and other strategic areas of the business establishment for the use of customers and other persons entering or staying in the area.

**SECTION 279. PENALTY.** – Any violation of this Ordinance shall be imposed a penalty of imprisonment of not more than six (6) months or fine of not more than Five Thousand Pesos (Php 5,000.00) or both at the discretion of the Court.

## **CHAPTER XV**

# **PROTECTION OF HEALTH WORKERS AND OTHER FRONTLINE WORKERS, PATIENT OF INFECTIOUS DISEASES AND THEIR FAMILIES FROM DISCRIMINATION, SOCIAL STIGMATIZATION AND PUBLIC SHAMING**

**SECTION 280. DECLARATION OF POLICY.** – It is hereby declared the policy of the Batangas City Government to impose penalties to any person violating the provisions of this Ordinance in protection of health workers and other frontline workers, patient of infectious diseases and their families from experiencing discrimination, social stigmatization and public shaming.

**SECTION 281. DEFINITION OF TERMS.** – Whenever used in this Ordinance, terms shall be construed to have the following meaning:

- a) **Contagious diseases** shall mean diseases such as flu, colds, or strep throat, or any similar health condition that may spread from person to person through direct physical contact, like touching or kissing a person who has the infection, or when an infectious microbe travels through the air after someone nearby sneezes or coughs; and
- b) **Discrimination** shall mean any act where a person is subjected to an unjust or prejudicial treatment or treated less favorably by reason of his having been afflicted, or having had contact with a person afflicted, with a contagious disease.

**SECTION 282. PROHIBITED ACTS.** – The following acts are declared prohibited under this Ordinance:

- a) Any act that causes stigma, disgrace, shame, or humiliation against health workers, frontline workers, or persons who provided care or assistance to persons suffering from contagious disease;

- b) Any act that causes stigma, disgrace, shame, or humiliation against any patient, person under investigation or monitoring for suspected infection with a contagious disease, including that of his family or home caregivers;
- c) Any act of harassment, whether physical, verbal, or mental, towards health workers, frontline workers, patients, persons under investigation or monitoring for suspected infection with a contagious disease, including that of their families or home caregivers, or any persons who provided care or assistance to such patients;
- d) Dissemination to public, regardless of medium, any information concerning the identity or circumstances of patients, persons under investigation or monitoring for suspected infection with contagious disease, including that of their families or home caregivers, or any persons who provided care or assistance to such patients;
- e) Refusal by a public officer or employee to give assistance to patients, persons under investigation or monitoring for suspected infection with contagious disease, including that of their families or home caregivers, or any persons who provided care or assistance to such patients; and
- f) Any other form of discrimination analogous to the foregoing.

**SECTION 283. PENALTY.** – Any person found committing any of the prohibited acts stated under Section 282 of this Ordinance shall suffer the penalty of imprisonment of not more than six (6) months or fine of not more than Five Thousand Pesos (Php 5,000.00) or both at the discretion of the Court.

## CHAPTER XVI

# WEARING OF FACE MASKS DURING THE EXISTENCE OF COVID-19 AND OTHER INFECTIOUS DISEASES

**SECTION 284. DECLARATION OF POLICY.** – It is hereby declared the policy of Batangas City Government to implement mandatory wearing of face masks during the existence of COVID-19 and other infectious diseases as a minimum health protocol and standard and to impose penalty in violation thereof, as stated in this Ordinance.

**SECTION 285. COVERAGE.** – This Ordinance shall cover all natural persons residing or sojourning in Batangas City whenever going out of the premises of homes or residences and enter a peopled place or mingle with the public, *provided*, that during the existence of COVID-19 and other infectious diseases, the wearing of facemasks shall be mandatory, *provided furthermore*, that in the absence of any such pandemic, the wearing of facemask shall be mandatory for persons having any ailment or health conditions in order to protect himself and the public from possible infections.

**SECTION 286. DEFINITION OF TERMS.** – Whenever used in this Ordinance, terms shall be construed to have the following meaning:

- a) **Contagious diseases** shall mean diseases such as flu, colds, or strep throat, or any similar health condition that may spread from person to person through direct physical contact, like touching or kissing a person who has the infection, or when an infectious microbe travels through the air after someone nearby sneezes or coughs.
- b) **Pandemic** shall mean a widespread occurrence of an infectious disease in a community at a particular time.
- c) **Face mask** shall mean a protective covering for the face more particularly the nose, mouth, and chin area, and which includes, but is not limited to, surgical mask, N95 respirator, FFP (Filtering Face Pieces) mask, activate carbon mask, cloth mask, paper mask, and sponge mask.
- d) **Health condition** shall mean any ailment or illness, disability, or disease that affects a person’s ability to function or enjoy life.

**SECTION 287. MANDATORY USE OF FACE MASK.** – It shall be mandatory for all natural persons residing or sojourning in, or travelling to or within, Batangas City, regardless of duration, during the existence of an epidemic or other public health emergency such as, but is not limited to COVID-19 and other highly contagious diseases, to wear face mask properly covering the nose, mouth and chin to prevent the spread of virus, bacteria, or any sub-microscopic infectious agents that cause diseases in humans.

**SECTION 288. USE OF FACE MASK IN THE ABSENCE OF HEALTH EMERGENCY.** – The wearing of the face mask prescribed under the preceding Section shall be optional during times when there is no pandemic or public health emergency, ***provided***, that wearing of face mask shall still be mandatory for all persons suffering from any health condition in order to protect himself and the public from possible infections.

**SECTION 289. SUPPLEMENTARY PROVISIONS.** – For purposes of the effective implementation of this Ordinance, the pertinent provisions of RA 9271, also known as “*The Quarantine Act of 2004*”, and RA 11332, also known as “*The Mandatory Reporting of Notifiable Diseases and Health Events of Public Health Concern Act*”, are hereby made supplementary to this Ordinance.

**SECTION 290. PENALTY.** – Any person found violating the requirement provided in Section 287 (Mandatory Use of Face Mask) and 288 (Use of Face Mask in the Absence of Health Emergency) of this Ordinance shall suffer the penalty of imprisonment of not more than six (6) months or fine of not more than Five Thousand Pesos (Php 5,000.00) or both at the discretion of the Court.

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# ARTICLE IX: SOCIAL WELFARE

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**WHEREAS**, social welfare promotion as pertained in this Codified Ordinance, includes sectors of Persons with Disability (PWD), the Boy Scouts of the Philippines (BSP) Batangas City Council and the Philippine Red Cross (PRC) Batangas Chapter as non-government organizations and registered local cooperatives;

**WHEREAS**, it is hereby declared that it is the responsibility of the Government to provide a comprehensive program of social welfare services designed to ameliorate the living conditions of distressed Filipinos particularly those who are handicapped by reason of poverty, youth, physical and mental disability, illness and old age or who are victims of natural calamities including assistance to members of the cultural minorities to facilitate their integration into the body politic;

**WHEREAS**, disabled persons are part of Philippine society and they have the same rights as other people to take their proper place in the community, thus the State shall give full support to the improvement of the total well-being of disabled persons and their integration into the mainstream of society to be able to live freely and as independently as possible;

**WHEREAS**, non-government organizations as Boy Scouts of the Philippines and Philippine Red Cross as vital partners of the Batangas City Government in promoting social welfare values and programs, it is beneficial, practical and necessary to enact ordinances that promote organizational sustainability; and

**WHEREAS**, the *Sangguniang Panlungsod* recognizes the role of the private sectors in promoting the welfare of disabled persons and shall encourage partnership in programs that address their needs and concerns through the enactment of appropriate ordinances that mandates the enhancement, monitoring and awarding of incentive programs for duly-registered cooperatives in the City.

# CHAPTER I

## GUIDELINES ON PRE-EMPTIVE OR FORCED EVACUATION IN RESPONSE TO MAN-MADE AND NATURAL DISASTERS

**SECTION 291. DECLARATION OF POLICY.** – It shall be a declared policy of the City of Batangas to carry such measures as may be necessary during and in the aftermath of natural disasters and calamities and strengthens its capacity in mitigating and preparing for, responding to and recovering from the impact of disasters within the jurisdiction of Batangas City.

**SECTION 292. DEFINITION OF TERMS.** – As used in this Ordinance, the following terms shall mean:

- a) **Designated Area** – barangay halls or outposts as pick-up points;
- b) **Disaster** – a sudden event that seriously disrupts the function of a community or society; may be due to a natural event such as, but not limited to typhoon, flooding, landslide, storm surge, tsunami, earthquake, and other geophysical events; as well as epidemics, outbreaks, fire, hazardous material-related incidents, acts of terrorism and other concerns which may cause human, material, economic and/or environmental losses that exceed the community's or society's ability to cope using its own resources;
- c) **Evacuation** – temporary but rapid removal of all part of a particular population from a building or certain area wherein a disaster or emergency has been declared and is considered dangerous to the health or safety of the public, whether individually or in an organized manner, as a rescue or precautionary measure;
- d) **Evacuation Sites/Centers** – pre-identified public buildings such as government buildings, elementary and high school buildings, halls, sports facilities, covered courts, auditoriums, or private facilities with permission from the owner of the facility;

- e) **Forced Evacuation** – evacuation ordered as a resort when a disaster or emergency has been declared and danger of loss of life is imminent, conditions exist that critically imperil or endanger the lives of those in the affected area;
- f) **Forecasted/Expected Risk** – the existence of an identified risk which could be expected to cause disruption to the normal function of society and may cause damage to life, livelihood and property without proper intervention;
- g) **Imminent Danger** – the existence of an immediate threat which could reasonably be expected to cause death and/or serious physical harm;
- h) **Pre-emptive Evacuation** – evacuation ordered in response to a forestated threat or emergency which may cause disruption to the normal function of society, there is risk to the lives, livelihood and properties of the persons living in the affected areas;
- i) **Response Team** – any concerted effort by two (2) or more agencies, public or private, to provide assistance or intervention before, during or immediately after a disaster to meet the life preservation and basic subsistence needs of those people affected and in the restoration of public activities and facilities; and
- j) **Vulnerable or Marginalized Groups** – individuals or group of people that face higher exposure to disaster risk and poverty including but not limited to women, especially pregnant women, youth, children, especially orphans or unaccompanied children, differently-abled people, indigenous people, disadvantaged families and individuals living in high risk areas and danger zones.

**SECTION 293. TRAINING AND ORIENTATION.** – The City Mayor shall ensure that trainings and orientation on the possible natural hazards, vulnerabilities and climate change risks as well as knowledge management activities on disaster risk reduction and management are organized and conducted by the City Disaster Risk Reduction and Management Council (CDRRMC) and Barangay Disaster Risk Reduction and Management Council (BDRRMC) as the case may be.

During the training and orientation, the City Disaster Risk Reduction and Management Office (CDRRMO) shall discuss and highlight RA 10121, otherwise known as ***“The Philippine Disaster Risk Reduction and Management in Ensuring the Public Safety during Man-made and Natural Disasters”***, this Ordinance and other laws, rules and regulations on disaster risk reduction and management.

The CDRRMO shall also conceptualize posters, newsletters, brochures and pamphlets regarding disaster risk reduction and management and cause the same to be posted at conspicuous places in the City and disseminate through radio and TV advertisements.

**SECTION 294. IMPLEMENTATION OF FORCED OR PRE-EMPTIVE EVACUATION.** – Upon recommendation of the Response Committee and/or Incident Management Team, the City Mayor may, after due consultation, coordination, reference with the members of the CDRRMC, will order pre-emptive evacuation when a disaster or emergency has been forecasted and the disruption and risk to life, livelihood and property is expected or imminent within the area of jurisdiction of the City of Batangas.

The City Mayor, upon the recommendation of the CDRRMO, may determine the period of when the affected residents may be allowed to return or go back to their homes, if this is still possible.

**SECTION 295. CONSIDERATIONS IN THE IMPLEMENTATION OF FORCED OR PRE-EMPTIVE EVACUATION.** – The rules to be observed in the implementation of pre-emptive or forced evacuation shall include but shall not be limited to the following:

a) **Pre-emptive Evacuation**

- (i) The order for pre-emptive evacuation shall be announced to the vulnerable or marginalized groups in the area that will be affected at least three (3) hours before the commencement of the pre-emptive evacuation operation to give the affected individuals or groups time to prepare their needs or belongings;
- (ii) Vulnerable or marginalized groups in the identified danger zones or areas that are to be affected by the incoming typhoon or any other identified situation or event that may cause a

disaster shall be temporarily relocated to evacuation sites or centers;

- (iii) Assistance from the private sector such as private schools and/or barangays shall be secured if the situation warrants. Particularly, temporary use of their halls, sports facilities or auditorium may be requested if the need arises and if a shortage of evacuation sites exists;
- (iv) Each barangay, as per their approved Disaster Risk Reduction Management and Contingency Plans, shall have a pick-up point from which they will be transported to their designated evacuation center;
- (v) Evacuation Cluster which will be led by the Philippine National Police (PNP) will ensure the safety and security of the affected residents and enforce the pre-emptive evacuation before the disaster or calamity situation;
- (vi) Evacuation Cluster will also enlist the assistance of its supporting agencies, the General Services Department (GSD), Defense and Security Services (DSS), Transportation Development and Regulatory Office (TDRO), City Engineers Office (CEO), City Disaster Risk Reduction Management Office (CDRRMO), City Social Welfare and Development Office (CSWDO), and BDRMMC in transporting the affected residents to evacuation sites or centers, vehicles used shall have the necessary banners or signs/logos for immediate identification;
- (vii) The City Government of Batangas may mobilize individuals or organize volunteers to augment their respective personnel and logistical requirements in the conduction of pre-emptive evacuation activities;
- (viii) Strict enforcement of the pre-emptive measure shall be done in the area/s to be affected by the man-made or natural disaster. The BDRRMC, as much as possible will be responsible on disseminating information to the community and guiding members of the Evacuation Team, to ensure that

the pre-emptive evacuation commences smoothly, and that persons are not allowed to return to the affected area without an order issued to this effect;

- (ix) Once the pre-emptive evacuation has commenced, priorities shall be given the following:
  - 1. The sick and the elderly;
  - 2. Differently-abled people;
  - 3. Pregnant women and children; and
  - 4. Indigenous people
- (x) Camp Coordination and Management Cluster shall be on standby in the designated evacuation centers/sites to monitor the evacuees and provide service and necessary food and non-food materials based on the Camp Management Protocols;
- (xi) Medical personnel shall also be on a standby at the evacuation sites to provide medical assistance to the vulnerable and marginalized groups, as well as the response team and other persons that may need medical attention, In the aftermath of the calamity and/or man-made or natural disaster, the City Government of Batangas shall extend any assistance that it can provide to the victims for their rapid recovery; and
- (xii) Residents shall only be allowed to return or go back to their homes upon the order of the City Mayor upon recommendation of the CDRRMC and/or the Incident Management Team in consultation with different government agencies concerned and field personnel, after it has been determined that the danger no longer exists therein.

**b) Forced Evacuation**

- (i) Forced Evacuation procedure will be resorted to in cases where the residents of the affected areas have refused to leave their homes, if the forecasted impact of disaster is within less than four (4) hours and/or there is imminent danger to life, livelihood and property within the area of jurisdiction;

- (ii) Forced Evacuation may be conducted upon the recommendation of the CDRRMO and/or the current Incident Commander after due consultation/coordination/reference with the members of the Incident Management Team when a disaster or emergency has been declared and the danger of loss of lives and damage to livelihood and property is imminent within the area of jurisdiction of the City of Batangas;
- (iii) Forced Evacuation shall be carried out in a manner that is humane, respectful of the dignity of a person, not using disproportionate force, without discrimination and with conscious attention to the needs of vulnerable sectors such as children, women, the elderly and persons with disabilities;
- (iv) Personnel and volunteers carrying out the forced evacuation shall ensure that all measures are taken to inform the evacuees, in a manner and language that they can understand, of the need for the evacuation, and the lack of other alternative for their evacuation; and
- (v) Personnel and volunteers carrying out the forced evacuation shall comply with other rules being promulgated by the Commission on Human Rights (CHR) for the protection of human rights of all persons.

**SECTION 296. COORDINATION.** – As stated in this Ordinance:

- a) All emergency measures adopted shall be a coordinative and collaborative effort between the Batangas City DRRMC, the Barangay DRRMC and the members of the Incident Management Team; and
- b) The Evacuation and Camp Management guidelines and flow of operation stated in the Contingency Plans and Standard Operating Procedures shall be followed.

## **CHAPTER II**

# **RECOGNITION AND INCENTIVE AWARDS FOR DISTINCT AND MERITORIOUS COOPERATIVES**

**SECTION 297. DECLARATION OF POLICY.** – It is hereby declared the policy of Batangas City Government to appropriate funds, conduct general assembly assistance, award incentive and recognition, conduct cooperative month celebration, and create cooperative enhancement and incentive awards board in recognition of cooperatives in Batangas City, as provided in this Ordinance.

**SECTION 298. DEFINITION OF TERMS.** – For purposes of this Ordinance, the terms as stated herein shall be liberally construed to effect their objects and assist the parties in obtaining a just, expeditious, and inexpensive interpretation and implementation of this Ordinance taking into highest consideration existing laws, rules and regulations specifically RA 9520, otherwise known as the “Cooperative Code of the Philippines 2008”.

**SECTION 299. RECOGNITION PROGRAM.** – There shall be held “*Batangas City Recognition and Awards for Distinct and Meritorious Coop*” or “*BRAD M COOP*” among duly registered cooperatives every Cooperative Calendar Year by the City Government of Batangas in order to recognize the excellence, innovations, best practices and notable achievements of Cooperatives in different categories with distinct regard and incentive to the highest percentage of economic enhancement and growth of cooperatives of same classes. However, in order to ensure the attainment of the purpose of this Ordinance as well as to ensure the competitiveness of all duly registered cooperatives in the City for the recognition, implementation through stages of monitoring and evaluation shall be observed upon the approval and effectivity of this Ordinance to wit:

- a. Stage 1 - Upon the approval of this Ordinance, implementation shall cover three (3) months of awareness and promotion of the program to all duly registered cooperatives in the city.
- b. Stage 2 - Implementation shall cover the continuous empowerment, monitoring, guidance and assistance of the Office of the City Veterinary and Agricultural Services Cooperative Division to the cooperatives that seeks and needs to be improved. Evaluation and recording of annual report including considerations for other categories that will serve as the

base of assessment on the enhancement and growth shall likewise be included in this stage.

- c. Stage 3 - Implementation shall cover the continuous empowerment, monitoring, guidance and assistance of the Office of the City Veterinary and Agricultural Services Cooperative Division to the cooperatives that seeks and needs to be improved. Initial assessment on the enhancement and growth including considerations for other categories in comparison to the assessment made on Stage 2 shall be an integral and vital part of this Stage.
- d. Stage 4 – There shall be a Batangas City Recognition and Awards for Distinct and Meritorious Coop every first Saturday of October based on the Final Assessment and summary of growth and enhancement including considerations for other categories that shall be evaluated and validated by the City Veterinary and Agricultural Services Cooperative Division. This shall cover the awarding and grant of incentives in recognition to the excellence, innovations, best practices and notable achievements of Cooperatives in different categories with distinct regard and incentive to the highest percentage of economic enhancement and growth of cooperatives of same classes.

**SECTION 300. COOPERATIVE ENHANCEMENT AND INCENTIVE AWARDS BOARD (CEIAB).** – There is hereby created the Cooperative Enhancement and Incentive Awards Board (CEIAB) that shall implement and monitor the “*BRAD M Coop*” and shall provide for additional guidelines for different categories and recognition to other participants.

|             |   |  |
|-------------|---|--|
| Chairperson | : | City Mayor   |
| Members     | : | Head, Office of City Veterinary and<br>Agricultural Services<br><i>Sanggunian</i> Chairperson (Committee on<br>Agriculture and Cooperatives)<br>City Legal Officer<br>City Budget<br>City Treasurer<br>City Accountant |

Division Head, Cooperatives Division  
Public Information Office (PIO)  
Chairperson and Officers of Batangas  
City Cooperative Development Council  
Chairperson and Officers of Cooperative  
Union of Batangas  
Representative from Cooperative  
Development Authority  
Provincial Cooperative Development and  
Livelihood Officer  
Other Agencies, NGOs, Pos with  
Cooperative Program

**SECTION 301. COOPERATIVE ENHANCEMENT AND INCENTIVE AWARDS BOARD (CEIAB) EMPOWERMENT.** – The Board shall also adopt other measures, rules and regulations and budget preparations that are necessary and reasonable in the implementation of this Ordinance. The Board may likewise formulate guidelines in granting “General Assembly Assistance” to duly registered cooperatives in the City of Batangas.

The structure of the Board shall be composed of the following Committees. It shall include but not be limited to the stipulated functions in which supplementary functions shall be subject to the approval of the board:

- a) **Executive Committee** – shall monitor, evaluate and approve measures, programs, plans and/or guidelines submitted by the committees prior to its presentation to the board for approval. The Executive Committee shall also harmonize the implementation of the duties and functions of the committees and ensure the compliance to all existing laws, rules and pertinent procedures.
- b) **Planning and Policy Study Committee** – shall primarily act as the Secretariat of the Board. This committee shall likewise be in charge of the formulation of other necessary duties and functions of the Board including that of the committees subject to the approval of the Board. To formulate the plans, programs and other technical requirements for the

implementation of this Ordinance shall also be the function of this committee.

- c) **Monitoring and Evaluation Committee** – shall collect, monitor and evaluate annual reports and audited financial statements of cooperatives and conduct validation jointly with the honorary members and or representatives by the CDA in order to determine their compliance to the categories and requirements and further finalize and confirm the awardees.
- d) **Category, Awards and Criteria Development Committee** – shall formulate additional categories, awards, criteria and necessary guidelines in order to determine the awardees. Likewise, necessary forms, checklists and or templates based on CDA standards that are necessary for the Monitoring and Evaluation Committee and guide for the cooperatives in their bid for the awards shall be the duty of this Committee.
- e) **Ways and Means Committee** – shall formulate plans and necessary efforts in order to ensure the availability of funds and that budgetary requirements are met in compliance to pertinent laws, rules and budgetary procedures.

**SECTION 302. SUBMISSION OF ENTRIES.** – The Board may adopt other requirements and additional incentive but shall include the following:

- a) All duly registered cooperatives shall be given until the first week of May to submit their Cooperative Annual Progress Report (CAPR) to the Cooperative Division of the Office of the City Veterinary and Agricultural Services (OCVAS).
- b) Cooperative Annual Progress Report (CAPR) must initially be submitted to CDA and shall be validated by the Cooperative Division of the Office of the City Veterinary and Agricultural Services.

- c) Attached to the Cooperative Annual Progress Report (CAPR) to be submitted to CEIAB through the cooperative division of OCVAS shall be the report in compliance to other categories.

**SECTION 303. COOPERATIVE MONTH CELEBRATION.** – Relative to the National Cooperative Month that is pursuant to Presidential Proclamation No. 493, there shall be a local celebration of Cooperative Month in the City of Batangas to be held within the month of October in order to recognize the vital contribution of cooperatives in the economic progress of the City. Likewise, the celebration will be one of the best avenues in order for the cooperatives in the City of Batangas to share their methodologies, experiences and best practices for the advancement, growth and development of cooperativism in the City.

**SECTION 304. CATEGORIES AND AWARDS.** – There shall be categories and awards that will specifically be based on the five (5) priority areas of the Cooperative Development Authority Roadmap and one (1) Priority Area of the Cooperative Division of OCVAS. The Board however, may adopt other categories and awards but shall include the following:

*PRIORITY AREA 1 (Rapid, Inclusive, and Sustained Economic Growth):*

- a. **BANTAYOG BRAD M KOOP NG DISTRITO** – the highest award to be given by the City Government of Batangas in recognition for attaining the highest percentage of economic enhancement and growth among all cooperatives in the Lone District of the City of Batangas.
- b. **MERITORIOUS ACHIEVEMENT RECOGNITION OF BRILLIANCE EFFICIENCY AND VITALITY AWARD or MARBEV KOOP AWARD** – (shall be given to small, medium and large categories) the award to be given by the City Government of Batangas in recognition for attaining the highest percentage of economic enhancement and growth among cooperatives of its type/classification in the Lone District of the City of Batangas.

*PRIORITY AREA 2 (Poverty Reduction and empowerment of the poor and the vulnerable):*

- a. **TANGLAW BRAD M KOOP ng DISTRITO** – (shall be given to small, medium and large categories) most outstanding award in cooperative-local government partnership for having helped improve the quality of life and empowerment of the community with high regard to advance the paradigm in poverty reduction and empowerment of the poor.

*PRIORITY AREA 3 (Transparent, Accountable and Participatory Governance):*

- a. **ULIRAN BRAD M KOOP ng DISTRITO** – (shall be given to small, medium and large categories) shall be given in recognition for the highest practices of accountability, transparency, participative and effectiveness in any aspect of this priority area or in any endeavour of the cooperative – whether it is in the economic, environment or social fronts -- if they are to succeed in transforming their communities and improving the lives of their people.
- b. **TOP FIVE (5) COOPERATIVE CONTRIBUTOR AWARD** – (shall be given to small, medium and large categories) the award to be given to an individual that over the long term of not less than ten (10) years has demonstrated either a significant contribution to the success of his/her cooperative or the cooperative movement. An individual who has shown significant cooperative leadership, vision and courage with high regard to the notable successful initiative(s) that have benefited their cooperative and/or the cooperative movement. This award also recognizes his/her commitment and support of well recognized and accepted cooperative principles.

*PRIORITY AREA 4 (Integrity of the Environment and Climate Change Adaptation and Mitigation):*

- a. **MARILAG BRAD M KOOP ng DISTRITO** – (shall be given to small, medium and large categories) the award to be given to cooperatives who recognizes and exemplifies outstanding practices in environmental protection, encourages others to make their own efforts to reduce their impact on environment, fosters innovation in environmental protection and raises awareness of the importance of protecting the environment.

*PRIORITY AREA 5 (Just and Lasting Peace and the Rule of Law):*

- a. **BIGKIS BRAD M KOOP ng DISTRITO** – (shall be given to small, medium and large categories) the award to be given to the Most Outstanding Cooperative with communities that have demonstrated outstanding local initiatives in transforming violent conflicts and build peace.

*PRIORITY AREA 6 (Youth Involvement in the Cooperative):*

- a. **MILLENNIAL BRAD M KOOP ng LUNGSOD** – the award to be given to the five (5) duly registered cooperatives that fostered the establishment of laboratory cooperatives with youth involvement and exemplified its support and commitment to the youth in relation to cooperativism.

**SECTION 305. INCENTIVES AND RECOGNITION.** – There shall be grants of incentives and recognition that will serve not just for the primary reason of recognizing their utmost and valuable contribution to cooperativism and economic advancement but likewise serve as continuing encouragement and empowerment to further respond to the five (5) priority areas of the Cooperative Development Authority Roadmap.

- a. **BANTAYOG BRAD M KOOP ng DISTRITO:**

Plaque of Recognition and Php 100,000.00

- b. **MARBEV KOOP AWARD:**

- (i) Small

First: Plaque of Recognition and Php 30,000.00

Second: Plaque of Recognition and Php 20,000.00

Third: Plaque of Recognition and Php 10,000.00

- (ii) Medium

First: Plaque of Recognition and Php 30,000.00

Second: Plaque of Recognition and Php 20,000.00

Third: Plaque of Recognition and Php 10,000.00

- (iii) Large
  - First: Plaque of Recognition and Php 30,000.00
  - Second: Plaque of Recognition and Php 20,000.00
  - Third: Plaque of Recognition and Php 10,000.00

c. **TANGLAW BRAD M KOOP ng DISTRITO:**

- (i) Small
  - First: Plaque of Recognition and Php 20,000.00
  - Second: Plaque of Recognition and Php 10,000.00
  - Third: Plaque of Recognition and Php 5,000.00
- (ii) Medium
  - First: Plaque of Recognition and Php 20,000.00
  - Second: Plaque of Recognition and Php 10,000.00
  - Third: Plaque of Recognition and Php 5,000.00
- (iii) Large
  - First: Plaque of Recognition and Php 20,000.00
  - Second: Plaque of Recognition and Php 10,000.00
  - Third: Plaque of Recognition and Php 5,000.00

d. **ULIRAN BRAD M KOOP ng DISTRITO:**

- (i) Small
  - First: Plaque of Recognition and Php 20,000.00
  - Second: Plaque of Recognition and Php 10,000.00
  - Third: Plaque of Recognition and Php 5,000.00
- (ii) Medium
  - First: Plaque of Recognition and Php 20,000.00
  - Second: Plaque of Recognition and Php 10,000.00
  - Third: Plaque of Recognition and Php 5,000.00
- (iii) Large
  - First: Plaque of Recognition and Php 20,000.00
  - Second: Plaque of Recognition and Php 10,000.00

Third: Plaque of Recognition and Php 5,000.00

e. **TOP FIVE (5) COOPERATIVE CONTRIBUTOR AWARD:**

Plaque of Recognition and Php 5,000.00

f. **MARILAG BRAD M KOOP ng DISTRITO:**

(i) Small

First: Plaque of Recognition and Php 20,000.00

Second: Plaque of Recognition and Php 10,000.00

Third: Plaque of Recognition and Php 5,000.00

(ii) Medium

First: Plaque of Recognition and Php 20,000.00

Second: Plaque of Recognition and Php 10,000.00

Third: Plaque of Recognition and Php 5,000.00

(iii) Large

First: Plaque of Recognition and Php 20,000.00

Second: Plaque of Recognition and Php 10,000.00

Third: Plaque of Recognition and Php 5,000.00

g. **BIGKIS BRAD M KOOP ng DISTRITO:**

(i) Small

First: Plaque of Recognition and Php 20,000.00

Second: Plaque of Recognition and Php 10,000.00

Third: Plaque of Recognition and Php 5,000.00

(ii) Medium

First: Plaque of Recognition and Php 20,000.00

Second: Plaque of Recognition and Php 10,000.00

Third: Plaque of Recognition and Php 5,000.00

(iii) Large

First: Plaque of Recognition and Php 20,000.00

Second: Plaque of Recognition and Php 10,000.00

Third: Plaque of Recognition and Php 5,000.00

h. **MILLENNIAL BRAD M KOOP ng LUNGSOD:**

Plaque of Recognition and Php 30,000.00 to each of the five (5) awardees

**SECTION 306. NATIONAL AWARDEES.** – The Honorable Local Chief Executive may award financial grants from the annual and/or supplemental budget as recognition and incentive to those duly registered cooperatives within the City of Batangas that shall garner and be of recipient of major award/s from the Cooperative Development Authority and/or other competent national agencies.

**SECTION 307. GENERAL ASSEMBLY ASSISTANCE.** – The Honorable Local Chief Executive may grant financial grants from the annual and/or supplemental budget to duly registered cooperatives as assistance to the expenditures for cooperative annual general assembly subject to the guidelines and compliance set forth by board in Section 304.

**SECTION 308. APPROPRIATION.** – In order to fully implement this Ordinance, the City Government of Batangas shall appropriate from the supplemental and/or annual budget an appropriation of Php 1,500,000.00 that will cover the local Cooperative Month Celebration that is inclusive of incentives and awards for Cooperatives pursuant to Section 303, 304, and 305 of this Ordinance.

## **CHAPTER III**

# **CINEMA THEATER TICKETS FUND DRIVE FOR THE BOY SCOUTS OF THE PHILIPPINES – BATANGAS CITY COUNCIL**

**SECTION 309. DECLARATION OF POLICY.** – Cinema owners and operators within the territorial jurisdiction of Batangas City is hereby allowed and required to append specified amounts for every theater ticket to the Boy Scouts of the Philippines – Batangas City Council:

- a) Two pesos (Php 2.00) from the period of November 14, 2017 up to present;
- b) Four pesos (Php 4.00) from the period of November 2016 to May 07, 2017;
- c) Two pesos (Php 2.00) from the period of November 09, 2015 to May 07, 2016;
- d) Two pesos (Php 2.00) from the period of November 9, 2014 to May 7, 2015.

**SECTION 310. BENEFICIARY.** – The proceeds, derived therein shall be donated to the Boy Scouts of the Philippines Batangas City Council in order to support its mission and vision.

**SECTION 311. FUND SOURCING MECHANISM.** – Upon the effectivity of this Ordinance, moviegoers that intends to purchase theater tickets may procure tickets according to the authorization stated herein for the said purpose. All concerned cinema owners and operators within the territorial jurisdiction of Batangas City are hereby authorized and required to allow cinema goers to have an option of paying the additional amounts as surcharge. Likewise, all concerned cinema owners and operators within the territorial jurisdiction of Batangas City are hereby authorized and required to transmit and turn-over to the Boy Scouts of the Philippines Batangas – City Council the proceeds collected and account for all such money received and thereafter submit the official receipts to the City Treasurer of Batangas City of such other pertinent records/ documents

as may be required in the acknowledgement thereof, subject to existing accounting rules and regulations. The City Treasurer may be required to submit the corresponding report to the *Sangguniang Panlungsod* in connection therewith.

**SECTION 312. INFORMATION TO STAKEHOLDERS.** – Every cinema owner and operator existing and those that will be established in the City of Batangas within the coverage of this Ordinance shall be furnished a copy of this Ordinance upon its enactment likewise the Boy Scouts of the Philippines Batangas City Council and Batangas City Treasurer shall be furnished the same for information and guidance.

Cinema owners and operators are likewise mandated to post the Ordinance and the Boy Scouts of the Philippines Batangas – City Council’s Resolution on their ticketing booths that will be visible to the cinema goers. The cinema owners and operators are also required to play on the movie screen prior to the scheduled movie, a short video clip from the Boy Scouts of the Philippines – Batangas City Council of not more than 20 seconds that shall be parallel to the principle of this Ordinance.

## **CHAPTER IV**

# **CINEMA THEATER TICKETS FUND DRIVE FOR THE PHILIPPINE RED CROSS BATANGAS CHAPTER**

**SECTION 313. DECLARATION OF POLICY.** – Cinema owners and operators within the territorial jurisdiction of Batangas City are hereby allowed and required to append Two pesos (Php 2.00) for every theater ticket from the period of May 8 to November 8 of every year thereafter to the Philippine Red Cross - Batangas Chapter.

**SECTION 314. BENEFICIARY.** – The proceeds derived therein shall be donated to the Philippine Red Cross (PRC) – Batangas Chapter in order to support its operation, programs and activities. In the performance thereof, cinemas shall enter into a Memorandum of Agreement with PRC – Batangas Chapter incorporating the provisions of this Ordinance. In addition, they may be allowed to include, among others, a stipulation on the recognition of this undertaking as a legitimate corporate social responsibility (CSR) program of cinemas.

**SECTION 315. FUND SOURCING MECHANISM.** – Upon the effectivity of this Ordinance, moviegoers that intends to purchase theater tickets for the above stated period may procure tickets according to the authorization stated herein for the said purpose. All concerned cinema owners and operators within the territorial jurisdiction of Batangas City are hereby authorized and required to allow cinemagoers pay the additional P2.00 surcharge. Likewise, all concerned cinema owners and operators within the territorial jurisdiction of Batangas City are hereby authorized and required to transmit and turn-over to the Philippine Red Cross Batangas Chapter the proceeds collected and account for all such money received.

**SECTION 316. PROVISION AND CONDITION.** – The PRC Batangas Chapter shall submit an annual report to the *Sangguniang Panlungsod* stating the total collection in the period of six months and all the expenses incurred out of the collection.

**SECTION 317. INFORMATION TO STAKEHOLDERS.** – Every cinema owner and operator existing and those that will be established in the City of Batangas within the coverage of this Ordinance shall be furnished a copy of this Ordinance upon its enactment likewise the PRC – Batangas Chapter shall be furnished the same for information and guidance. Batangas City Public Information Office will also help in disseminating information about this Ordinance.

## **CHAPTER V**

# **FREE MOVIE ACCESS FOR PERSONS WITH DISABILITY**

**SECTION 318. DECLARATION OF POLICY.** – It is hereby declared the policy of Batangas City Government to grant free movie access for persons with disability in all cinema houses within the territorial jurisdiction of Batangas City, and adhere to all other provisions stated in this Ordinance.

**SECTION 319. DEFINITION OF TERMS.** – The definition of terms provided in Republic Act (RA) 7277 otherwise known as the “Magna Carta for the Disabled Persons” and Republic Act (RA) 9442 as far as applicable are hereby made part of this Ordinance. For the purpose of this Ordinance, the following terms and phrases shall apply:

- a) **Amusement Tax** – refers to tax levied on such forms of entertainment as motion pictures, theater, etc., and included in the total admission price;
- b) **Benefactor** – refers to any person whether related to the person with disability or not who takes care of him/her as a dependent;
- c) **Corporate Social Responsibility** – the continuing commitment by business to behave ethically and contribute to economic development while improving the quality of life of the workforce and their families as well as of the local community and society at large. It functions as a built-in, self-regulating mechanism whereby a business monitors and ensures its active compliance with the spirit of the law, ethical standards, and international norms;
- d) **Disabled Persons** – are those individuals defined under Section 4 of RA 7277, “An Act Providing for the Rehabilitation, Self-Development and Self-Reliance of Persons with Disability as Amended and Their Integration into the Mainstream of Society and for Other Purposes”. This is defined as a person suffering from restriction or different abilities, as a result of a mental, physical or sensory impairment, to perform an activity in a manner or within the range considered normal for human being. Disability shall mean (1) a physical or mental, impairment that

substantially limits one or more psychological, physiological or anatomical function of an individual or activities of such individual; (2) a record of such an impairment; or (3) being regarded as having such an impairment. They are all individuals issued with Persons with Disability Identification Card from City Social Welfare and Development Office as prescribed by law.

- e) **Exclusive Use or Enjoyment of Persons with Disability** – refers to the discount privilege that can be availed only by persons with disability;
- f) **Movie Theaters** – a theater where films are shown; and

**SECTION 320. RULES AND REGULATIONS.** – Provided by this Ordinance, the following rules and regulations shall apply:

- a) **PRIVILEGE.** The free movie access is a non-transferrable privilege for all Persons with Disability (PWD) who are able to present Identification Card and Purchase Booklets that show that they are PWD residents of Batangas City. A Policy of “No ID and Purchase Booklet, No Entry” shall be adopted;
- b) **AVAILMENT.** Every Person with Disability shall be allowed to avail of this free movie privilege once a week on the 1<sup>st</sup> or 2<sup>nd</sup> Screening during Wednesday or Thursday only. However, cinemas are not prohibited from offering the free movie privilege on additional days of the week depending on their Corporate Social Responsibility Program. PWD will transact personally with the Cinema Personnel. In case the person also has the Senior Citizen (SC) Card, only one can be used either the PWD or the SC Card;
- c) **MONITORING SHEET AND MEMORANDUM OF AGREEMENT.** Each theater shall provide an Official Monitoring Sheet in which PWD shall register their full name and signature, ID number every time they avail of this privilege. This form in turn shall be used in Discount in Amusement Tax based on the process of computation applied for Free Movie for Senior Citizen wherein Batangas City and Cinemas, in their desire to give additional privileges to qualified resident PWDs of Batangas City, will

absorb the remaining eighty percent (80%) or one hundred percent (100%) of the Net of PWD discount of SM Cinemas Admission prices (net of amusement tax) which would have otherwise been chargeable to such qualified resident Persons with Disability as follows: Batangas City eighty percent (80%) and Cinema twenty percent (20%) Memorandum of Agreement between Cinema and Batangas City shall be provided upon effectivity of the Ordinance;

- d) **SPECIAL EVENTS.** The free movie privilege covers only the regular theater/movie on the two-day viewing/screening onwards and does not include 3D Cinema and Special events like sponsored movie premiers, pay per view showing etc.;
- e) **VALIDITY OF TICKETS.** Free movie access ticket is good for one viewing/screening only and one movie a week. PWD who want to repeat watching the movie will have to pay the regular movie entrance with the privilege of twenty percent (20%) discount as provided by the law;
- f) **NON-TRANSFERRABLE CARDS.** The Identification Card (ID) and Purchase Booklet issued by the City Social Welfare and Development Office (CSWDO) is non transferrable for all PWD and anyone who allows it to use in favor of different person shall be subject to investigation by CSWDO and may result to revocation of the free movie privilege;
- g) **THEATER/MOVIE SEATS.** Theaters or Movie house seats are in “First Come, First Served Basis”. PWD does not have special privilege on seat plan/arrangement except for PWD on wheelchair where a designated space has been allocated for them and other movie patron’s mutual convenience; and
- h) **IMPLEMENTATION AND INFORMATION DISSEMINATION.** The administration of the Movie theater shall ensure that a sign or advertisement extending the free movie privilege is continuously posted within the premises. It shall also endeavor to extend the privilege to PWD who are not aware of the ongoing program for them as well as through the help of CSWDO and the Public Information Office (PIO) for dissemination of information.

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# ARTICLE X: TRADE, COMMERCE, INDUSTRY AND OPERATION OF MARKETS

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**WHEREAS**, every Local Government Unit is mandated to promote a healthy community and ensure the efficient and effective delivery of basic services and facilities as provided under the General Welfare Clause of the Local Government Code;

**WHEREAS**, Section 458, (3) (vii) of the Batangas City Revenue Code provides the necessity for a grant of legislative franchise to any person, partnership, corporation or cooperative desiring to establish, construct, operate and maintain markets or undertake such other similar activities;

**WHEREAS**, Section 458, No. 5 (ii) of the Batangas City Revenue Code requires the enactment of an ordinance for the establishment, operation, regulation of the construction of private markets, *talipapas* or other similar buildings or structures;

**WHEREAS**, the promotion, encouragement and support for locally produced and/or manufactured products is essential for the growth of local economies; and

**WHEREAS**, the City Government recognizes its responsibility for the protection of local producers, manufacturers and suppliers of locally made products or produce.

# CHAPTER I

## COLLECTION OF CORRESPONDING BARANGAY CLEARANCE FEE IN THE APPLICATION FOR ANY BUSINESS/CONSTRUCTION-RELATED TRANSACTIONS

**SECTION 321. DECLARATION OF POLICY.** – This policy applies only to the issuance of Barangay Clearance for business permit and locational clearance purposes (as a requirement for the issuance of building permit) within the City of Batangas.

**SECTION 322. DEFINITION OF TERMS.** – The words and phrases used in this Ordinance are hereby defined as follows:

- a) **Barangay Clearance** – refers to any and all documents issued by the Barangays with or without corresponding fees as defined in their ordinances relative to or in relation to the issuance of business permit and locational/zoning clearance by the City or any other permit as may be required. (IRR OF RA 11032)
- b) **Barangay Clearance Fees** – is an amount imposed by the Barangays through an Ordinance and collected by the City in relation to the issuance of business permit and locational/zoning clearance by the City.
- c) **Business Permit** – is a document that must be secured from the City Government usually through its Business Permits and Licensing Office (BPLO), for a business to legally operate in the locality, (IRR of RA 11032).
- d) **Locational Clearance** – is a clearance issued by the Zoning Administrator/Zoning Officer to a project that is allowed under the provisions of an ordinance of a particular City. It is a requirement for the issuance of Building Permit. (House and Land Use Regulatory Board – Comprehensive Land Use Plan Guidebook).

**SECTION 323. AUTHORITY TO COLLECT BARANGAY CLEARANCE FEE OF BUSINESS/CONSTRUCTION-RELATED TRANSACTIONS.** – The City of Batangas is

given the authority to collect Barangay Clearance Fee subject to the remittance to the subject Barangay.

**SECTION 324. RATE OF BARANGAY CLEARANCE FEE TO BE COLLECTED.**

– The rate of Barangay Clearance Fee to be collected by the City for the issuance of clearance shall be computed in accordance with the subject Barangay Revenue Ordinance herein attached as “Annex A”, and made as an integral part hereof.

**SECTION 325. BARANGAY CLEARANCE SIGNATORY.** – Electronic Signature of Punong Barangay shall appear in all barangay clearance issued.

**SECTION 326. REPORTING AND REMITTANCE.** – The City shall remit the Barangay Clearance Fee collected to the subject Barangay not later than seven (7) working days of the ensuing month with the list of the issued Building and Business Permit.

## CHAPTER II

# RULES AND REGULATIONS IN THE OPERATION OF *TIANGGES, BARATILLOS, FLEA MARKETS, NIGHT MARKETS AND OTHER SEASONAL BUSINESSES*

**SECTION 327. DECLARATION OF POLICY.** – It is hereby declared the policy of Batangas City Government to implement rules and regulations for the operation of *tiangges, baratillos*, flea markets, night markets, and other seasonal businesses within the territorial jurisdiction of Batangas City. As stated in this Ordinance, market operations shall be subjected to rules and regulations in identifying venue or location, duration, awarding, product, safety, prohibitions, and fees and penalties of operation.

**SECTION 328. DEFINITION OF TERMS.** – As used in this Ordinance, the following terms are defined as follows:

- a) **Baratillo/Tiangge or Flea Market** – a type of bazaar or shopping market where inexpensive goods are sold;
- b) **Night Market** – a *baratillo/tiangge* or flea market that operates at night;
- c) **Seasonal Businesses** – businesses that operates during special seasons such as, but not limited to, the selling of Christmas decorations; and
- d) **Trade Fair** – an event at which the local products and capabilities of different Barangays / Local Government Units, local farmers, individuals and cooperatives are sold/showcased/exposed to present/promote the same to distributors, wholesalers, retailers and end-users.

**SECTION 329. VENUE.** – *Tiangges, baratillos*, flea markets, night markets, trade fairs and like activities shall only be held in a place designated by the *Sangguniang Panlungsod* taking into consideration the traffic situation, accessibility to the public, the availability of public restrooms, water and electricity and such other matters as may be considered in the proper conduct of the activities. Public streets shall not be utilized and the flow of traffic in national and provincial roads shall not be obstructed.

**SECTION 330. DURATION.** – Such activities shall last only for a maximum period of fifteen (15) days unless sooner terminated for a cause. A new application shall be submitted for extension of the duration of the activity.

**SECTION 331. AWARD.** – For the purpose of this Ordinance, there shall be created a Committee to review the application of any interested group or individuals for the establishment of *tiangges*, *baratillos*, flea markets, night markets and other seasonal businesses and to act on the application. The Committee shall be composed of the following:

- a) City Market Administrator;
- b) City Planning and Development Officer;
- c) City Treasurer;
- d) Head of the Office of the City Veterinarian and Agricultural Services (OCVAS);
- e) *Sangguniang Panlungsod* Chairperson of the Committee on Trade, Commerce, Industry and Operation of Markets;
- f) Representative from the Office of the City Mayor; and
- g) Authorized Representative of the Market Vendors Association.

**SECTION 332. PRODUCTS.** – Trade fairs should be open to all kinds of agricultural, industrial, indigenous and commercial products, crafts and other merchandise, regardless of their place and origin. Organizers shall be required to apportion at least twenty-five percent (25%) of the items for sale or exhibit during a trade fair to locally available products in order to patronize locally produced products and prevent undue competition. Thus, twenty-five percent (25%) of sellers must be residents of Batangas City.

**SECTION 333. SAFETY.** – Safety regulations and existing National Laws and City Ordinances shall be complied with. Organizers and vendors shall secure special permits before operation. The Permits and License Section shall be responsible for the issuance of the Special Permit in coordination with the Building Official to ensure that the tents to be used during the event are fire resistant.

**SECTION 334. PROHIBITIONS.** – The following activities are prohibited in *tiangges*, *baratillos*, flea markets, night markets and other seasonal businesses:

- a) The sale and drinking of liquor and bringing in of firearms and other deadly weapons within the premises;
- b) Cooking within the *baratillo* site. Those whose products require cooking shall be segregated from the rest of the vendors;
- c) Playing of loud music within the selling premises; and
- d) Selling of contraband and pirated goods, (imitation of branded items), obscene gadgets and paraphernalia.

**SECTION 335. OBLIGATION OF THE ORGANIZERS.** – The obligations of the Organizers, as stated in this Ordinance, shall be as follows:

- a) The organizers shall provide for portable toilets, electrical requirements and other amenities as may be required;
- b) The organizers shall be required to pay the necessary permit fees and business taxes to the City Government of Batangas;
- c) The organizers shall maintain cleanliness and proper waste disposal measures within the fair premises and its immediate vicinities and require the use of environment-friendly wrappers;
- d) The organizers shall provide adequate protection to their participants from inclement weather and provide their own round-the-clock security for the trade fair and its premises; and
- e) The organizers shall coordinate with the Philippine National Police for random inspection of the area to ensure peace and order, and whenever the circumstances require police assistance.

**SECTION 336. FEES AND PENALTIES.** – The following fees shall be paid by the applicant-organizer (based on The Batangas City Revenue Code of 2009).

**a) Imposition of Fees**

- (i) Special Permit Fee for Exhibitor or Participant.

1. There shall be a daily fee of One Hundred Fifty Pesos (Php 150.00) per day for each stall set up in an air-conditioned place/area or establishment regardless of dimension, located in Batangas City for the duration that the *tiangge* or privilege store is allowed to operate.
2. There shall be a daily fee of One Hundred Pesos (Php 100.00) per day for each stall set up in a non-air-conditioned place/area or establishment regardless of dimension located in Batangas City for the duration that the *tiangge* or privilege store is allowed to operate.
3. Should the duration exceed three (3) months in a taxable year, then it shall not be considered a *tiangge* or privilege store. It shall be subject to business taxes.

(ii) Sanitary Permit Fees (based on floor area).

|  |           |
|--|-----------|
| Less than 25 sq.mn.                      | 125.00    |
| 25 or more but less than 50 sq. m.       | 150.00    |
| 50 or more but less than 100 sq. m.      | 200.00    |
| 100 or more but less than 200 sq. m.     | 250.00    |
| 200 or more but less than 500 sq. m.     | 300.00    |
| 500 or more but less than 700 sq. m.     | 1,000.00  |
| 700 or more but less than 900 sq. m.     | 1,500.00  |
| 900 or more but less than 1,100 sq. m.   | 2,000.00  |
| 1,100 or more but less than 1,500 sq. m. | 3,000.00  |
| 1,500 or more but less than 1,700 sq. m. | 4,000.00  |
| 1,700 or more but less than 2,000 sq. m. | 5,000.00  |
| 2,000 or more but less than 3,000 sq. m. | 6,000.00  |
| 3,000 or more but less than 4,000 sq. m. | 7,000.00  |
| 4,000 or more but less than 5,000 sq. m. | 8,000.00  |
| 5,000 or more                            | 10,000.00 |

(iii) Sanitation Inspection Fees (based on floor area).

|  |           |
|--|-----------|
| Less than 25 sq.mn.                      | 125.00    |
| 25 or more but less than 50 sq. m.       | 150.00    |
| 50 or more but less than 100 sq. m.      | 200.00    |
| 100 or more but less than 200 sq. m.     | 250.00    |
| 200 or more but less than 500 sq. m.     | 300.00    |
| 500 or more but less than 700 sq. m.     | 1,000.00  |
| 700 or more but less than 900 sq. m.     | 1,500.00  |
| 900 or more but less than 1,100 sq. m.   | 2,000.00  |
| 1,100 or more but less than 1,500 sq. m. | 3,000.00  |
| 1,500 or more but less than 1,700 sq. m. | 4,000.00  |
| 1,700 or more but less than 2,000 sq. m. | 5,000.00  |
| 2,000 or more but less than 3,000 sq. m. | 6,000.00  |
| 3,000 or more but less than 4,000 sq. m. | 7,000.00  |
| 4,000 or more but less than 5,000 sq. m. | 8,000.00  |
| 5,000 or more                            | 10,000.00 |

(iv) Garbage Fees (based on floor area).

|                             |          |
|-----------------------------|----------|
| More than 200 square meters | 2,000.00 |
| 100 to 200 square meters    | 1,000.00 |
| Below 100 square meters     | 500.00   |

- b) **Exemption.** The fees in this Section shall not be collected from those under contract with exhibit organizers; **provided**, however, the exhibit organizer must have existing Business Permit fees and has paid the City taxes and fees for the current year.
- c) **Manner of Payment.** The fees imposed shall be paid to the City Treasurer.
- d) **Penalty.** The *tiangge* or privilege store who fails to pay the fee for five (5) consecutive days shall cause automatic closure of the *tiangge* or privilege store.

**SECTION 337. PENALTY CLAUSE.** – Any violation committed shall be subject to a fine of Five Thousand Pesos (Php 5,000.00) for every offense and the revocation of the permit upon recommendation of the Business Permits and License Officer (BPLO).

## **CHAPTER III**

# **ESTABLISHMENT OF GASOLINE / FILLING STATIONS OF COMBUSTIBLE MATERIALS OR PRODUCTS**

**SECTION 338. DECLARATION OF POLICY.** – It is hereby declared policy of Batangas City Government to prohibit the establishment of gasoline stations and filling stations of combustible materials or products within Three Hundred meter radius from any existing gasoline station of similar nature and providing penalties thereof.

**SECTION 339. DEFINITION OF TERMS.** – For the purpose of this Ordinance the following terms shall mean:

- a) Gasoline Station – refers to those establishment selling gasoline whether premium, special or diesel and any by-products of crude oil to the public, whether wholesale or retail. The term includes those retails station servicing motor vehicles with gasoline and oil only.
- b) Filling Station – refer to those establishment or business engage directly or indirectly, as filling stations, irrespective of quantity, volume or weight, for Liquefied Petroleum Gas (LPG), Liquefied Natural Gas (LNG) or Other Gas or Compound of similar nature, whether for profit or not.

**SECTION 340. PROHIBITIONS.** – It shall be unlawful for any person, whether natural or juridical, to construct or establish a Gasoline Station or Filling Station within Three-Hundred-meter radius from any existing gasoline station or filling station.

**SECTION 341. ADMINISTRATIVE ACTION.** – The City Mayor upon verification of any construction in violation of this Ordinance shall immediately issue a Cease and Desist Order to stop the construction going on.

Any building for gasoline and filling station constructed in violation of this Ordinance shall be subjected to demolition by the Office of the City Engineer at the expense of the owner and contractor shall likewise be held liable for violation of this Ordinance.

**SECTION 342. PENALTY CLAUSE.** – Any person found guilty of violating he provisions of this Ordinance, including the rules and regulations that may be issued, shall be penalized by a fine of Five Thousand Pesos (Php 5,000.00) or imprisonment of not less than sixty (60) days or more than six (6) months or both at the discretion of the Honorable Court. If the violator is a corporation, partnership or association the penalty shall be imposed on its president or manager or person directly in-charged of its operation or construction.

## CHAPTER IV

# ENTRY AND SALE OF IMPORTED MEAT AT LOCAL MARKETS IN BATANGAS CITY

**SECTION 343. DECLARATION OF POLICY.** – It shall be declared the policy of the City Government of Batangas to regulate the entry and sale of imported meat at local markets in the City and to provide penalties for violation thereof.

**SECTION 344. DEFINITION OF TERMS.** – As used in this Ordinance the following shall have the following meaning:

- a) **Fresh meat** – meat that has not yet been treated in any way other than by modified atmosphere packaging or vacuum packaging to ensure its preservation except that if it has been subjected only to refrigeration, it continues to be considered fresh.
- b) **Imported meat** – meat coming from other Countries;
- c) **Local Markets** – New Market, Old Market in the City, Supermarket or malls in the City, Cooperative market in the City, and all other wet markets in the City selling meat products;
- d) **Local Producers** – Meat producers coming from within the City of Batangas;
- e) **Permits** – Business Permit, Sanitary Permit, Quality Control markings on the meat products; and

**SECTION 345. REGULATED ACTS.** – As stated in this Ordinance, the following provisions are considered acts that shall be regulated.

- a) Every importer/seller of meat products take hold or for sale in the local markets shall secure business permits with corresponding sanitary and health permits from the City Government of Batangas.

- b) The quantity of imported meat allowed to be sold in Batangas City markets shall be limited for every qualified and legal importers in every given time (day, week or month). The quantity allowed shall be determined by or subject to the regulation of the Department of Trade and Industry (DTI). Imported meat shall be properly identified as such in the market and shall not be mixed with locally sourced or produced meat.
- c) All imported meat intended for sale in the local markets must pass meat inspection by authorized City Health or Veterinary Officials and bear quality assurance markings, as being practiced in the slaughterhouse for local meat products, to ensure safety of consuming public.

**SECTION 346. CONFISCATED MEAT.** – All confiscated meat after inspection found to be safe for consumption shall be donated to the City Social Welfare and Development or any charitable institution. Those found to be adulterated and unsafe for human consumption shall be disposed by burying.

**SECTION 347. PENALTY CLAUSE.** – Violation of any provision of the Regulated Acts shall be punished by the following penalties:

- a) First Offense: Fine of Two Thousand Pesos (Php 2,000.00) and confiscation of merchandise;
- b) Second Offense: Fine of Three Thousand Pesos (Php 3,000.00) and confiscation of merchandise; and
- c) Third Offense: Fine of Five Thousand Pesos (Php 5,000.00) and confiscation of merchandise or imprisonment of not more than six (6) months or both at the discretion of the Court.

## **CHAPTER V**

# **TALIPAPA FRANCHISE AND AUTHORIZATION**

**SECTION 348. DECLARATION OF POLICY.** – It is hereby declared the policy of Batangas City Government to grant separate and distinct franchises subject to prescribed annual franchise tax and fees to individuals seeking authorization to maintain and operate a *talipapa*, and provide for the revocation/cancellation of the same, as stated in this Ordinance.

**SECTION 349. FRANCHISE AUTHORIZATION.** – The City Government of Batangas hereby grants a separate and individual franchise to maintain and operate a *talipapa* for a period of five (5) years renewable for another five (5) years to the following locations within Batangas City:

- a) Brgy. Tabangao Ambulong (2020 – 2025);
- b) Brgy. Balagtas (2018 – 2023); and
- c) Brgy. Libjo (2017 – 2022).

The franchise herein granted, being mere privilege, may be withdrawn at any time by the City Government for violation of the provisions of the Batangas City Revenue Code and other applicable laws, City Ordinance, rules and regulation. The City Mayor is hereby authorized to sign and issue the Franchise.

**SECTION 350. FRANCHISE FEE AND TAX.** – Franchise shall be levied a franchise fee of Ten Thousand Pesos (Php 10,000.00) and an Annual Franchise tax at the rate of fifty percent (50%) of one percent (1%) of Gross Annual Receipt for the preceding calendar year. The franchise fee shall be paid upon award of the franchise or renewal thereof while the franchise tax shall be paid annually together with the regulatory fee.

**SECTION 351. REVOCATION/CANCELLATION OF FRANCHISE.** – Failure to pay the franchise fee or franchise tax or regulatory fees and/ comply with the conditions provided for by laws, city ordinances, rules and regulations shall be a ground for the revocation of the franchise/permit to operate and closure of the public market or *talipapa*, to payment of surcharges and penalties provided under the Batangas City Revenue Code.

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# ARTICLE XI: TRANSPORTATION

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**WHEREAS**, pursuant to Section 16, Chapter 1, Title I, Book I of Republic Act 7160 of the General Welfare otherwise known as the “Local Government Code of 1991”, every Local Government Unit shall exercise the powers expressly granted, those necessarily implied there from, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare;

**WHEREAS**, pursuant to the provisions of Executive Order 125-A dated April 13, 1987, the Department of Transportation and Communication shall develop, promote, implement, and maintain integrated and strategic transportation and communication system that will ensure safety, reliable, responsive and viable services to accelerate economic development and to serve the transport and communication need of the people;

**WHEREAS**, setting the parameters for the integrated development and regulation of the City transport sector shall be vital in effecting good governance guaranteeing seamless connectivity among various transport modes available in the City. These parameters shall also ensure that all transport services and facilities follow the universal design concept that are compliant with accessibility standards set by national laws, as well as local laws which shall be applicable to all elements of the transportation system and all of its subsectors, including passengers, operators, service providers, investors, and transport-related agencies and instrumentalities of the Government; and

**WHEREAS**, the *Sangguniang Panlungsod* and its mandate to perform legislative measures aspire to ensure an improved quality of life for its citizens by having efficient and effective mobility options in accessing basic services and economic opportunities with a systematized transportation regulation system in the City.

# CHAPTER I

## BATANGAS CITY BICYCLE ORDINANCE OF 2019

**SECTION 352. DECLARATION OF POLICY.** – Pursuant to the provisions of Executive Order 125-A dated April 13, 1987, it is hereby declared the policy of Batangas City Government to create a local City Bikeways Council, that shall mandate rights, duties and obligations; identify location and design standards of parking facilities including bicycle racks; responsibility of bicycle parking facilities user; appointment of implementing agency; administrative fine; penalty provision; and appropriation, as stated in this Ordinance.

**SECTION 353. DEFINITION OF TERMS.** – For purposes of this Ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein:

- a) **Batangas City Bikeways Council (BCBC)** – refers to the council in charge of implementing policies, rules and regulations in accordance with this Ordinance;
- b) **Bicycle** – shall refer to any light vehicle composed of two wheels held in a frame one behind the other, propelled by pedals and steered with handlebars attached to the front wheel and having a seat height of 25 inches or greater when the seat is in the lowest possible position, it includes the popularly used; mountain bike, fixie bike, road bike, tandem bike, foldable bike and among others in the City of Batangas;
- c) **Bicycle Commuter** – a person who rides or travels by bicycle;
- d) **Bicycle Parking Facility** – means a stand or a rack constructed so as to enable the user to secure by locking the frame and one wheel of each bicycle by the use of parked therein; either U-locks and cable locks;
- e) **Central Business District** – is the commercial and business center of a City;
- f) **Safety Gear** – is protective clothing or equipment designed to protect the wearer’s body from injury, as:

- (i) **Elbow pad** – protective padded gear worn on the elbows to protect them against injury during a fall or strike; and
  - (ii) **Eye protector** – protects the eyes from various hazards including harmful rays, intense light, dust, heat etc.
  - (iii) **Gloves** – protect the skin of the palms of your hand when you fall on pavement;
  - (iv) **Helmet** – is a form of protective gear worn to protect the head from injuries;
  - (v) **Knee pad** – are protective gear worn on knees to protect them against impact injury from falling to the ground or hitting an obstacle or to provide padding for extended kneeling;
- g) **Secured Bicycle Parking Area** – bicycle parking area is convenient, safe, clean and well-lighted, near building entrances, and out of pedestrian paths;

**SECTION 354. CREATION OF BATANGAS CITY BIKEWAYS COUNCIL.** – This Ordinance hereby creates the Batangas City Bikeways Council under which the following powers and functions shall be exercised:

- a) To plan, supervise and manage the construction and maintenance of the bikeway network projects;
- b) To establish provision of safe and strategic parking facilities, road signage and maps, including the planting of trees in designated areas of the network;
- c) To plan and conduct activities to promote Batangas City as a Bike Capital of the Philippines;
- d) To disseminate information on sustainable transportation to make the public better understand the aims behind the Batangas City Bikeways Project;

- e) To promote bicycle as alternative mode of transportation with the end in view of setting a Carless Day every April and November to coincide with the celebration of Earth Day and Clean Air Month. The specific areas chosen by the BCBC shall be subject to the approval of the City Mayor and the TDRO;
- f) To conduct bike patrol to maintain safety and security along bike lanes; and
- g) To perform such other responsibilities as may be prescribed by law or Ordinance.

**SECTION 355. PURPOSE AND OBJECTIVES.** – The purposes and objectives of this Ordinance are as follows:

- a) To put up or designate safe parking areas for registered bicycles in the City of Batangas that will provide comfort to all bicycle users;
- b) To introduce an environment-friendly legislation and program that could also promote a healthy lifestyle as it encourages regular exercise;
- c) To promote the use of bicycles as means of transportation and address the problem of traffic congestion in the City’s business district;
- d) To prevent theft and vandalism of bicycles; and
- e) To implement registration of bicycle as required pursuant to Section 51 of Batangas City Revenue Code of 2009.

**SECTION 356. COMPOSITION OF THE BATANGAS CITY BIKEWAYS COUNCIL.** – The Batangas City Bikeways Council shall be composed of the following:

- a) Chairperson : City Mayor
- b) Vice Chairperson : *Sangguniang Panlungsod* Committee Chairperson on Youth and Sports
- c) Members : City Health Officer

TDRO Officer  
City Engineer Officer  
City Planning and Development Officer  
City Council for Youth Affairs  
Representative  
Philippine Chamber of Commerce and  
Industry Representative  
Representatives from different Bikers  
Associations  
Representatives from the Civil Society  
Organizations  
Representatives from different Youth  
Organizations  
Philippine National Police

**SECTION 357. BICYCLE DESIGNATED LANES, RIGHTS, DUTIES AND OBLIGATIONS OF BICYCLE COMMUTERS OR RIDERS.** – The following shall be the bicycle designated lane, rights, duties and obligations of cyclists:

- a) The following are identified and designated bike lanes in some City roads and streets of Batangas City:
  - (i) for bicycles coming from Concepcion, Mahabang Parang, Soro Soro, Balete, Balagtas, Alangilan, Kumintang entering poblacion; from their point of origin utilizing the rightmost lane of the National Highway from Balagtas to Kumintang, left to BIR Road, right to P. Herrera St., right to Noble St., left to Lt. Col. Atienza St., right to C. Tirona St., left to P. Dandan St., right to P. Panganiban St., left to P. Burgos St., right to M. H. del Pilar St., right to D. Sllang St., left to P. Herrera St., heading straight towards Tolentino road passing through National Highway from Kumintang to Balagtas, back to their point of origin;
  - (ii) for bicycles coming from Dagatan, Sico, Bilogo, Paharang, Tulo, Sampaga, Pallocan and Gulod entering the Poblacion: from their point of origin utilizing the rightmost lane of the

National Highway from Gov. Carpio Road left to Batangas-Tabangao-Lobo Road, right to Pastor Road toward EBD Bridge of Progress straight to Ferry Road, left to P. Herrera St., right to Noble St., left to Lt. Col. Atienza St., right to C. Tirona St., left to P. Dandan St., right to P. Panganiban St., left to P. Burgos St., right to M. H. del Pilar St., right to D. Silang St., left to P. Herrera St., right to Ferry Road towards EBD Bridge of Progress, heading straight to Gov. Carpio Road, back to their point of origin.

- (iii) For bicycles coming from Sta. Rita, and Bolbok entering the Poblacion: from their point of origin utilizing the rightmost lane of the National Highway from Sta. Rita to Bolbok, right to PPA Road, left to DJPMM Access Road No. 2, left to Rizal Avenue, left to D. Silang St., right to Lt. Col. Atienza St., right to C. Tirona St., left to P. Dandan St., right to P. Panganiban St., left to P. Burgos St., right to M. H. del Pilar St., right to D. Silang St., left to Rizal Avenue, right to DJPMM Access Road No. 2, passing through PPA Road towards Bolbok, left to National Highway from Bolbok to Sta. Rita back to their point of origin.

All other city roads are hereby designated lanes unless signs prohibiting biking has been posted.

- b) The TDRO may recommend for the revision, alteration, and adjustment of specific and identified designated bicycle lanes in some areas in Batangas City and the same shall only be effective upon approval of the City Mayor.
- c) The following shall be the rights, duties and obligations of cyclist.
  - (i) Ride on any public road or street **provided**, that it has been designated as a bikeway except on highways or where signs prohibiting bikes have been posted.
  - (ii) Person riding a bicycle on designated bikeways shall be granted all rights and shall be subject to all duties applicable

to drivers of motorized vehicles except those which by nature are inapplicable.

- (iii) All bicycle commuters / riders shall, at all time, wear appropriate safety gears when riding.
- (iv) Cyclist when riding shall equip their bicycle with reflective materials visible from both side, white front headlight and a red reflective light at the rear.
- (v) A cyclist shall not carry anything on the bicycle unless it is in a basket, bag, rack or trailer designed for that purpose.

**SECTION 358. LOCATION AND DESIGN STANDARDS OF PARKING FACILITIES INCLUDING THE BICYCLE RACKS.** – Bicycle parking facilities shall enable the user to secure the bicycle by locking the frame and one wheel parked therein. The bicycle parking facilities that shall be designated and installed by the City Government of Batangas in public and City-owned spaces particularly in the central business districts shall be governed by the following design standards and requirements:

- a) Bicycle parking facilities should be located in close proximity to the buildings' entrances and in highly visible well-lighted areas to minimize theft and vandalism;
- b) If required bicycle parking facilities are not visible from the street or main building entrance, a sign must be posted at the main building entrance indicating the location of the parking. Where bicycle parking facilities are not clearly visible to approaching cyclists and motorists, signs shall be posted to direct them to the facilities;
- c) Bicycle rack and iron hook to be installed shall be securely anchored to the lot surface so they cannot be easily removed and shall be of sufficient strength to resist vandalism and theft;
- d) Bicycle parking facilities shall not impede pedestrian or vehicular circulation, and should be harmonious with their environment both in color and design. Parking facilities should be incorporated whenever possible into building design or street furniture;

- e) Racks and iron hooks must not be placed close enough to a wall or other obstruction so as to make use difficult. An aisle or other space shall be provided to bicycles to enter and leave the parking facility;
- f) The bike rack should allow the bicycle to be supported upright by its frame in two places and should allow the frame and one or both wheels to be secured. The frame shall support a bicycle in a stable position without damage to frame, wheels, or components. Racks must be easily usable with chain and padlock, U-locks, and/or cable locks. These high security locks are increasingly popular due to increasing bicycle theft levels and the rising price of new bicycles. Racks should support the bikes in a stable upright position so that a bike, if bumped, will not fall or roll down;
- g) Bike parking facilities within car parking areas shall be separated by a physical barrier to protect bicycles and from damage by cars or vehicles, such as curbs, wheel stops, poles or other similar features. Bicycle parking spaces are to be clearly marked as such and shall be separated from car parking by some form of physical barrier designed to protect bikes from being hit by a car or vehicle;
- h) Bicycle parking facilities should be designed to accommodate a range of bicycle shapes and sizes and facilitate easy locking without interfering with adjacent bike; and
- i) Outdoor bicycle parking facilities shall be surfaced in the same manner as the car or vehicle parking area and shall be equally level. Lighting and other security design features shall be provided in these parking facilities equivalent to that provided in the facilities for car parking spaces. A safe parking location is one in which activity around the bicycles is easily observable. Bike racks and iron hooks located in remote locations such as alleys or behind landscaping gives thieves time to work.

**SECTION 359. RESPONSIBILITY OF BICYCLE PARKING FACILITIES USER.**

– In this Ordinance, the bicycle users are encouraged to be equipped with chain and padlock, U-lock and cable locks as the City Government of Batangas shall designate and install parking facilities with safety anchored and lockable bicycle rack. The Batangas City Government shall not be liable for any damage or loss. It is the users' responsibility to make sure that their bicycles are secured properly.

**SECTION 360. IMPLEMENTING AGENCY.** – For purposes of this Ordinance the following are hereby designated:

- a) The Transportation Development and Regulatory Office (TDRO) in coordination with the Batangas City Police Office shall, within thirty (30) days from approval of this Ordinance, recommend to the *Sangguniang Panlungsod* the bicycle rack and iron hook system design and the designated parking spaces/areas for bicycles at the central Business Districts of the City, subject to the final approval by the *Sanggunian*.
- b) The City Engineers' Office shall be responsible for monitoring and ensuring the implementation of this Ordinance. In particular, City Engineers shall:
  - (i) Conduct periodic ocular inspection of all buildings, establishments and structures specified in Section 353 of this Ordinance to ensure that the provisions of this law are being implemented;
  - (ii) Ensure that all building plans within the designated areas for bike facilities prior to and as a condition to their approval and granting of building permits must include secure parking space and facilities for bicycles;

**SECTION 361. ADMINISTRATIVE FINE.** – Violation of this Ordinance may be settled by paying an administrative fine in the Office of the City Treasurer in the amount of Three Thousand Pesos (Php 3,000.00) in case of other persons, which amount shall be part of general fund of the City.

**SECTION 362. PENALTY CLAUSE.** – Any person who shall directly or indirectly violates this Ordinance shall suffer a fine of not less than Three Thousand Pesos (Php 3,000.00) nor more than Five Thousand Pesos (Php 5,000.00) or an imprisonment of not less than five (5) days nor more than thirty (30) days at the discretion of the Honorable Court.

**SECTION 363. APPROPRIATION.** – The funding for the administration and enforcement of this Ordinance shall be taken from or charged against the existing appropriation for Local Development Fund as may be approved by the City Mayor.

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# ARTICLE XII: WOMEN AND FAMILY

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**WHEREAS**, Article II, Section 13 of 1987 Constitution mandates that the State shall recognize the vital role of the youth in nation-building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being and shall inculcate in the youth patriotism and nationalism, and encourage their involvement in public and civic affairs;

**WHEREAS**, Article II, Section 14 of 1987 Constitution provides, that the state recognizes the role of women in nation-building and shall ensure fundamental equality before the law of women and men;

**WHEREAS**, Section 16, Chapter 1, Title I, Book I of Republic Act 7160 otherwise known as the “Local Government Code of 1991” or the “General Welfare Clause”, provides that Local Government Units shall exercise its powers expressly granted, and those that are necessarily implied there from, which are necessary and essential to the promotion of the general welfare of its inhabitants;

**WHEREAS**, the Child and Youth Welfare Act of the Philippines states that every child has the right to a well-rounded development of personality to the end that latter may become happy, useful and active member of the society;

**WHEREAS**, pursuant to Republic Act 9710, otherwise known as the “Magna Carta of Women”, is a comprehensive human rights law that seeks to eliminate discrimination against women by recognizing, protecting, fulfilling and promoting the rights of Filipino women, especially those in the marginalized sectors; and

**WHEREAS**, the *Sangguniang Panlungsod* of Batangas in cooperation with the entire Local Government Unit and general community to continuously promote a gender-fair and violence-free community where rights and privileges women and their children are empowered.

# CHAPTER I

## NEW EARLY CHILDHOOD CARE AND DEVELOPMENT

**SECTION 364. DECLARATION OF POLICY.** – It is hereby declared the policy of Batangas City Government to convert the existing Day Care Centers into Child Development Centers in compliance to R. A. 10410, implement necessary mechanisms related to conversion and compliance to the New Early Childhood Care and Development Program.

**SECTION 365. DEFINITION OF TERMS.** – The following terms are defined in R.A. 10410, as follows:

- a) **Early Childhood Care and Development (ECCD) System** – shall refer to the full range of health, nutrition, early education and social services development programs that provide for the basic holistic needs of young children from age zero (0) to four (4) years; (8) eight as the first crucial stage of educational development of which the age from zero (0) to four (4) years shall be the ECCD to promote their optimum growth and development. Therefore, the responsibility to help the Council develop children in the formative years between five (5) to eight (8) years shall be with the Department of Education (DepEd). These programs shall include:
  - (i) Center-based programs, such as the day care service established under Republic Act No. 6972, otherwise known as the “Barangay - Level Total Development and Protection of Children Act”, and hereinafter referred to as the child development service, community or church-based early childhood education programs initiated by non-government organizations or people’s organizations, workplace-related child care and education programs, child-minding centers, health centers and stations; and
  - (ii) Home-based programs, such as the neighborhood-based play groups, family child care programs, parent education and home visiting programs.

- b) **ECCD Service Providers** – shall include the various professionals, paraprofessionals and volunteer caregivers who are directly responsible for the care and education of young children from age zero (0) to four (4) years through the various centers and home-based programs. They shall include, but shall not be limited to, day care workers hereinafter referred to as child development workers, child development teacher-aides, rural health midwives, social workers, community health workers, barangay nutrition scholars, parent effectiveness service volunteers, and family day care providers;
  
- c) **ECCD Curriculum** – shall refer to the developmentally-appropriate educational objectives and practices, programs of activities, organized learning experiences, recommended learning materials and appropriate assessment for children from age zero (0) to four (4) years that are implemented by service providers through center and home-based programs. It shall consist of national program goals and guidelines, instructional objectives, and content outlines that are age-appropriate, individually appropriate and culturally relevant; and
  
- d) **Parent Education** – shall refer to the various formal and alternative means of providing parents with information, skills and support systems to assist them in their roles as their children’s primary caregivers and educators. These include public and private parent education programs linked to center, home and media-based child care and education programs.

**SECTION 366. COMPLIANCE.** – The ECCD system shall comply with the New Early Childhood Care Development Program to be implemented to the national standards as R.A. 10410 provides that:

- a) **System Framework and Components.** – The Early Childhood Care Development System shall ensure that the New Early Childhood Care Development Program is implemented in accordance with quality standards for accreditation and for this purpose there shall be established a National ECCD Monitoring and Evaluation Framework. The ECCD System shall include the following components:

- (i) **ECCD Curriculum.** – The curriculum shall focus on children’s total development and take into account age, individual and socio-cultural appropriateness. It shall promote the delivery of complementary and integrative services for health, nutrition, early childhood education, sanitation and cultural activities. It shall use the child’s first language as the medium of instruction;
- (ii) **Parent Education and Involvement, Advocacy and Mobilization of Communities.** – This component shall harness and develop parent’s strengths as providers of ECCD programs at home, as active partners of other stakeholders, as advocates for community concerns that affect children, and as pillars of support for local and national ECCD programs through community organizations efforts;
- (iii) **Human Resource Development Program.** – The program shall establish mechanisms for the systematic professionalization of ECCD service providers through enrolment in educational program in site-based or distance education modes, through pre-service or in-service training including continuing education programs, whereby a registration and credential system shall be developed in the ECCD System; and
- (iv) **ECCD Management.** – This component shall consist of a continuing process of planning, implementation, supervision, financial management, monitoring, evaluation and reporting to persons concerned and shall encourage the active involvement of and build the capabilities of service providers, parents and local government officials to sustain the program.

**SECTION 367. IMPLEMENTING MECHANISM.** – The City Government of Batangas through the City Social Welfare and Development shall adhere and actively implement the ECCD system in coordination with the ECCD Council as:

- a) **Implementing Arrangements and Operational Structures.** – The implementation of the National ECCD System shall be the responsibility of the ECCD Council.

(i) **Responsibilities of the ECCD Council.** – The ECCD Council shall be responsible for establishing national standards, developing policies and programs, ensuring compliance thereof providing technical assistance and support to the ECCD service providers in consultation with coordinating committees at the provincial, city, municipal and barangay levels. The Department of Education (DepED), the Department of Social Welfare and Development (DSWD), the Department of Health (DOH), the National Nutrition Council (NNC) and the Union of Local Authorities of the Philippines (ULAP) shall meet in an annual workshop to prepare work and financial plans that will coordinate their technical assistance and support for the National ECCD Program. They shall observe existing implementing guidelines that ensure consistency in integrated service delivery within the National ECCD System, as follows:

- (1) The DepED shall recognize the New ECCD Program as the foundation of the learning continuum and shall promote it for all children from age zero (0) to four (4) years; and
- (2) The DepED, the DSWD, the DOH and the NNC shall provide continuing professional development program support, supplementary learning materials, reference materials, supplemental nutrition and health care services.

(ii) **Responsibilities of Local Government Units.** – Local Government Units (LGUs) shall include allocations from their Special Education Fund (SEF) and Gender and Development (GAD) Fund in addition to other local funds to be utilized for the following purposes:

- (1) Support the implementation of their ECCD Program;
- (2) Organize and support parent cooperatives to establish community-based ECCD programs;

- (3) Provide counterpart funds for the continuing professional development of their ECCD public service providers; and
  - (4) Provide the facilities for the conduct of their ECCD Program.
- (iii) **Responsibilities of Families and Communities.** – Families and communities shall support the local ECCD programs by participating in various community-based projects such as, but not limited to, health, nutrition, social development and early childhood education projects for the overall development of their children from age zero (0) to four (4) years.

**SECTION 368. CONVERSION.** – It is hereby mandated that there be a conversion of the existing Day Care Centers into Child Development Centers in compliance to R.A. 10410. Likewise, Day Care Workers are converted to Child Development Teachers that shall not be limited to their entitled existing compensation or benefits but shall also be entitled to the same or any additional that may be prescribed by law or ordinance subject to all existing legal, budgetary, accounting and auditing procedures.

**SECTION 369. APPROPRIATION.** – It shall be the duty of the City Government of Batangas to appropriate funds from its Annual or Supplemental Budget for the successful implementation of the ECCD System as provided in Section 7 (b) Responsibilities of Local Government Units. Local Government Unit (LGUs) shall include allocations from their Special Education Fund (SEF) and Gender and Development (GAD) The City Government may likewise appropriate funds from its Annual or Supplemental Budget to provide additional support to public ECCD programs in its locality subject to all necessary legal, budgetary, accounting and auditing procedures. The City Government through the City Social Welfare may also generate funds from inter-governmental donors and government financial institutions to support the public programs including the urban poor. Fund in addition to other local funds to be utilized for the following purposes:

- a) Support the implementation of their ECCD Program;
- b) Organize and support parent cooperatives to establish community-based ECCD programs;
- c) Provide counterpart funds for the continuing professional development of their ECCD public service providers; and
- d) Provide the facilities for the conduct of their ECCD Program.

## CHAPTER II COMPREHENSIVE ANTI-BULLYING ORDINANCE OF 2015

**SECTION 370. DECLARATION OF POLICY.** – It is hereby declared the policy of Batangas City Government that the rights of the children as to their survival, protection, participation and development must be given the highest priority. In the same manner, the City Government shall create and continuously formulate, enact and implement sound measures that will ensure that the growth and development of children within its territorial jurisdiction shall be free from exploitation, improper influences, hazards and other conditions or circumstances prejudicial to a child’s physical, mental, emotional, social and moral development.

Guided by the principles of children’s rights, the City of Batangas shall ensure that the privacy rights of not just the victim but also the alleged perpetrator of bullying shall be treated with utmost protection and will not be compromised and restrained other than what is legal and necessary.

Finally, upon the enactment and implementation of this Ordinance, the City Government of Batangas in its mission for a zero-bullying city, affirms its commitment to protect and uphold all the rights of both the victim and the offender in all the stages including its investigation and subsequent proceedings to address cases of bullying. This shall include proper and legal representation from parents, students, school district, school staff, administrators and volunteers who have significant contact and responsibility with students and community representatives.

**SECTION 371. DEFINITION OF TERMS.** – For the purpose of this Ordinance, the following terms shall mean:

- a) **Child** – refers to a person under the age of eighteen (18) years;
- b) **Judicial Guardian** – a guardian appointed by the Court to represent the minor in all of latter’s civil acts and transactions;
- c) **Legal Guardian** – is those who is such by provision of law without need of judicial appointment;
- d) **Student** – a learner who is enrolled in any educational institution; and

- e) **School Personnel** – person/s working for an educational institution, which includes the following:
  - (i) **Teaching or Academic Staff** – persons engaged in actual teaching and/or research assignments either on full-time or part-time basis in all levels of educational system;
  - (ii) **School Administrators** – persons that occupy policy implementing positions relative to the functions of the school in all levels. They also have the discretion to provide the relative sanctions in case of policy violation/s;
  - (iii) **Academic Non-Teaching Personnel** – persons holding some academic qualifications and performing academic functions directly supportive of teaching, such as supervisors, registrars, librarians, research assistants, research aides and similar staff; and
  - (iv) **Non-Academic Personnel** – school personnel not falling under the definition and coverage of teaching and academic staff and academic non-teaching personnel.

**SECTION 372. PROHIBITED ACTS OF BULLYING.** – Bullying means any gesture, any written, verbal or physical act, or any electronic communication, whether it be a single incident or a series of incidents, which:

- a) Is reasonably perceived as being motivated either by an actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability, or by any other distinguishing characteristic;
- b) Takes place on school premises or outside the school premises, at any school-sponsored function, or any school property;
- c) Substantially disrupts or interferes with the orderly operation of the school or impairs the rights of other students;
- d) Has the effect of physical or emotional harm to a student/s, or damage to a student's property or of placing a student in a reasonable fear of physical or emotional harm;

- e) Has the effect of insulting or demeaning any student/s; and
- f) Creates a hostile educational environment for a student by interfering with the student's education or by severely or pervasively causing physical or emotional harm to the student's person.

The following are acts of bullying behaviors and their examples but are not limited to:

- a) **Physical Bullying** – Physical bullying occurs when a person uses overt bodily acts to gain power. These include:
  - (i) flitting, punching, shoving, pushing, kicking, slapping, headlocks, tripping, spitting;
  - (ii) pranks that may cause injury or embarrassment to a student;
  - (iii) forcibly taking a personal belonging from a student or damaging other people's personal belongings; and
  - (iv) use of weapons to harm or scare.
- b) **Verbal Bullying** – Verbal bullies intimidate and harm their victims by using words. These include:
  - (i) relentless insults and teasing, commenting negatively on a person's looks or body, clothes, and status;
  - (ii) spreading malicious and nasty rumors;
  - (iii) taunting, name calling, shouting of indecent languages;
  - (iv) verbal threats;
  - (v) slanderous statements and accusations; and
  - (vi) homophobic or racist slurs.
- c) **Emotional / Psychological Bullying** – involves repeated and intentional use of words or actions which can cause psychological harm. These include:
  - (i) intimidation, manipulation and stalking;

- (ii) embarrassing a student on account of his or her religion, sexual orientation, physical appearance or financial status;
  - (iii) face making, threatening gestures or looks;
  - (iv) passing notes, letters or drawings intended to embarrass or insult;
  - (v) writing remarks, drawings or caricatures in public places;
  - (vi) using peer pressure to intimidate;
  - (vii) demeaning, ridiculing;
  - (viii) directing indecent languages or profanity at a student; and
  - (ix) embarrassing a student on account of his or her family, affiliation, academic status and cultural orientation.
- d) **Sexual Bullying** – any bullying behavior that uses sexual messages or actions to make a person feel intimidated, small or uncomfortable.
- (i) making sexual jokes, comments, or gestures to or about someone;
  - (ii) spreading sexual rumors (in person, by text, or online);
  - (iii) writing sexual messages about people on bathroom stalls or in other public places;
  - (iv) showing someone inappropriate sexual videos or pictures;
  - (v) posting sexual comments, pictures, or videos on social networks or social media like Facebook, or sending explicit text messages;
  - (vi) making sexual comments or offers while pretending to be someone else online; and
  - (vii) touching, grabbing, or pinching someone in a deliberately sexual way, pulling at someone’s clothing and brushing up against them in a purposefully sexual way.
- e) **Cyber bullying** – is bullying that takes place using electronic technology that includes devices and equipment such as cell phones, computers, and tablets as well as communication tools including social media sites, text messages, chat, and websites. These include:

- (i) a text message, tweet, or response to a status update on any social networking sites that is harsh, mean, or cruel regarding another person;
  - (ii) a victim online or posting personal information, photos, or videos designed to hurt or embarrass another person;
  - (iii) threats sent by email or posted on social networking sites; and
  - (iv) hacking, logging-in or using someone else's social networking or email account without prior authority or permission with the purpose of embarrassing, threatening or attribute malicious statements, pictures or acts, creating conflict to be attributed to the victim.
- f) **Accomplice to bullying** – aids, assists or supports the offender or bully in doing the acts mentioned above. This includes acts regardless of verbal, physical, emotional/psychological and/or the use of technology directly and indirectly done to prevent the victim or witnesses from reporting any incident of bullying. These include:
- (i) using words, coined or embarrassing fabricated terminologies that will be identified to the witness/es or the victim that will prevent them from reporting incidents of bullying;
  - (ii) rumors, notes, images with or without the use of technology to provoke someone to bully a victim or prevent the victim from reporting cases of bullying;
  - (iii) all acts of an individual that will provoke and result to any incident of bullying not limited to the types and acts of bullying stated in this Ordinance;
  - (iv) aids, assists, supports or primarily being involved in concealing, destroying and deleting with or without the use of technology, materials of evidence on incidents or cases of bullying.

**SECTION 373. SPECIAL PARENTAL AUTHORITY.** – The school administrator, teachers and its personnel shall have special parental authority and responsibility over the students while under their supervision, instruction or custody. Authority and responsibility shall apply to all activities of the school whether inside or outside its premises.

**SECTION 374. CREATION OF AN ANTI-BULLYING COMMITTEE (ABC).** – All elementary and secondary schools in the City of Batangas shall create and convene an Anti-Bullying Committee that shall establish policies to address the existence of bullying in their respective institutions, investigate on incidents of bullying and recommend the necessary actions to be taken for the resolution of a bullying incident. The Committee shall be composed of the following:

- a) Chairperson : Principal
- b) Vice Chairperson : President, Parents-Teachers Association
- c) Members : Guidance Counselor or its Equivalent  
President of Student Council  
Barangay Captain and/or Barangay Kagawad  
Chairperson of the Committee on Education of the host Barangay  
President of Faculty Association Youth representative from the Barangay

**SECTION 375. ADOPTION OF SCHOOL ANTI-BULLYING POLICIES.** – Aside from encouraging elementary and secondary school administrations within the locality of Batangas City to comply to R.A. 10627 otherwise known as “***AN ACT REQUIRING ALL ELEMENTARY AND SECONDARY SCHOOLS TO ADOPT POLICIES TO PREVENT AND ADDRESS THE ACTS OF BULLYING IN THEIR INSTITUTIONS***” and its Implementing Rules and Regulation (IRR) and Department of Education (DepEd) Order No. 40, S. 2012, the intent of this Section is to create a standard procedure to prevent, report, investigate and respond to bullying incidents of students inside and outside school premises. The policies to be adopted by the ABC shall be reviewed/updated annually and at least shall:

- a) Include a provision that shall prohibit the following acts:
  - (i) Acts of Bullying on school grounds, property immediately adjacent to school grounds, at school-sponsored or school-related activities, functions or programs whether on or off school grounds, at school bus stops, on school buses or other vehicles owned, leased or used by a school, or through the use of technology or an electronic device owned, leased or used by a school;

- (ii) Acts of Bullying at a location, activity, function or program that is not school related and through the use of an electronic device that is not owned, leased or used by a school if the act or acts in question create a hostile environment at school for the victims, infringe on the rights of the victim at school, or materially and substantially disrupt the education process or the orderly operation of a school; and
  - (iii) Retaliation against a person who reports bullying, who provides information during an investigation of bullying, or who is a witness to or has reliable information about bullying.
- b) Establish clear procedures for school personnel, students, parents, guardians and others to report acts of bullying or retaliation before the school administrator, school officer or person designated by the same to handle such issues;
  - c) Include a provision that reports acts of bullying or retaliation may be made anonymously, ***provided however***, that no disciplinary administrative action shall be taken against a student solely on the basis of an anonymous report;
  - d) Establish clear procedures for promptly responding to and investigating reports of bullying or retaliation;
  - e) Identify the range of disciplinary administrative or appropriate remedial actions that may be taken against a perpetrator for bullying or retaliation which shall be commensurate with the nature and gravity of the offense;
  - f) Establish a clear procedure for restoring a sense of safety for a victim and assessing the student's need for protection;
  - g) Establish strategies to protect from acts of bullying or retaliation a child who reports bullying, provides information during an investigation of bullying or is a witness to or has reliable information about the same;
  - h) Establish procedures for promptly notifying the parents or guardians of a victim and the perpetrator. The parents or guardians of a victim shall also be notified of the action taken to prevent any further acts of bullying. The said procedures must also provide for immediate notification to the law enforcement agency where criminal charges may be pursued;

- i) Include a provision that a student who knowingly makes a false accusation of acts of bullying shall be subject to disciplinary administrative action;
- j) Include a strategy for providing a counselling or referral to appropriate services for perpetrators and victims including the parents or guardians of said students;
- k) Include a provision that will educate parents and guardians about anti-bullying policies of the school; how parents and guardians can provide, support, and reinforce such policies at home; the dynamics of bullying; and online safety and cyber bullying; and
- l) Establish clear guidelines and procedures in response, handling and/or in pursuit to cases or incidents of bullying inside or outside the school grounds that will qualify to R.A. 9344 as amended by R.A. 10630 otherwise known as “**JUVENILE JUSTICE AND WELFARE ACT OF 2006**” subject to the ratification of the City Anti-bullying Council. All elementary and secondary schools shall provide students and their parents, legal or judicial guardians a copy of the anti-bullying policies being adopted by the school and shall be one of the primary agendas of the Parent-Teachers Association assembly that shall require the presence of all parents, legal or judicial guardians. Such policies shall likewise be included in the school’s student and/or employee handbook and shall be conspicuously posted on the school bulletin boards and website if there is any.

**SECTION 376. CREATION OF CITY ANTI-BULLYING COUNCIL.** – All Anti-bullying Committee of public and private schools within the territorial jurisdiction of Batangas City shall convene a City Anti-Bullying Council that shall meet for not less than once a year or upon the discretion of the Chairperson in order to address necessary issues, additional programs and policies including any other matter that will be supplementary in attaining a bullying-free city. The City Anti-Bullying Council shall also be the venue where all Anti-bullying Committees will be able to coordinate and formulate programs and policies for school-to-school cases on bullying and particularly for bullying cases that will transpire outside the school. The Committee shall be composed of the following:

- a) Chairperson : City Mayor
- b) Vice Chairperson : (Internal) – City Social Welfare Development Coordinator
- c) Vice Chairperson (External) : City Legal Officer
- d) Members : Division Superintendent  
All Anti-bullying Committee Chairperson  
Overall Chairperson/President of Parents-Teachers Association  
City’s Chief of Police  
Defense and Security Services Head  
ABC President  
City Council Chairperson – Committee on Education  
City Council Chairperson – Committee on Social Welfare  
City Council Chairperson – Committee on Peace and Order

**SECTION 377. DUTIES OF THE CITY ANTI-BULLYING COUNCIL.** – The City Anti-Bullying Council, upon the adoption of its internal rules and regulations, shall perform duties such as, but not limited to the following:

- a) Serve as an advisory/consultative body to the members particularly the Anti-Bullying Committee Chairperson;
- b) Ensure that the adopted prevention and intervention programs includes mechanisms and procedures in handling bullying in schools set forth by R.A. 10627 otherwise known as *“An Act Requiring All Elementary and Secondary Schools to Adopt Policies to Prevent and Address the Acts of Bullying in their Institutions”* and its IRR are being complied upon and shall be in harmony to all existing laws, rules and regulations;
- c) Assist the Anti-bullying committees through the Chairperson in the formulation of guidelines and procedures in compliance to this Ordinance

and ratify such supplementary policies and programs to address the provisions of this Ordinance against bullying;

- d) Provide all Anti-bullying committees with a database of all members and concerned agencies for inter-committee and inter-agency coordination to address all aspects of bullying that includes response, handling and investigation;
- e) Formulate, coordinate and implement any budgetary measure in order to support the approved programs, campaigns and activities of the City Anti-bullying Council in relation to the fulfillment of its objectives subject to all existing budgetary and auditing rules and regulations;
- f) Create programs and projects in order to prevent bullying inside and outside the school;
- g) Monitor, assess and evaluate reports from all of the members and agencies concerned particularly the Anti-bullying committees in order to ensure the efficiency of policies and programs being implemented and formulate supplementary recommendations to concerned agencies such as but not limited to the *Sangguniang Panlungsod* that is necessary to address any other bullying issues that may arise in the future; and
- h) Create programs and projects that will address the core issues that cause bullying or drives any perpetrator whether student or non-student to perform prohibited acts of bullying.

**SECTION 378. CIVIL AND CRIMINAL LIABILITIES FOR ACTS OF BULLYING.**

– The parents, judicial or legal guardians shall be principally and solely liable for damages caused by acts of bullying to a student as provided for in Section 367 (Prohibited Acts of Bullying) of this Ordinance.

**SECTION 379. PENALTY CLAUSE.** – The penalty of fine ranging from One Thousand Pesos (Php 1,000.00) to Three Thousand Pesos (Php 3,000.00) shall be imposed to any person, school administrator, teacher or personnel who shall instigate, initiate or bring about acts of bullying between or among students. Furthermore, the same penalty shall be imposed to any person, school administrator, teacher or personnel, who shall willfully fail, obstruct, impede, or frustrate to report any act of bullying within their knowledge as provided for in this Ordinance to the proper authorities or concerned agencies.

## **CHAPTER III**

# **ADOPTING AND IMPLEMENTING THE PROVISIONS OF REPUBLIC ACT 9344**

**SECTION 380. DECLARATION OF POLICY.** – This Ordinance is in pursuit of the Philippine Government’s commitment to the United Nations Convention on the Rights of the Child (UNCRC), principles of Restorative Justice and other applicable laws and rules on child and youth welfare and protection.

**SECTION 381. DEFINITION OF TERMS.** – The definitions as stated in the Revised Rule on Children in Conflict with Law issued by the Supreme Court in Administrative Matter No. 02-1-18-SC are hereby adopted as part of this Ordinance.

**SECTION 382. ESTABLISHMENT AND STRENGTHENING OF THE CITY COUNCIL FOR THE PROTECTION OF CHILDREN (CCPC) AS PROVIDED FOR UNDER SECTION 15 OF R.A. 9344.** – The City of Batangas shall organize/re-organize the City Council for the Protection of Children to be chaired by the City Mayor and the membership of which shall be in accordance with Section 15 of R.A. 9344.

The Council shall serve as the primary body to coordinate with and assist the City Government in the formulation of comprehensive juvenile intervention and diversion programs and shall set policies for their implementation and for providing services for CICL.

The CCPC shall convene its members within fifteen (15) days from the effectivity of this Ordinance and every quarter thereafter. It shall render a report to the Office of the City Mayor, copy furnished the DILG City Office and the City Social Welfare and Development Office.

**SECTION 383. FORMULATION OF THE CITY JUVENILE INTERVENTION PROGRAM (CJIP).** – The City Mayor of Batangas, through the City Social Welfare and Development Officer and in coordination with the City Council for the Protection of Children (CCPC), shall formulate a 3-year Comprehensive City Juvenile Intervention Program (CJIP).

**SECTION 384. IMPLEMENTATION OF THE CITY JUVENILE INTERVENTION PROGRAM (CJIP).** – The City Government of Batangas shall implement the Drug Interventions Program (DIP), through a collaborative undertaking between and among the *Sangguniang Panlungsod*, City Mayor, community-based youth and school organizations, NGOs, and other concerned agencies, to address causes of offending, provide assistance to CICL and alternative modes to avoid the child’s contact with the formal justice system.

**SECTION 385. LEVELS OF INTERVENTION AND ROLES OF STAKEHOLDERS.** – The City Social Welfare and Development Office shall formulate the City Juvenile Intervention Program for the following intervention levels:

- a) Primary intervention - which includes general measures to promote social justice and equal opportunity, which will indirectly tackle perceived root causes of offending.
- b) Secondary intervention - which includes measures to assist children at risk and to prevent them from offending.
- c) Tertiary intervention - which includes measures to address the needs of children who have committed an offense to prevent them from re-offending and to avoid unnecessary contact with the formal justice system and other measures to prevent re-offending.

**SECTION 386. APPROPRIATION OF FUNDS.** –The *Sangguniang Panlungsod* shall incorporate in its Annual Appropriation Ordinance funds for the immediate development of information and education campaign (IEC) materials on the procedures and levels of intervention, implementation of intervention programs, and conduct of diversion programs in accordance with Section 24, 26,27,30, 31 and 50 of RA 9344. In addition, the City Government of Batangas shall appropriate one percent (1%) of its annual IRA share for the strengthening and implementation of the programs of the CCPC as provided for in Section 15 of R.A. 9344. The above appropriations shall be subject to the usual accounting and auditing rules and regulations.

**SECTION 387. – MONITORING, REPORTING AND EVALUATION OF SYSTEM.**  
– The City Government of Batangas, through the CCPC, shall monitor the implementation of the Comprehensive City Juvenile Intervention and Diversion Programs and submit report to the Juvenile Justice and Welfare Council (JJWC), through the DILG, not later than March 30 of every year.

## CHAPTER IV

# MOTHER-BABY FRIENDLY HEALTH INSTITUTIONS

**SECTION 388. DECLARATION OF POLICY.** – It is hereby declared the policy of Batangas City Government to establish mother-baby friendly health institutions, cognizant to Expanded Breastfeeding Promotion Act of 2009, provide legal framework in establishing lactation station in all health and non-health facilities, establishments or institutions, disseminating information and educational programs for pregnant women and women of reproductive age, facilitation of continuing education, re-education and training of health workers and health institutions, appointment of implementing agency, and imposition of penal provision in violation of this Ordinance.

**SECTION 389. DEFINITION OF TERMS.** – The definition of terms provided in Expanded Breastfeeding Promotion Act of 2009, National Code on the Marketing of Breastmilk Substitutes and Related Products as far as applicable are hereby made part of this Ordinance.

For the purpose of this Ordinance, the following terms and phrases shall apply:

- a) **Age of gestation** – the length of time the fetus is inside the mother’s womb;
- b) **Bottle-feeding** – the method of feeding an infant using a bottle with artificial nipples, the contents of which can be any type of fluid;
- c) **Breastfeeding** – the method of feeding an infant directly from the human breast.
- d) **Breastmilk** – the human milk from a mother;
- e) **Breastmilk substitutes** – any food being marketed or otherwise represented a partial or total replacement of breastmilk whether or not suitable for that purpose;
- f) **Donor milk** – the human milk from a non-biological mother;
- g) **Expressed breastmilk** – the human milk which has been extracted from the breast by hand or by breast pump. It can be fed to an infant using a dropper, a nasogastric tube, a cup and spoon, or a bottle;

- h) **Expressing milk** – the act of extracting human milk from the breast by hand or by pump into a container;
- i) **Formula feeding** – the feeding of a newborn with infant formula usually by bottle-feeding. It is also called artificial feeding;
- j) **Health institutions** – are hospitals, health infirmaries, health centers, lying-in centers, or puericulture centers with obstetrical and pediatric services;
- k) **Health personnel** – are professionals and workers who manage and/or administer the entire operations of health institutions and/or who are involved in providing maternal and child health services;
- l) **Health workers** – all persons who are engaged in health and health-related work, and all persons employed in all hospitals, sanitarium, health infirmaries, health centers, rural health units, barangay health stations, clinics and other health-related establishments, whether government or private, and shall include medical, allied health professional, administrative and support personnel employed regardless of their employment status;
- m) **Infant** – a child within zero (0) to twelve (12) months of age;
- n) **Infant formula** – the breastmilk substitute formulated industrially in accordance with applicable Codex Alimentarius Standards, to satisfy the normal nutritional requirements of infants up to six (6) months of age, and adopted to their physiological characteristics;
- o) **Lactation management** – the general care of a mother-infant nursing couple during the mother’s prenatal, immediate postpartum and postnatal periods. It deals with educating and providing knowledge and information to pregnant and lactating mothers on the advantages of breastfeeding, the risks associated with breastmilk substitutes and milk products not suitable as breastmilk substitutes such as, but not limited to, condensed milk and evaporated milk the monitoring of breastfeeding mothers by health workers and breastfeeding peer counsellors for service patients to ensure compliance with the Department of Health, World Health Organization (WHO) and the United Nations Children’s Fund (UNICEF) on the implementation of breastfeeding policies, the physiology of

lactation, the establishment and maintenance of lactation, the proper care of the breasts and nipples, and such other matters that would contribute to successful breastfeeding;

- p) **Lactation stations** – private, clean, sanitary, and well-ventilated rooms or areas in the workplace or public places where nursing mothers can wash up, breastfeed or express their milk comfortably and store this afterward;
- q) **Low birth weight infant** – a newborn weighing less than two thousand five hundred (2,500) grams at birth;
- r) **Nursing employee** – any female worker, regardless of employment status, who is breastfeeding her infant and/or young child;
- s) **Mother’s milk** – the breastmilk from the newborn’s own mother;
- t) **Non-health facilities, establishment or institution** – public places and working places, paragraphs (u) and (y), respectively;
- u) **Public place** – enclosed or confined areas such as schools, public transportation terminals, shopping malls, and the like;
- v) **Rooming-in** – the practice of placing the newborn in the same room as the mother right after delivery up to discharge to facilitate mother-infant bonding and to initiate breastfeeding. The infant may either share the mother’s bed or be placed in a crib beside the mother;
- w) **Seriously ill mothers** – are those who are: with severe infections; in shock in severe cardiac or respiratory distress; or dying; or those with other conditions that may be determined by the attending physician as serious;
- x) **Wet-nursing** – the feeding of a newborn from another mother’s breast when his/her own mother cannot breast feed;
- y) **Workplace** – work premises, whether private enterprises or government agencies, including their subdivisions, instrumentalities and government owned and -controlled corporations; and

- z) **Young child** – a child from the age of twelve (12) months and one (1) day up to thirty-six (36) months.

**SECTION 390. MOTHER-BABY FRIENDLY HEALTH INSTITUTION PROVISIONS.** – A health institution is considered mother-baby friendly when it does not accept free or low-cost breastmilk substitutes, feeding bottle or teats, and has implemented 10 steps to support successful breastfeeding:

- a) Have a written breastfeeding policy that is routinely communicated to all health care staff that shall be displayed for all to read, indicating that staff is committed to implementing them;
- b) Train all health care staff in skills necessary to implement this policy. Training at all levels should address the 10 steps, breastfeeding and counselling;
- c) Inform all pregnant women about the benefits and management of breastfeeding. By the time a baby is born, the new mother must be comfortable about breastfeeding, understand its benefits, and what she has to do;
- d) Help mothers initiate breastfeeding within one half hour of birth. This step now means, for all healthy newborns, skin-to-skin contact from immediately after delivery for at least one hour or until the baby has attached and fed at the breast if this takes longer;
- e) Show how to breastfeed and maintain lactation, even if they should be separated from their infants. Helping mothers to breastfeed effectively with a good technique is a vital step. If infants are separated from their mothers, or unable to suckle, their mothers need to express their milk. Health workers need skills to help mother do these things;
- f) Give newborn infants no food or drink other than breastmilk, unless medically indicated. Families and health workers may believe that infants need pre-lacteal feeds or formula or glucose water or other drinks before their mother’s milk “comes in,” this may lead failure to breastfeed. Infant formula and advertisement in maternities can mislead people on this important point. Breastmilk is pure and complete, while giving babies water or other liquids can pose risk due to contaminated water;

- g) Practice rooming-in that is, allows mothers and infants to remain together twenty-four (24) hours a day. In many hospitals, newborns are kept in nurseries after delivery. Rooming-in allows mothers and their babies to stay together day and night to bond and to establish breastfeeding;
- h) Encourage breastfeeding on demand. Babies should feed according to their needs, not a schedule decided by hospital or mother. Understanding her infant's feeding cues improved breastfeeding and the mother-child relationship;
- i) Give no artificial teats or pacifier (also called dummies or soothers) to breastfeeding infants. During the early weeks, the baby's need to suckle should be satisfied at the breast using teats or pacifiers may interfere with suckling and be adjustment of the breastmilk supply to the baby's requirements; and
- j) Foster the establishment of breastfeeding support group and refer mothers to them on discharge from the hospital or clinic. Breastfeeding support groups are often part of the community nutrition strategy. Peer counselors are women from the community who receive training in breastfeeding support. They even contact mothers in their homes. They are very effective in increasing exclusive breastfeeding.

**SECTION 391. BREASTFEEDING PROVISIONS.** – As stated in this Ordinance, the breastfeeding provisions are as follows:

- a) **Normal Spontaneous Deliveries.** The following new born infants shall be put to the breast of the mother immediately after birth and forthwith roomed-in within thirty (30) minutes:
  - (i) well infants regardless of age gestation; and
  - (ii) infants with low birth weights but who can suck.
- b) **Deliveries by Caesarian.** Infants delivered by caesarian section shall be roomed-in and breastfed within three (3) to four (4) hours after birth;
- c) **Deliveries outside Health Institutions.** Newborns delivered outside health institutions whose mothers have been admitted to the obstetrics department/unit and who both meet the general conditions, shall be roomed-in and breastfed immediately;

- d) Infants whose condition do not permit rooming-in and breastfeeding as determined by the attending physician; and
- e) Infants whose mothers are either:
  - (i) seriously ill;
  - (ii) taking medications contraindicated to breastfeeding;
  - (iii) violent psychotics; and
  - (iv) whose conditions do not permit breastfeeding and rooming-in as determined by the attending physician.

**SECTION 392. ESTABLISHMENT OF LACTATION STATION.** – It is hereby mandated that all health and non-health facilities, establishments or institutions shall establish lactation stations. The lactation stations shall be adequately provided with the necessary equipment and facilities, such as: lavatory for hand washing, unless there is an easily-accessible lavatory nearby refrigeration or appropriate cooling facilities for storing expressed breastmilk; electrical outlets for breast pumps; a small table; comfortable seats; and other items. The lactation station shall not be located in the toilet.

In addition, all health and non-health facilities, establishments or institutions shall take strict measures to prevent any direct or indirect form of promotion, marketing, and/or sales of infant formula and/or breastmilk substitutes within the lactation stations, or in any event or circumstances which may be conducive to the same. Apart from the said minimum requirements, all health and non-health facilities, establishments or institutions may provide other suitable facilities or services within the lactation station.

It shall be the duty of the employer to provide a breastfeeding room prescribed by the monitoring team, and in accordance with the provisions of the Labor Code for women workers/employees, to allow mothers to express their milk for their infants at home. It shall also be the duty of the employer to allow mothers or customers transacting business in their establishment to breastfeed their babies in their facility.

**SECTION 393. INFORMATION DISSEMINATION AND EDUCATIONAL PROGRAMS OF PREGNANT WOMEN AND WOMEN OF REPRODUCTIVE AGE.** – During the prenatal, perinatal and postnatal consultations and/or confinements of the mothers or pregnant women in a health institution and the health worker to immediately

and continuously teach, train and support the women on current and updated lactation management and infant care, through participatory strategies such as organization of mothers' clubs and breastfeeding support groups and to distribute written information materials on such matters free of charge. The Department of Health develop and provide breastfeeding programs for working mothers whose employees are encouraged to avail of it as part of their human resource development programs.

Employers are also highly encouraged to develop breastfeeding or lactation support programs which main functions are to assess the needs of lactating employees with adequate information regarding lactation management in the form of brochures, pamphlets and other educational materials.

**SECTION 394. CONTINUING EDUCATION, RE-EDUCATION AND TRAINING OF HEALTH WORKERS AND HEALTH INSTITUTIONS.** – The City Health Office with the help of other government agencies, professional and non-governmental organizations shall conduct continuing information, education, re-education, and training programs for physicians, nurses, midwives, nutritionist-dieticians, community health workers and traditional birth attendants (TBAs) and other health worker on current and updated lactation management.

Information materials shall be given to all health workers involved in maternal and infant care health institutions.

**SECTION 395. IMPLEMENTING AGENCY.** – The City Health Office shall be principally responsible for the implementation and enforcement of the provisions of this Ordinance.

**SECTION 396. RULES AND REGULATIONS.** – The City Health Office (CHO) as the lead agency, in coordination with the City Legal Office, the City Social Welfare and Development Office, Local School Board, the Department of the Interior and Local Government, non-governmental organizations concerned, shall issue within sixty (60) days upon its effectivity the rules and regulations necessary to carry out the provisions of this Ordinance.

- a) **Mechanisms for Enforcement** – Compliance with this Ordinance shall be a requirement for the granting and/or renewal of business license and permits. For this purpose, the Business Permits and Licensing Office (BPLO) shall deny new or renewal applications or business licenses and

permits without the certification by the City Health Office certifying compliance with this Ordinance.

- b) **Monitoring** – The CHO and the BPLO are hereby authorized to conduct regular visitation and inspection of the breastfeeding room to ensure faithful compliance of this Ordinance.

In coordination with other agencies involved in the implementation of the Ordinance, the CHO shall adopt such appropriate monitoring guidelines used by the national, regional and provincial levels. It shall likewise provide regular training, on monitor and compliance and enforcement, and violations for all persons engaged in or volunteering in monitoring and implementation of the Ordinance. The CHO may request for the assistance of non-government organizations, civil society and other concerned agencies in order to better monitor the implementation of the rules.

The City Government shall create a Monitoring Team composed of the following:

- (i) City Health Office;
- (ii) Business and Permit Licensing Office;
- (iii) Non-Government Organization;
- (iv) Civil Society such as the Batangas Medical Center (BatMC), KALIPI, and other civic organizations; and
- (v) Office of the City Engineer

Generally, the monitoring team shall prescribe the list of establishment or institutions required to provide breastfeeding station/corner as well as the number of breastfeeding station/corners needed per area or per establishment.

Other functions of the monitoring team include:

- (i) Monitor compliance as well as problems encountered in the implementation of the Ordinance;
- (ii) Review/act on reports of violations of the provisions of the Ordinance;
- (iii) Recommend sanctions or punitive actions for the violations of the Ordinance; and
- (iv) Submit regular reports on the status of the implementation of the Ordinance.

**SECTION 397. PENALTY FOR VIOLATION OF THIS ORDINANCE.** – Any person, association, partnership or corporation or any health institution who shall violate any of the provisions of this Ordinance be subject to the following penalties:

- a) First (1<sup>st</sup>) Offense: Warning
- b) Second (2<sup>nd</sup>) Offense: Fine of Five Thousand Pesos (Php 5,000.00)
- c) Third (3<sup>rd</sup>) Offense: Fine of Five Thousand Pesos (Php 5,000.00) and revocation or cancellation of business permit or license to operate.

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# ARTICLE XIII: YOUTH AND SPORTS DEVELOPMENT

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**WHEREAS**, the declared principles of Republic Act 11470 provides that the State recognizes the vital role of the youth in nation-building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being that towards this end, the State shall establish a national sports program which shall promote physical education and encourage sports programs that shall foster self-discipline, teamwork, and excellence for the development of a healthy and alert citizenry and develop athletes with a strong sense of patriotism and love of country;

**WHEREAS**, positive youth development is a strength-based conception of development in which children and adolescents are viewed as having resources to be developed rather than just problems to be solved;

**WHEREAS**, youth advancement is significantly anchored in the development of potential youth leadership and the promotion of their moral, physical, intellectual and social well-being including sports development vital physical activity to the holistic development of young people that fosters physical, social, and emotional health; and

**WHEREAS**, the Batangas City Government envisions to provide leadership and youth development with the promotion of sports in the City as both the youth and sports are integral part in community building.

# CHAPTER I

## ADOLESCENT AND YOUTH HEALTH COUNCIL

**SECTION 398. DECLARATION OF POLICY.** – It is hereby declared the policy of Batangas City Government to establish a council for adolescent and youth health with mandated functions and duties for the promotion of positive youth development.

**SECTION 399. DEFINITION OF TERMS.** – For purposes of this Batangas City Ordinance on Adolescent and Youth Health Council, these terms shall be defined as follows:

- a) **Academic Institutions** – list of public and private schools/universities who participated in the Strategic Planning Workshop on Adolescent-Youth Health and Development (AYHD) held in Estrellas de Mendoza, Laiya, San Juan, Batangas last June 2014 spearheaded by the Provincial Health Office of Batangas;
- b) **Adolescents** – refers to the young people whose age range from ten to nineteen (10-19) years old which is under the transition of childhood to adulthood (according to World Health Organization' s definition);
- c) **Adolescent-Friendly Health Services** – WHO defined quality dimension for adolescent: available, accessible, acceptable, appropriate, equitable and effective. Both health care providers and support staff should respect and protect the adolescents' rights to information, privacy, confidentiality, non-discrimination and non-judgmental attitude and respect;
- d) **AYH** – Adolescent and Youth Health;
- e) **AYHDP** – Adolescent and Youth Health and Development Program;
- f) **Civil Society Organizations** – refers to non-government organizations (NGOs), People's Organizations (POs), professional associations, faith-based organizations, indigenous peoples' organizations and other

citizens' groups which are non-profit and have mandate to promote and protect the health and welfare of the adolescents and youth;

- g) **Peer Educators** – refers to young people (students and out-of-school youth) trained on Peer Education who will undertake informal or organized educational activities with their peers;
- h) **Reproductive Health** – refers to the state of complete physical, mental and social well-being, and not merely the absence of disease or infirmity, in all matters relating to reproductive system and to its functions and processes. The Adolescent and Youth Health Council will promote and protect the health of adolescents and youth including reproductive health information and education to reduce teenage pregnancy in Batangas City, as well as referral to Batangas City Health Office and its Health Centers for appropriate adolescent-friendly health care services;
- i) **Service Delivery Network** – refers to the network of health facilities providers within Batangas City offering a core package of health care services for adolescents and youth in an integrated and coordinated manner. SDN is an instrument to improve, strengthen service delivery and ensure continuity of health services for families, across political and geographical boundaries;
- j) **Technical Working Group (TWG)** – shall serve as the implementing arm of the Council that ensures the operationalization of the strategic plans and other decisions agreed by the Council;
- k) **Teen Pregnancy** – the number of adolescents who visited any of the six main health centers in Batangas City for pre-natal checkup prior to their deliveries; and
- l) **Youth** – refers to young people whose age range from fifteen to twenty-four (15-24) years old.

**SECTION 400. COMPOSITION OF ADOLESCENT AND YOUTH HEALTH COUNCIL.** – The Adolescent and Youth Health Council shall be composed of the following:

- a) Chairperson : City Mayor
- b) Co- Chairperson : City Health Officer
- c) Members : *Sangguniang Panlungsod* Chairperson  
 Committee on Health  
*Sangguniang Panlungsod* Chairperson  
 Committee on Youth and Sports  
 Development  
 Batangas City Health Office  
 Representative  
 City Social Welfare and Development  
 Officer  
 President, Association of Barangay  
 Council  
 Civil Society Organization  
 International NGOs  
 Youth Organizations  
 City Council for Youth Affairs Office  
 Department of Education Batangas City  
 Schools Division Superintendent  
 Academic Institutions will be consisted  
 but not limited to the following:
- (i) Colegio ng Lungsod ng  
Batangas (CLB)
  - (ii) Batangas State University  
(BSU)
  - (iii) Lyceum of the Philippines  
University (LPU)
  - (iv) University of Batangas (UB)
  - (v) St. Bridget's College (SBC)
  - (vi) Golden Gate College (GGC)
  - (vii) Technical/Vocational Schools  
and Institutions

**SECTION 401. DUTIES AND FUNCTIONS OF THE ADOLESCENT AND YOUTH HEALTH COUNCIL.** – The Council shall immediately convene and have the following functions:

- a) Serves as the policy-making body for Adolescent Youth Health and Development Program (AYHDP) in the City of Batangas;
- b) Oversee the Technical Working Group for guidance and technical assistance; and
- c) Promote and protect the health of the adolescents and youth in Batangas City through information, education and appropriate referral for adolescent-friendly health services.

**SECTION 402. PRIVATE SECTOR INVOLVEMENT.** – In the spirit of this Ordinance, the private sector is deemed to be a vital partner in the coordination, implementation and delivery of services, maintenance of quality-assured products and services, as well as in resource mobilization, monitoring and evaluation and pursuing sustainability of the Adolescent Youth Health and Development Program (AYHDP). As such, a public-private partnership shall be organized consisting of the following:

- a) Adolescent Health Youth (AYH) Coordinators, Program Managers of public health facilities in Batangas City;
- b) Health Service providers trained on Adolescent/Youth Health, both from public and private sector;
- c) Trained Peer Educators among students and Out-of-School Youth;
- d) Representatives of private sector with programs on Adolescent, Youth and Health; and
- e) Representatives of Civil Society Organizations.

**SECTION 403. APPROPRIATION.** – The City Mayor in his discretion may appropriate funds under the City Health Office in the Annual and Supplemental Budget of each calendar year for the effective implementation of this Ordinance.

## **CHAPTER II PHYSICAL FITNESS AND SPORTS DEVELOPMENT COUNCIL**

**SECTION 404. DECLARATION OF POLICY.** – It is hereby declared the policy of the City of Batangas to create, implement, develop and sustain programs which shall uphold the value of health and fitness among its people through the conduct of physical fitness and sports activities. Along with this, the City of Batangas is duty bound to encourage sports enthusiasm and camaraderie among its people, especially the youth, and to promote the nationwide competitiveness of the City in terms of sports development.

**SECTION 405. PURPOSES.** – The purposes of this Ordinance include:

- a) The Creation of a Council that shall serve as the unified and integrated policy-making body to carry out the mandate of this Ordinance; and
- b) The accreditation of the respective physical fitness groups and sports organizations in the City of Batangas to assist the Council in accomplishing the mandate of this Ordinance.

**SECTION 406. DEFINITION OF TERMS.** – For purposes of this Ordinance, the following terms shall be understood in this manner:

- a) **Council** – shall refer to the Batangas City Physical Fitness and Sports Development Council;
- b) **Physical Fitness Program** – shall refer to a stage of good health and well-being of an individual which is generally achieved through physical activity and exercise, correct nutrition, enough rest, and stress management and relaxation.

For the purpose of this Ordinance, physical fitness shall focus on the achievement of a state of good health through physical activity and exercise. This physical activity and exercise only include physical fitness training that are being performed by a group in a regular basis such as aerobics, zumba dances and the like. Hence, Physical Fitness

Program includes standard and consistent policies and plans for the development of the aforementioned fitness training and to encourage wide participation of the community.

- c) **Sports Development Program** – activities which are based on physical athleticism or physical dexterity which includes, but not limited to, basketball, volleyball, softball, baseball, badminton, tennis, marathon, sprint, swimming and such other sports that are being played in sports leagues or competitions.

Sports Development Program shall be initiated to lay down standardized and consistent policies and programs for the development of all kinds of sports as aforementioned by organizing and hosting sports events, training athletes and coaches, supplementing the sports funds, providing adequate sports facilities, researching for modern approach on sports developmental strategies, and such other programs relevant thereto.

- a) **Physical Fitness Groups** – these include all formally organized groups of individuals in the City that are formed to execute physical fitness activities as cited in paragraph (b) of this Section.

To be formally organized, such physical fitness groups need not be registered in any government agencies nor accredited by any institutions in the country, provided, that the group shall submit itself for accreditation of the Council in accordance with the Implementing Rules and Regulations of this Ordinance.

**SECTION 407. OBJECTIVES OF THE COUNCIL.** – The Batangas City Physical Fitness and Sports Development Council shall have the following objectives:

- a) Foster physical fitness, self-discipline, teamwork and excellence for the development of a healthy and active community through a unified physical fitness and sports development program;
- b) Encourage wide and unified participation of all sectors, government and private, in sports and amateur sports promotion and development in the City; and

- c) Allocate funds for physical fitness and sports development activities in the City.

**SECTION 408. COMPOSITION AND FUNCTIONS OF THE COUNCIL.** – The Council shall be composed of three (3) divisions namely:

- a) **The Executive Board.** The Executive Board of the Council shall be composed of the City Mayor as the Chairperson, and the Chairperson of the Committee on Sports and Development of the *Sangguniang Panlungsod*, the President of the Association of Barangay Captains, the City Schools Superintendent, and the Chief of the Philippine National Police (PNP) of Batangas City, as Members. The Executive Board shall perform the following functions:
  - (i) Ensure that the objectives of this Ordinance shall be carried out.
  - (ii) Formulate the implementing rules and regulations of this Ordinance.
  - (iii) Supervise the activities and the performance of the Secretariat and the Program Coordinators.
  - (iv) Approve the policies to be laid down by the Program Coordinators.
  - (v) Perform such other function necessary to carry out the objectives of this Ordinance.
- b) **The Secretariat.** The Secretariat of the Council shall be composed of at least seven (7) members of whom three (3) are representatives of the Office of the City Council for Youth Affairs (CCYA) and four (4) members from the City Planning and Development Office. The Chairman of the Council shall appoint members of the Secretariat for a term of three (3) years. The Secretariat shall perform the following functions:
  - (i) Act as the Administrative Coordinator of the Council to document all the programs and undertakings of the Council.

- (ii) Prepare notices of meetings, minutes, agenda and accomplishment reports.
  - (iii) Keep records of all the programs and activities of the Council, and
  - (iv) Perform all other duties that may be assigned by the Executive Board.
- c) **The Program Coordinators.** The Program Coordinators of the Council shall be composed of at least ten (10) members from the recognized physical fitness groups and sports organizations to be endorsed by their respective groups and organizations and appointed by the Executive Board for a term of three (3) years. ***Provided, however,*** that there shall be equal representation of the physical fitness groups and sports organizations in the City. The Program Coordinators shall perform the following functions:
- (i) Propose plans for the conduct of physical fitness activities or sports events to the Council;
  - (ii) Formulate and submit the policies governing specific events to be hosted by the Council to the Executive Board;
  - (iii) Organize events approved by the Council;
  - (iv) Assist the Council in the full implementation of this Ordinance; and
  - (v) Perform such other functions that are necessary to carry out the objectives of this Ordinance.

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# TITLE III: FINAL PROVISIONS

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## ARTICLE XIV PENALTY IMPOSABLE BY THE COURTS

**SECTION 409. GENERAL PENALTY.** – Any person or persons who violate any of the provisions of this Code where there is no specific penalty or the rules or regulations promulgated by the authority of this Code shall upon conviction, be punished by a fine of not less than One Thousand Pesos (Php 1,000.00) nor more than Five Thousand Pesos (Php 5,000.00), or imprisonment of not less than one (1) month nor more than six (6) months, or both, at the discretion of the Court.

## ARTICLE XV FINAL PROVISIONS

**SECTION 410. SCOPE AND COVERAGE.** – The codified Ordinances shall be enforced within the territorial and political jurisdiction of Batangas City applicable to all persons, natural or juridical, employers and employees, whether government or privately-owned, residing or doing business in Batangas City, and to all of the 105 barangays of Batangas City. This shall also cover pertained government offices and agencies, political entities, identified locations, all local markets, households and private and/or commercial establishments.

**SECTION 411. APPROPRIATION OF FUNDS.** – Except those Ordinances that specifically provide for funds, it shall be appropriated in the annual or supplemental budget of the City Government, amount sufficient for the effective implementation of this Code.

**SECTION 412. IMPLEMENTING RULES AND REGULATIONS.** – The City Mayor shall have the power to issue Implementing Rules and Regulations for the efficient and effective implementation of this Ordinance.

**SECTION 413. AMENDMENT AND INTEGRATION OF ADDITIONAL PROVISION.** – Any amendment to this Code may be introduced to the Chapter, Article or Section concerned. All ordinances or provisions thereof enacted subsequent to the date of effectivity of this Code shall be complied in such a way as to bear the

corresponding Title, Chapter, Article or Section to which such ordinance or provision pertains. Such new provision shall be integrated into the corresponding Title, Chapter, Article or Section whenever a new printing or reproduction of this Code is undertaken upon authorization of the *Sanggunian*.

**SECTION 414. SEPARABILITY CLAUSE.** – If for any reason or reasons, any Sections or Articles of this Code shall be held to be unconstitutional or invalid, other Sections or Articles not affected shall continue with full force or effect.

**SECTION 415. APPLICABILITY CLAUSE.** – The provisions of the Local Government Code of 1991, including its Implementing Rules and Regulations, not otherwise provided herein, shall be supplementary to this Code.

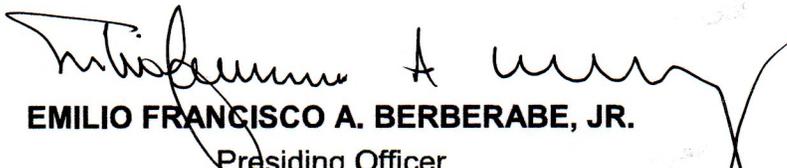
**SECTION 416. REPEALING CLAUSE.** – All ordinances, rules and regulations, or parts thereof, inconsistent with or in conflict with the provisions of this Code, shall be deemed repealed or modified accordingly.

**SECTION 417. EFFECTIVITY CLAUSE.** – This Code shall take effect fifteen (15) days after its publication with a newspaper of general circulation in the Province of Batangas.

**ENACTED** by the *Sangguniang Panlungsod* of Batangas this 17th day of August 2021.

  
**ATTY. OLIVA D. TELEGATOS**  
Secretary

**ATTESTED:**

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

**APPROVED:**

  
**BEVERLEY ROSE A. DIMACUHA**  
City Mayor

**Date Approved:** SEP 02 2021

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# APPENDICES

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- APPENDIX A:** Sangguniang Panlungsod Council Members (2010-2022)
- APPENDIX B:** Committee on Codification (2010-2022)
- APPENDIX C:** List of Codified Ordinances
- APPENDIX D:** List of Legal References
- APPENDIX E:** Annex “A” *Pulong Bato* Marine Protected Area
- APPENDIX F:** Annex “B” Technical Description of *Pulong Bato* Marine Protected Area
- APPENDIX G:** Ordinance No. 30 S. 2019

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**APPENDIX A: SANGGUNIANG  
PANLUNGSOD OF BATANGAS  
COUNCIL MEMBERS  
(2010-2022)**

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**JULY 2007 – JUNE 2010**

Hon. JOSE Y. TOLENTINO  
City Vice Mayor

Hon. CARMELA H. ATIENZA  
Hon. RICARDO A. AMBIDA  
Hon. JULIAN B. VILLENA  
Hon. RENATO C. CRUZ  
Hon. ELOISA ANGELA DL PORTUGAL  
Hon. MANUEL S. ACLAN  
Hon. GERARDO A. DELA ROCA  
Hon. MARIO VITTORIO A. MARIÑO  
Hon. LUISA F. MACARAIG  
Hon. NESTOR E. DIMACUHA  
City Councilors

Hon. VILMA SEVERINA A. DIMACUHA  
ABC Representative

Hon. KHRISTIAN RAFAEL S. MONTALBO  
SK Representative

**JULY 2010 – JUNE 2013**

Hon. JOSE Y. TOLENTINO  
City Vice Mayor

Hon. DEXTER R. BUTED  
Hon. HAMILTON G. BLANCO  
Hon. MA. CLAUDETTE U. AMBIDA  
Hon. MARIO VITTORIO A. MARIÑO  
Hon. ELOISA ANGELA DL PORTUGAL  
Hon. LUISA F. MACARAIG  
Hon. ELIZALDE M. FERRIOLS  
Hon. ARMANDO C. LAZARTE  
Hon. NARCISO B. MACARANDANG  
Hon. SERGIE REX M. ATIENZA  
City Councilors

Hon. PRUDENCIO A. CEPILLO  
ABC Representative

Hon. RICHARD I. CABATAY  
SK Representative

**JULY 2013 – JUNE 2016**

Hon. EMILIO FRANCISCO A. BERBERABE JR.  
City Vice Mayor

Hon. AILEEN GRACE A. MONTALBO  
Hon. GLENN M. ALDOVER  
Hon. SERGIE REX M. ATIENZA  
Hon. HAMILTON G. BLANCO  
Hon. ALYSSA RENEE A. CRUZ  
Hon. MA. CLAUDETTE U. AMBIDA  
Hon. MARIA KRISTINE JOSEFINA G. BALMES  
Hon. ARMANDO C. LAZARTE  
Hon. JULIAN B. VILLENA  
Hon. GERARDO A. DELA ROCA  
City Councilors

Hon. ANGELITO "DONDON" A. DIMACUHA  
ABC Representative

**JULY 2016 – JUNE 2019**

Hon. EMILIO FRANCISCO A. BERBERABE JR.  
City Vice Mayor

Hon. AILEEN GRACE A. MONTALBO  
Hon. GLENN M. ALDOVER (July 2016 – October 10, 2018)

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 (November 07, 2018 – June 2019)  
City Councilors

Hon. ANGELITO “DONDON” A. DIMACUHA  
ABC Representative

**JULY 2019 – JUNE 2022**

Hon. EMILIO FRANCISCO A. BERBERABE JR.  
City Vice Mayor

Hon. ALYSSA RENEE A. CRUZ-ATIENZA

Hon. AILEEN GRACE A. MONTALBO

Hon. NESTOR E. DIMACUHA

Hon. KARLOS EMMANJUEL A. BUTED

Hon. GERARDO A. DELA ROCA

Hon. OLIVER Z. MACATANGAY

Hon. NELSON J. CHAVEZ

Hon. JULIAN B. VILLENA

Hon. JULIAN PEDRO M. PASTOR – (July 2019 – April 04, 2020)

Hon. ISIDRA M. ATIENZA

Hon. MARIA ALETH A. LAZARTE

Hon. LORENZO A. GAMBOA, JR.

Hon. MICHAEL THOMAS T. PASTOR (May 26, 2020 – June 2022)

City Councilors

Hon. ANGELITO “DONDON” A. DIMACUHA

ABC Representative

Hon. MARJORIE A. MANALO

SK Representative

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## **APPENDIX B: COMMITTEE ON CODIFICATION (2010 – 2022)**

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## **Committee on Codification (2010 – 2022)**

**2010 – 2013**

### **Chairperson:**

Coun. Elizalde M. Ferriols

### **Members:**

Coun. Hamilton G. Blanco

Coun. Sergie Rex M. Atienza

Coun. Dexter R. Buted

Coun. Luisa F. Macaraig

**2013– 2016**

### **Chairperson:**

Coun. Ma. Kristine Josefina G. Balmes

### **Members:**

Coun. Richard I. Cabatay

Coun. Hamilton G. Blanco

**2016 – 2019**

### **Chairperson:**

Coun. Nestor E. Dimacuha

### **Members:**

Coun. Hamilton G. Blanco

Coun. Sergie Rex M. Atienza

**2019 – 2022**

### **Chairperson:**

Coun. Lorenzo A. Gamboa

### **Members:**

Coun. Nestor E. Dimacuha

Coun. Karlos Emmanjuel A. Buted

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# APPENDIX C: LIST OF CODIFIED ORDINANCES

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**ARTICLE I: ENVIRONMENT**

**CHAPTER I**

**ORDINANCE NO. 16 S. 2020**

**AN ORDINANCE FURTHER EXPANDING THE FISHERY REFUGE AND SANCTUARY AREA IN PULONG BATO AND NALAYAG POINT, ISLA VERDE, BATANGAS CITY AMENDING FOR THE PURPOSE ORDINANCE NO. 13 S. 2002 “ORDINANCE DECLARING PULONG BATO IN SAN AGAPITO AND NALAYAG POINT IN SAN AGUSTIN KANLURAN BOTH IN ISLA VERDE, BATANGAS CITY A FISHERY REFUGE AND SANCTUARY, ITS UTILIZATION, MANAGEMENT, PROTECTION AND CONSERVATION”, AS AMENDED**

**Date Approved:** July 01, 2020

**ORDINANCE NO. 17 S. 2018**

**AN ORDINANCE AMENDING SECTION 11 OF ORDINANCE NO. 4 S. 2007 AS AMENDED OTHERWISE KNOWN AS “ORDINANCE DECLARING PULONG BATO IN SAN AGAPITO AND NALAYAG POINT IN SAN AGUSTIN KANLURAN BOTH IN ISLA VERDE, BATANGAS CITY A FISHERY REFUGEE AND SANCTUARY, ITS UTILIZATION, MANAGEMENT, PROTECTION AND CONSERVATION”**

**Sponsor:** Hon. Sergie Rex M. Atienza

**Co-sponsor:** All City Councilors

**Date Approved:** November 29, 2018

**ORDINANCE NO. 4 S. 2007**

**AMENDMENTS TO THE “ORDINANCE DECLARING PULONG BATO IN SAN AGAPITO AND NALAYAG POINT IN SAN AGUSTIN KANLURAN BOTH IN ISLA VERDE, BATANGAS CITY A FISHERY REFUGE AND SANCTUARY, ITS UTILIZATION, MANAGEMENT, PROTECTION AND CONSERVATION”**

**Sponsor:** Coun. Renato C. Cruz

**Co-sponsor:** Vice Mayor Jose Y. Tolentino and All City Councilors

**Date Approved:** April 11, 2007

**ORDINANCE NO. 13 S. 2002**

**AN ORDINANCE DECLARING PULONG BATO IN SAN AGAPITO AND NALAYAG POIJT IN SAN AGUSTIN KANLURAN BOTH IN ISLA VERDE, BATANGAS CITY A FISHERY REFUGE AND SANCTUARY, ITS UTILIZATION, MANAGEMENT, PROTECTION AND CONSERVATION**

**Sponsor:** Coun. Manuel S. Aclan

**Date Approved:** August 19, 2002

**CHAPTER II**  
**ORDINANCE NO. 20 S. 2018**  
**AN ORDINANCE ESTABLISHING SEWAGE AND SEPTAGE MANAGEMENT FOR**  
**THE CITY OF BATANGAS AND PRESCRIBING PENALTIES FOR VIOLATION**  
**THEREOF**

**Sponsor:** Coun. Nestor E. Dimacuha  
**Co-Sponsor:** Coun. Alyssa Renee Cruz Atienza | Coun. Armando C. Lazarte  
Coun. Aileen Grace A. Montalbo | Coun. Julian Pedro M. Pastor  
Coun. Hamilton G. Blanco | Coun. Oliver Z. Macatangay  
Coun. Karlos Emmanjuel A. Buted | Coun. Julian B. Villena  
Coun. Gerardo A. Dela Roca | Coun. Nelson J. Chavez  
Coun. Angelito “Dondon” Dimacuha | Coun. Marjorie A. Manalo  
**Date Approved:** Dec.7, 2018

**CHAPTER III**  
**ORDINANCE NO. 5 S. 2016**  
**AN ORDINANCE PROVIDING FOR GRANTS AND SUPPORT TO THE BANTAY**  
**DAGAT TASK FORCE OR DEPUTIZED FISH WARDENS OF BATANGAS CITY IN**  
**RECOGNITION TO THEIR CONTINUOUS AND INVALUABLE EFFORT FOR THE**  
**PROTECTION OF THE MARINE ECOLOGY OF THE CITY AND PROVIDING FUNDS**  
**THEREOF**

**Sponsor:** Coun. Sergie Rex M. Atienza  
**Co-Sponsor:** Coun. Julian Villena | Coun. Gerardo Dela Roca  
**Date Approved:** March 21, 2016

**CHAPTER IV**  
**ORDINANCE NO. 13 S. 2011**  
**AN ORDINANCE DECLARING A FISHERY REFUGE AND SANCTUARY IN**  
**BARANGAY ILIJAN, BATANGAS CITY, ITS UTILIZATION, MANAGEMENT,**  
**PROTECTION AND CONSERVATION**

**Sponsor:** Coun. Sergie Rex M. Atienza  
**Co-Sponsor:** Coun. Alyssa Renee Cruz Atienza | Coun. Armando C. Lazarte  
Coun. Aileen Grace A. Montalbo | Coun. Julian Pedro M. Pastor  
Coun. Hamilton G. Blanco | Coun. Oliver Z. Macatangay  
Coun. Karlos Emmanjuel A. Buted | Coun. Julian B. Villena  
Coun. Gerardo A. Dela Roca | Coun. Nelson J. Chavez  
Coun. Angelito “Dondon” A. Dimacuha | Coun. Marjorie A. Manalo  
**Date Approved:** Nov. 29, 2018

## **ARTICLE II: ETHICS AND GOOD GOVERNMENT**

### **CHAPTER I**

#### **ORDINANCE NO. 7 S. 2016**

**AN ORDINANCE INITIATING A SYSTEM OF PARTNERSHIP BETWEEN THE CITY GOVERNMENT OF BATANGAS AND NON-GOVERNMENT ORGANIZATIONS IN BATANGAS CITY TO ENCOURAGE AND FOSTER PEOPLE’S PARTICIPATION IN LOCAL GOVERNANCE OTHERWISE KNOWN AS “BATANGAS CITY EMPOWERMENT ORDINANCE”**

**Author:** Coun. Sergie Rex M. Atienza

**Sponsor:** Committee on Laws, Rules and Regulations

**Date Approved:** May 2, 2016

### **CHAPTER II**

#### **ORDINANCE NO. 32 S. 2011**

**AN ACT GRANTING HONORARIUM TO ALL SK KAGAWAD OF BATANGAS CITY**

**Sponsor:** Coun. Narciso B. Macarandang

**Co-Sponsors:** Coun. Claudette U. Ambida | Coun. Eloisa Angela DL Portugal  
Coun. Armando C. Lazarte | Coun. Richard I. Cabatay | Coun. Sergie Rex M. Atienza

Coun. Elizalde M. Ferriols, Jr. | Coun. Prudencio A. Cepillo

**Date Approved:** Nov.9, 2011

**ARTICLE III: GAMES AND AMUSEMENT**

**CHAPTER I**

**ORDINANCE NO. 29 S. 2019**

**AN ORDINANCE GRANTING A FRANCHISE TO COMMON GAMES CORPORATION TO BROADCAST LIVE AND DATA STREAMED COCKFIGHTING ACTIVITIES AND DERBIES AT COMMERCIAL ESTABLISHMENTS AND TO ESTABLISH, OPERATE AND MAINTAIN AN OFF-SITE COCKPIT BETTING STATION WITHIN THE JURISDICTION OF THE CITY OF BATANGAS**

**Sponsor:** Coun. Julian B. Villena | Coun. Nestor E. Dimacuha

**Co- Sponsor:** Coun. Isidra M. Atienza | Coun. Karlos Emmanjuel A. Buted  
Coun. Oliver Z. Macatangay

**Date Approved:** December 17, 2019

## ARTICLE IV: HEALTH

### CHAPTER I

#### ORDINANCE NO. 10 S. 2018

#### AN ORDINANCE ADOPTING REPUBLIC ACT NO. 9482, OTHERWISE KNOWN AS THE ANTI-RABIES ACT OF 2007 AND PROVIDING GUIDELINES FOR ITS EFFECTIVE IMPLEMENTATION IN THE CITY OF BATANGAS

**Sponsor:** Coun. Sergie Rex M. Atienza

**Co-Sponsor:** Coun. Alyssa Renee Cruz Atienza | Coun. Armando C. Lazarte  
Coun. Aileen Grace A. Montalbo | Coun. Glenn M. Aldover | Coun. Hamilton G. Blanco  
Coun. Oliver Z. Macatangay | Coun. Karlos Emmanjuel A. Buted  
Coun. Julian B. Villena | Coun. Gerardo A. Dela Roca | Coun. Nelson J. Chavez  
Coun. Nestor E. Dimacuha | Coun. Angelito “Dondon” A. Dimacuha  
Coun. Marjorie A. Manalo

**Date Approved:** Nov 5, 2018

### CHAPTER II

#### ORDINANCE NO. 6 S. 2017

#### ORDINANCE PROMOTING A DRUG-FREE BATANGAS CITY, PROVIDING SANCTIONS THEREOF, AND FOR OTHER PURPOSES

**Author:** Coun. Angelito “Dondon” A. Dimacuha | Coun. Armando C. Lazarte

**Co-Author:** Vice Mayor Emilio Francisco A. Berberabe Jr.  
Coun. Aileen Grace A. Montalbo | Coun. Glenn M. Aldover |  
Coun. Sergie Rex M. Atienza | Coun. Alyssa Renee A. Cruz | Coun. Hamilton G. Blanco  
Coun. Oliver Z. Macatangay | Coun. Karlos Emmanjuel A. Buted  
Coun. Julian B. Villena | Coun. Gerardo A. Dela Roca | Coun. Nestor E. Dimacuha  
Coun. Nelson J. Chavez

**Date Approved:** August 22, 2017

### CHAPTER III

#### ORDINANCE NO. 19 S. 2016

#### AN ORDINANCE CREATING THE BATANGAS CITY MULTI-SECTORAL SEXUALLY TRANSMITTED INFECTION (STI), HUMAN IMMUNODEFICIENCY VIRUS (HIV) AND ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS) COUNCIL AND ITS TECHNICAL WORKING GROUP FOR THE PREVENTION AND CONTROL OF STI, HIV AND AIDS DEFINING ITS FUNCTIONS, PROVIDING RESPONSE, APPROPRIATING FUNDS AND OTHER RELATED PURPOSES

**Sponsor:** Coun. Glenn M. Aldover

**Co-Sponsor:** All City Councilors

**Date Approved:** March 2, 2017

**CHAPTER IV**  
**ORDINANCE NO. 2 S. 2015**  
**ORDINANCE CREATING THE BATANGAS CITY EPIDEMIOLOGICAL**  
**SURVEILLANCE UNIT UNDER THE BATANGAS CITY HEALTH OFFICE AND**  
**DIRECTING ALL STAKEHOLDERS TO REPORT ALL NOTIFIABLE DISEASES AND**  
**OTHER IMPORTANT HEALTH DATA NECESSARY IN THE PRIORITIZATION AND**  
**IMPLEMENTATION OF HEALTH PROGRAMS AND PROJECTS IN THE CITY OF**  
**BATANGAS**

**Sponsor:** Coun. Glenn M. Aldover  
**Co- Sponsor:** All City Councilors  
**Date Approved:** March 5, 2017

**CHAPTER V**  
**ORDINANCE NO. 1 S. 2012**  
**AN ACT PROHIBITING SMOKING IN BATANGAS CITY AND FOR OTHER**  
**PURPOSES OTHERWISE KNOWN AS ANTI-SMOKING ORDINANCE OF 2012**

**Sponsor:** Coun. Narciso B. Macarandang  
**Date Approved:** March 8, 2017

**CHAPTER VI**  
**ORDINANCE NO. 17 S. 2010**  
**ORDINANCE ENFORCING ALL FOOD AND BUSINESS ESTABLISHMENTS AND**  
**DRUGSTORES TO FOLLOW STRICT MEASURES ON FOOD AND DRUG SAFETY**  
**FOR THE HEALTH AND WELFARE OF CONSUMING PUBLIC AND IMPOSING**  
**PENALTIES FOR VIOLATION THEREOF AND FOR OTHER PURPOSES**

**Sponsor:** All City Councilors  
**Date Approved:** Dec. 22, 2010

**ARTICLE V: HUMAN RIGHTS**

**CHAPTER I  
ORDINANCE NO. 6 S. 2012  
BATANGAS CITY ANTI-TRAFFICKING ORDINANCE OF 2012**

**Sponsor:** Coun. Narciso B. Macarandang  
**Date Approved:** July 11, 2012

**CHAPTER II  
ORDINANCE NO. 7 S. 2009  
AN ORDINANCE FOR THE CREATION OF BATANGAS CITY COUNCIL AGAINST  
HUMAN TRAFFICKING**

**Sponsor:** All City Councilors  
**Date Approved:** Aug. 19, 2009

## **ARTICLE VI: PEACE AND ORDER**

### **CHAPTER I**

#### **ORDINANCE NO. 11 S. 2019**

#### **AN ORDINANCE REGULATING THE SALE, MANUFACTURE, DISTRIBUTION AND USE OF FIRECRACKERS AND OTHER PYROTECHNIC DEVICES IN THE CITY OF BATANGAS, AND IMPOSING PENALTIES FOR VIOLATION THEREOF AND FOR OTHER PURPOSES**

**Sponsor:** Coun. Armando C. Lazarte | Coun. Angelito “Dondon” A. Dimacuha

**Co-Sponsor:** Coun. Sergie Rex M. Atienza | Coun. Hamilton G. Blanco

Coun. Aileen Grace A. Montalbo | Coun. Julian Pedro M. Pastor

Coun. Alyssa Renee A. Cruz | Coun. Oliver Z. Macatangay

Coun. Karlos Emmanjuel A. Buted | Coun. Julian B. Villena

Coun. Gerardo A. Dela Roca | Coun. Nestor E. Dimacuha | Coun. Nelson J. Chavez

Coun. Marjorie A. Manalo

**Date Approved:** May 06, 2019

### **CHAPTER II**

#### **ORDINANCE NO. 27 S. 2012**

#### **AN ACT REQUIRING PROACTIVE MEASURES TO BE UNDERTAKEN FOR THE PEACE AND SECURITY OF FINANCIAL INSTITUTION INCLUDING PAWNSHOPS, MONEY CHANGING SHOPS AND SIMILAR LENDING INSTITUTIONS IN BATANGAS CITY**

**Author:** Coun. Narciso B. Macarandang

**Co-Author:** Coun. Mario Vittorio A. Mariño | Coun. Eloisa Angela DL Portugal

Coun. Claudette U. Ambida | Coun. Armando C. Lazarte

**Date Approved:** Dec. 17, 2012

**CHAPTER III  
ORDINANCE NO. 10 S. 2012  
ANTI-SOCIAL BEHAVIOR ORDINANCE 2012 OF BATANGAS CITY**

**Author:** Coun. Narciso B. Macarandang

**Date Approved:** Aug. 22, 2012

**CHAPTER IV  
ORDINANCE NO. 2 S. 2012  
AN ACT REQUIRING ALL SHOPPING CENTERS OR MALLS TO PROVIDE  
PROVISIONS FOR THE PEACE AND ORDER AND SAFETY OF THE PUBLIC AND  
FOR OTHER PURPOSES**

**Author:** Coun. Narciso B. Macarandang

**Date Approved:** Apr. 12, 2012

**CHAPTER V  
ORDINANCE NO. 30 S. 2011  
AN ORDINANCE CREATING THE ANTI-DRUG ABUSE COUNCIL (ADAC) OF  
BATANGAS CITY AND APPROPRIATING FUNDS THEREOF**

**Author:** Coun. Armando C. Lazarte

**Date Approved:** Oct. 27, 2011

**ARTICLE VII: PUBLIC WORKS AND ENGINEERING**

**CHAPTER I**

**ORDINANCE NO. 1 S. 2019**

**AN ACT REQUIRING ELECTRIC POWER DISTRIBUTORS, TELECOMMUNICATION COMPANIES, CABLE TELEVISION SERVICE PROVIDERS AND OTHER SIMILAR UTILITY COMPANIES TO RELOCATE SERVICE POLES FROM INSIDE PORTIONS OF HIGHWAYS, NATIONAL ROADS AND MAJOR THOROUGHFARES TO THE OUTERMOST SIDE OF THE ROAD RIGHT-OF-WAY**

**Author:** Coun. Gerardo A. Dela Roca

**Date Approved:** Feb. 28, 2019

**ARTICLE VIII: SOCIAL CONTINGENCY RESPONSE MEASURES**

**CHAPTER I**

**ORDINANCE NO. 28 S. 2020**

**AN ORDINANCE WAIVING THE MARKET RENTAL FEES OF STALL HOLDERS ENGAGED IN THE BUSINESS OF SELLING NON-ESSENTIAL PRODUCTS IN THE PUBLIC MARKET OF BATANGAS (01 SEPTEMBER TO 31 DECEMBER 2020)**

**Sponsor:** Coun. Alyssa Renee A. Cruz

**Co-Sponsor:** Coun. Oliver Z. Macatangay | Coun. Gerardo A. Dela Roca

**Date Approved:** Sept. 21, 2020

**CHAPTER II**

**ORDINANCE NO. 25 S. 2020**

**AN ORDINANCE PROHIBITING ACTIONS AND ACTIVITIES WHICH CAN IMPEDE COVID-19 CONTACT TRACING, IMPOSING PENALTIES FOR VIOLATION THEREOF AND FOR OTHER PURPOSES**

**Authors:** Vice Mayor Emilio Francisco A. Berberabe Jr. | Coun. Nelson J. Chavez  
Coun. Oliver Z. Macatangay | Coun. Maria Aleth A. Lazarte | Coun. Nestor E. Dimacuha

**Date Approved:** August 20, 2020

**CHAPTER III**

**ORDINANCE NO. 24 S. 2020**

**AN ORDINANCE PROHIBITING MALICIOUS AND WILLFUL PROPAGATION OF FALSE INFORMATION WHICH CAN SOW FEAR, ANXIETY AND PANIC TO THE PUBLIC IMPOSING PENALTIES FOR VIOLATION THEREOF AND FOR OTHER PURPOSES**

**Author:** Coun. Aileen Grace A. Montalbo | Coun. Lorenzo A. Gamboa Jr.

**Co-Author:** Coun. Nestor E. Dimacuha

**Date Approved:** August 12, 2020

**CHAPTER IV**

**ORDINANCE NO. 23 S. 2020**

**AN ORDINANCE PRESCRIBING STRICTER PENALTIES FOR THE VIOLATION OF HEALTH PROTOCOLS ON PHYSICAL DISTANCING AND MASS GATHERINGS**

**Author:** Coun. Oliver Z. Macatangay

**Date Approved:** August 5, 2020

**CHAPTER V**  
**ORDINANCE NO. 21 S. 2020**  
**AN ORDINANCE PROVIDING FOR CURFEW HOURS IN BATANGAS CITY AND**  
**PROVIDING PENALTIES FOR VIOLATION THEREOF**

**Authors:** Vice Mayor Emilio Francisco A. Berberabe Jr. | All City Councilors  
**Date Approved:** July 29, 2020

**CHAPTER VI**  
**ORDINANCE NO. 20 S. 2020**  
**AN ORDINANCE PROHIBITING THE SALE AND CONSUMPTION OF ALCOHOLIC**  
**BEVERAGES IN BATANGAS CITY DURING PANDEMICS AND SIMILAR**  
**CALAMITIES, PROVIDING PENALTIES FOR VIOLATION THEREOF, AND FOR**  
**OTHER PURPOSES**

**Author:** Coun. Maria Aleth A. Lazarte  
**Date Approved:** July 29, 2020

**CHAPTER VII**  
**ORDINANCE NO. 18 S. 2020**  
**AN ORDINANCE WAIVING THE MEDICAL EXAMINATION CERTIFICATE FEES OF**  
**INDIVIDUALS IN THE DURATION OF THE COMMUNITY QUARANTINE IN THE CITY**  
**OF BATANGAS**

**Author:** Coun. Alyssa Renee A. Cruz  
**Co-Author:** Vice Mayor Emilio Francisco A. Berberabe Jr.  
Coun. Gerardo A. Dela Roca | Coun. Oliver Z. Macatangay  
Coun. Aileen Grace A. Montalbo | Coun. Nestor E. Dimacuha  
Coun. Karlos Emmanjuel A. Buted | Coun. Nelson J. Chavez | Coun. Julian B. Villena  
Coun. Isidra M. Atienza | Coun. Maria Aleth A. Lazarte | Coun. Lorenzo A. Gamboa Jr.  
Coun. Angelito “Dondon” A. Dimacuha | Coun. Marjorie A. Manalo  
**Date Approved:** July 1, 2020

**CHAPTER VIII**  
**ORDINANCE NO. 14 S. 2020**  
**AN ORDINANCE WAIVING THE MARKET RENTAL FEES OF STALL HOLDERS**  
**AFFECTED BY THE GENERAL COMMUNITY QUARANTINE FOR THE DURATION**  
**OF THE GENERAL COMMUNITY QUARANTINE IN THE CITY OF BATANGAS AND**  
**THREE MONTHS THEREAFTER**

**Authors:** Coun. Alyssa Renee A. Cruz | Coun. Gerardo A. Dela Roca  
**Date Approved:** June 29, 2020

**CHAPTER IX**  
**ORDINANCE NO. 13 S. 2020**  
**AN ORDINANCE ALLOWING AND PROMOTING CONTACTLESS TRANSACTION**  
**AND ONLINE REMITTANCE OF CONTRIBUTIONS/PAYMENTS AND ACCEPTANCE**  
**OF GOVERNMENT TAXES FROM OTHER ONLINE PLATFORMS/FACILITIES AND**  
**THEREFORE AUTHORIZING THE CITY TREASURER TO OPEN AN E-**  
**GOVERNMENT SAVINGS ACCOUNT WITH THE DEVELOPMENT BANK OF THE**  
**PHILIPPINES FOR SUCH PURPOSES**

**Sponsor:** Coun. Alyssa Renee A. Cruz  
**Date Approved:** June 17, 2020

**CHAPTER X**  
**ORDINANCE NO. 12 S. 2020**  
**AN ORDINANCE ADOPTING THE GUIDELINES FOR THE IMPLEMENTATION**  
**OF THE GENERAL COMMUNITY QUARANTINE IN BATANGAS CITY**  
**PROVIDING PENALTIES FOR VIOLATION THEREOF**  
**AND FOR OTHER PURPOSES**

**Author:** Vice Mayor Emilio Francisco A. Berberabe Jr. | Coun. Alyssa Renee A. Cruz  
Coun. Gerardo A. Dela Roca | Coun. Oliver Z. Macatangay  
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Coun. Karlos Emmanjuel A. Buted | Coun. Nelson J. Chavez | Coun. Julian B. Villena  
Coun. Isidra M. Atienza | Coun. Maria Aleth A. Lazarte | Coun. Lorenzo A. Gamboa Jr.  
Coun. Angelito “Dondon” A. Dimacuha | Coun. Marjorie A. Manalo  
**Date Approved:** May 20, 2020

**CHAPTER XI**  
**ORDINANCE NO. 10 S. 2020**  
**AN ORDINANCE WAIVING THE MARKET RENTAL FEES FOR STALL HOLDERS**  
**ENGAGED IN THE BUSINESS OF SELLING NON-ESSENTIAL PRODUCTS**  
**AND GRANTING 25% DISCOUNT FOR STALL HOLDERS ENGAGED**  
**IN THE BUSINESS OF SELLING ESSENTIAL PRODUCTS IN THE PUBLIC**  
**MARKETS OF BATANGAS CITY FOR THE DURATION OF THE ENHANCED**  
**COMMUNITY QUARANTINE IN THE CITY OF BATANGAS**

**Author:** Coun. Alyssa Renee A. Cruz | Coun. Oliver Z. Macatangay  
**Date Approved:** May 11, 2020

**CHAPTER XII**  
**ORDINANCE NO. 9 S. 2020**  
**AN ORDINANCE PROVIDING INTERIM REGULATIONS FOR THE OPERATION OF**  
**PUBLIC TRANSPORT IN BATANGAS CITY DURING THE PERIOD OF COMMUNITY**  
**QUARANTINE, PROVIDING PENALTIES FOR VIOLATION THEREOF, AND FOR**  
**OTHER PURPOSES**

**Author:** Coun. Nestor E. Dimacuha  
**Date Approved:** May 11, 2020

**CHAPTER XIII**  
**ORDINANCE NO. 8 S. 2020**  
**AN ORDINANCE ADOPTING THE GUIDELINES FOR THE IMPLEMENTATION OF**  
**THE ENHANCED COMMUNITY QUARANTINE, PROVIDING PENALTIES FOR**  
**VIOLATION THEREOF, AND FOR OTHER PURPOSES**

**Author:** Coun. Oliver Z. Macatangay | Coun. Maria Aleth A. Lazarte  
**Co-Authors:** Vice Mayor Emilio Francisco A. Berberabe, Jr.  
Coun. Alyssa Renee A. Cruz | Coun. Aileen Grace A. Montalbo  
Coun. Nestor E. Dimacuha | Coun. Karlos Emmanjuel A. Buted  
Coun. Gerardo A. Dela Roca | Coun. Nelson J. Chavez | Coun. Julian B. Villena  
Coun. Isidra M. Atienza | Coun. Lorenzo A. Gamboa Jr.  
Coun. Angelito “Dondon” A. Dimacuha | Coun. Marjorie A. Manalo  
**Date Approved:** April 23, 2020

**CHAPTER XIV**  
**ORDINANCE NO. 6 S. 2020**  
**AN ORDINANCE REQUIRING THE INSTALLATION OF HAND WASHING STATIONS**  
**AND FOOTBATH OR FOOT SOAK IN ALL PUBLIC AND PRIVATE**  
**ESTABLISHMENTS IN BATANGAS CITY, PROVIDING PENALTIES FOR**  
**VIOLATION THEREOF AND FOR OTHER PURPOSES**

**Author:** Coun. Lorenzo A. Gamboa Jr.  
**Co- Authors:** Vice Mayor Emilio Francisco A. Berberabe, Jr.  
Coun. Alyssa Renee A. Cruz | Coun. Aileen Grace A. Montalbo  
Coun. Nestor E. Dimacuha | Coun. Karlos Emmanjuel A. Buted  
Coun. Gerardo A. Dela Roca | Coun. Oliver Z. Macatangay | Coun. Nelson J. Chavez  
Coun. Julian B. Villena | Coun. Isidra M. Atienza | Coun. Maria Aleth A. Lazarte  
Coun. Angelito “Dondon” A. Dimacuha | Coun. Marjorie A. Manalo  
**Date Approved:** April 23, 2020

**CHAPTER XV**  
**ORDINANCE NO. 5 S. 2020**  
**PROVIDING FOR THE PROTECTION OF HEALTH WORKERS AND OTHER**  
**FRONTLINE WORKERS, PATIENTS OF INFECTIOUS DISEASES AND THEIR**  
**FAMILIES FROM DISCRIMINATION, SOCIAL STIGMATIZATION, AND PUBLIC**  
**SHAMING, PROVIDING PENALTIES THEREFOR AND FOR OTHER PURPOSES**

**Author:** Coun. Nelson J. Chavez

**Co-Authors:** Vice Mayor Emilio Francisco A. Berberabe, Jr.  
Coun. Alyssa Renee A. Cruz | Coun. Aileen Grace A. Montalbo  
Coun. Nestor E. Dimacuha | Coun. Karlos Emmanjuel A. Buted  
Coun. Gerardo A. Dela Roca | Coun. Oliver Z. Macatangay | Coun. Julian B. Villena  
Coun. Isidra M. Atienza | Coun. Maria Aleth A. Lazarte | Coun. Lorenzo A. Gamboa, Jr.  
Coun. Angelito “Dondon” A. Dimacuha | Coun. Marjorie A. Manalo

**Date Approved:** April 8, 2020

**CHAPTER XVI**  
**ORDINANCE NO. 4 S. 2020**  
**AN ORDINANCE REQUIRING THE WEARING OF FACE MASK, PROVIDING**  
**PENALTIES FOR VIOLATION THEREOF AND FOR OTHER PURPOSES**

**Author:** Coun. Oliver Z. Macatangay

**Date Approved:** April 8, 2020

**ARTICLE IX: SOCIAL WELFARE**

**CHAPTER I**

**ORDINANCE NO. 9 S. 2019**

**AN ORDINANCE MANDATING THE ENFORCEMENT OF PRE-EMPTIVE AND FORCED EVACUATION DURING EMERGENCY SITUATIONS CAUSED BY NATURAL OR MAN-MADE DISASTERS AND PROVIDING GUIDELINES THEREOF**

**Sponsor:** Coun. Gerardo A. Dela Roca

**Date Approved:** April 15, 2019

**CHAPTER II**

**ORDINANCE NO. 5 S. 2019**

**AN ORDINANCE CREATING ENHANCEMENT, MONITORING AND INCENTIVE PROGRAM FOR DULY REGISTERED COOPERATIVES IN THE CITY OF BATANGAS AND PROVIDING FOR FUNDS THEREOF**

**Author:** Coun. Sergie Rex M. Atienza

**Date Approved:** Apr. 8, 2019

**CHAPTER III**

**ORDINANCE NO. 17 S. 2017**

**AN ORDINANCE ALLOWING AND REQUIRING ALL CINEMA OWNERS AND OPERATORS WITHIN THE TERRITORIAL JURISDICTION OF BATANGAS CITY TO APPEND IN THEIR THEATER TICKETS, PHP 2.00 TO SUPPORT THE VISION AND MISSION OF THE BOY SCOUTS OF THE PHILIPPINES, BATANGAS CITY COUNCIL**

**Author:** Coun. Sergie Rex M. Atienza | Coun. Alyssa Renee A. Cruz

**Co-Author:** Coun. Armando C. Lazarte | Coun. Aileen Grace A. Montalbo  
Coun. Glenn M. Aldover | Coun. Hamilton G. Blanco | Coun. Oliver Z. Macatangay  
Coun. Karlos Emmanjuel A. Buted | Coun. Julian B. Villena  
Coun. Gerardo A. Dela Roca | Coun. Nestor E. Dimacuha  
Coun. Nelson J. Chavez | Coun. Angelito "Dondon" A. Dimacuha

**Date Approved:** November 14, 2017

**ORDINANCE NO. 25 S. 2016**

**AN ORDINANCE ALLOWING AND REQUIRING ALL CINEMA OWNERS AND OPERATORS WITHIN THE TERRITORIAL JURISDICTION OF BATANGAS CITY TO APPEND IN THEIR THEATER TICKETS, PHP 4.00 COVERING THE PERIOD NOVEMBER 9, 2016 TO MAY 7, 2017 TO SUPPORT THE OPERATION, PROGRAMS AND ACTIVITIES OF THE BOY SCOUTS OF THE PHILIPPINES, BATANGAS CITY COUNCIL**

**Author:** Coun. Sergie Rex M. Atienza | Coun. Alyssa Renee A. Cruz

**Co-Author:** Coun. Aileen Grace A. Montalbo

**Date Approved:** February 10, 2017

**ORDINANCE NO. 23 S. 2015**

**AN ORDINANCE ALLOWING AND REQUIRING ALL CINEMA OWNERS AND OPERATORS WITHIN THE TERRITORIAL JURISDICTION OF BATANGAS CITY TO APPEND IN THEIR THEATER TICKETS, PHP 2.00 COVERING THE PERIOD NOVEMBER 9, 2015 TO MAY 7, 2016 TO SUPPORT THE OPERATION, PROGRAMS AND ACTIVITIES OF THE BOY SCOUTS OF THE PHILIPPINES, BATANGAS CITY COUNCIL**

**Sponsor:** Coun. Alyssa Renee Cruz- Atienza

**Co-Sponsor:** Coun. Claudete U. Ambida-Alday | Coun. Armando C. Lazarte  
Coun. Gerardo A. Dela Roca | Coun. Nestor E. Dimacuha

**Date Approved:** Nov.9, 2015

**ORDINANCE NO. 6 S. 2014**

**AN ORDINANCE ALLOWING AND REQUIRING ALL CINEMA OWNERS AND OPERATORS WITHIN THE TERRITORIAL JURISDICTION OF BATANGAS CITY TO APPEND IN THEIR THEATER TICKETS, PHP 2.00 COVERING THE PERIOD NOVEMBER 9, 2014 TO MAY 7, 2015 TO SUPPORT THE OPERATION, PROGRAMS AND ACTIVITIES OF THE BOY SCOUTS OF THE PHILIPPINES, BATANGAS CITY COUNCIL**

**Author:** Coun. Sergie Rex M. Atienza

**Co-Author:** Coun. Alyssa Renee Cruz-Atienza | Coun. Claudette U. Ambida

**Date Approved:** June 30, 2014

**CHAPTER IV**

**ORDINANCE NO. 19 S. 2014**

**AN ORDINANCE ALLOWING AND REQUIRING ALL CINEMA OWNERS AND OPERATORS WITHIN THE TERRITORIAL JURISDICTION OF BATANGAS CITY TO APPEND IN THEIR THEATER TICKETS, PHP 2.00 COVERING THE PERIOD MAY 8 TO NOVEMBER 8 AND EVERY YEAR THEREAFTER AS CONTRIBUTION TO THE PHILIPPINE RED CROSS BATANGAS CHAPTER**

**Sponsor:** Coun. Glenn M. Aldover

**Co-Sponsor:** All City Councilors

**Date Approved:** October 29, 2014

**CHAPTER V**  
**ORDINANCE NO. 18 S. 2012**  
**AN ORDINANCE GRANTING PERSONS WITH DISABILITY FREE MOVIE ACCESS**  
**TO ALL MOVIE THEATERS IN THE CITY OF BATANGAS**

**Author:** Coun. Claudette Ambida | Coun. Eloisa DL Portugal

**Co-Authors:** Coun. Narciso B. Macarandang | Coun. Armando C. Lazarte  
Coun. Mario Vittorio A. Mariño | Coun. Luisa F. Macaraig | Coun. Sergie Rex M. Atienza  
Coun. Prudencio A. Cepillo | Coun. Richard I. Cabatay

**Date Approved:** October 24, 2012

**ARTICLE X: TRADE, COMMERCE, INDUSTRY AND OPERATION OF MARKETS**

**CHAPTER I**

**ORDINANCE NO. 2 S. 2021**

**AN ORDINANCE AMENDING ORDINANCE NO. 30 S. 2019 OTHERWISE KNOWN AS “AN ORDINANCE ON COLLECTION OF CORRESPONDING BARANGAY CLEARANCE FEE IN THE APPLICATION FOR ANY BUSINESS-RELATED TRANSACTIONS”**

**Sponsor:** Coun. Alyssa Renee A. Cruz

**Co-sponsor:** Committee on Laws, Rules and Regulations

**Date Approved:** January 28, 2021

**ORDINANCE NO. 30 S. 2019**

**AN ORDINANCE ON COLLECTION OF CORRESPONDING BARANGAY CLEARANCE FEE IN THE APPLICATION FOR ANY BUSINESS-RELATED TRANSACTIONS**

**Sponsor:** Coun. Alyssa Renee A. Cruz

**Date Approved:** Dec. 23, 2019

**CHAPTER II**

**ORDINANCE NO. 10 S. 2015**

**AN ORDINANCE PRESCRIBING THE RULES AND REGULATIONS IN THE OPERATION OF TIANGGES, BARATILLOS, FLEA MARKETS, NIGHT MARKETS AND OTHER SEASONAL BUSINESSES AND IMPOSING PENALTIES FOR VIOLATIONS THEREOF**

**Sponsor:** Coun. Aileen Grace A. Montalbo | Coun. Sergie Rex M. Atienza

**Co-Sponsors:** Coun. Glenn M. Aldover | Coun. Claudette U. Ambida-Alday

Coun. Hamilton G. Blanco | Coun. Armando C. Lazarte

Coun. Alyssa Renee Cruz-Atienza | Coun. Gerardo A. Dela Roca

Coun. Ma. Kristine Josefina G. Balmes | Coun. Julian B. Villena

Coun. Nestor E. Dimacuha

**Date Approved:** July 20, 2015

**CHAPTER III**  
**ORDINANCE NO. 7 S. 2014**  
**AN ORDINANCE FURTHER AMENDING ORDINANCE NO. 19 S. 1996 AS**  
**AMENDED BY ORDINANCE NO. 7 S. 2007 “AN ACT REGULATING THE**  
**ESTABLISHMENT OF GASOLINE STATIONS AND FILLING STATIONS OF**  
**COMBUSTIBLE MATERIALS OR PRODUCTS WITHIN THREE HUNDRED METER**  
**RADIUS FROM ANY EXISTING GASOLINE STATION OF SIMILAR NATURE AND**  
**PROVIDING PENALTY FOR VIOLATION THEREOF”**

**Sponsor:** Coun. Alyssa Renee Cruz-Atienza  
**Date Approved:** June 30, 2014

**ORDINANCE NO. 7 S. 2007**  
**ORDINANCE AMENDING ORDINANCE NO. 19 S. 1996 OTHERWISE KNOWN AS**  
**“AN ACT REGULATING THE ESTABLISHMENT OF GASOLINE STATIONS AND**  
**FILLING STATIONS OF COMBUSTIBLE MATERIALS OR PRODUCTS WITHIN**  
**THREE HUNDRED METER RADIUS FROM ANY EXISTING GASOLINE STATION OF**  
**SIMILAR NATURE AND PROVIDING PENALTY FOR VIOLATION THEREOF”**

**Sponsor:** All City Councilors  
**Date Approved:** Nov. 6, 2007

**ORDINANCE NO. 19 S. 1996**  
**AN ACT REGULATING THE ESTABLISHMENT OF GASOLINE STATIONS AND**  
**FILLING STATIONS OF COMBUSTIBLE MATERIALS OR PRODUCTS WITHIN**  
**THREE HUNDRED METER RADIUS FROM ANY EXISTING GASOLINE STATION OF**  
**SIMILAR NATURE AND PROVIDING PENALTY FOR VIOLATION THEREOF**

**Sponsor:** Coun. Narciso B. Macarandang  
**Date Approved:** June 30, 2014

**CHAPTER IV**  
**ORDINANCE NO. 5 S. 2014**  
**AN ACT REGULATING THE ENTRY AND SALE OF IMPORTED MEAT AT LOCAL**  
**MARKETS IN BATANGAS CITY AND PROVIDING PENALTIES FOR VIOLATIONS**  
**THEREOF**

**Author:** Coun. Julian B. Villena  
**Date Approved:** June 30, 2014

**CHAPTER V**  
**ORDINANCE NO. 19 S. 2013**  
**AN ORDINANCE GRANTING FRANCHISE TO MRS. MELINDA C. SORIANO TO**  
**OPERATE A TALIPAPA IN BARANGAY TABANGAO AMBULONG, BATANGAS**  
**CITY**

**Author:** Coun. Aileen Grace A. Montalbo  
**Co-Sponsor:** Coun. Glenn M. Aldover | Coun. Armando C. Lazarte  
Coun. Sergie Rex M. Atienza | Coun. Prudencio A. Cepillo  
**Date Approved:** Dec.3, 2013

**RESOLUTION NO. 261 S. 2020**  
**APPROVING THE REQUEST OF MR. FLORANTE C. LAZARTE FOR A**  
**CERTIFICATION STATING THAT THE BUSINESS PROPRIETORSHIP “RANTE’S**  
**TALIPAPA” IS STILL COVERED BY A VALID LOCAL FRANCHISE**

**ORDINANCE NO. 1 S. 2011**  
**AN ORDINANCE GRANTING FRANCHISE TO MR. ISABELO DE CHAVEZ**  
**TO OPERATE AND MAINTAIN A TALIPAPA (PUBLIC MARKET)**  
**IN BARANGAY BALAGTAS, BATANGAS CITY**

**Author:** All City Councilors  
**Date Approved:** Mar. 08, 2011

**RESOLUTION NO. 206 S. 2017**  
**RESOLUTION GRANTING THE APPLICATION FOR RENEWAL OF FRANCHISE TO**  
**MR. ISABELO DE CHAVEZ TO OPERATE AND MAINTAIN A TALIPAPA (PUBLIC**  
**MARKET) IN BARANGAY BALAGTAS, BATANGAS CITY**

**ORDINANCE NO. 10 S. 2010**  
**AN ORDINANCE GRANTING FRANCHISE TO MR. CECILIO ALBERTO LAZARTE**  
**TO OPERATE A TALIPAPA IN BARANGAY LIBJO, BATANGAS CITY**

**Author:** Coun. Eloisa Angela DL Portugal | Coun. Narciso B. Macarandang  
Coun. Mario Vittorio A. Mariño | Coun. Armando C. Lazarte | Coun. Hamilton G. Blanco  
Coun. Claudette U. Ambida  
**Date Approved:** Nov. 10, 2010

**RESOLUTION NO. 207 S. 2017**  
**RESOLUTION GRANTING THE APPLICATION FOR RENEWAL OF FRANCHISE TO**  
**MR. CECILIO ALBERTO LAZARTE TO OPERATE AND MAINTAIN A TALIPAPA**  
**(PUBLIC MARKET) IN BARANGAY LIBJO, BATANGAS CITY**

## **ARTICLE XI: TRANSPORTATION**

### **CHAPTER I**

#### **ORDINANCE NO. 15 S. 2020**

#### **AN ORDINANCE AMENDING ORDINANCE NO. 12 SERIES OF 2019 OTHERWISE KNOWN AS “BATANGAS CITY BICYCLE ORDINANCE”**

**Author:** Coun. Nestor E. Dimacuha | Coun. Angelito “DonDon” A. Dimacuha

**Co-Sponsors:** Vice Mayor Emilio Francisco A. Berberabe, Jr  
and All City Councilors

**Date Approved:** June 29, 2020

#### **ORDINANCE NO. 12 S. 2019**

#### **AN ORDINANCE CREATING THE BATANGAS CITY BIKEWAYS COUNCIL (BCBC), ESTABLISHING THE INFRASTRUCTURE IN RELATION THERETO AND PROVIDING FOR RIGHTS, DUTIES AND OBLIGATION OF BICYCLE COMMUTERS AND FOR OTHER PURPOSES**

**Authors:** Vice Mayor Emilio Francisco A. Berberabe, Jr. | Coun. Hamilton G. Blanco  
Coun. Nestor E. Dimacuha | Coun. Angelito “Dondon” A. Dimacuha

**Co-Sponsors:** Coun. Sergie Rex M. Atienza | Coun. Aileen Grace A. Montalbo

Coun. Julian Pedro M. Pastor | Coun. Alyssa Renee A. Cruz

Coun. Oliver Z. Macatangay | Coun. Armando C. Lazarte

Coun. Karlos Emmanjuel A. Buted | Coun. Julian B. Villena

Coun. Gerardo A. Dela Roca | Coun. Nelson J. Chavez | Coun. Marjorie A. Manalo

**Date Approved:** June 27, 2019

**ARTICLE XII: WOMEN AND FAMILY**

**CHAPTER I**

**ORDINANCE NO. 4 S. 2016**

**ORDINANCE ADOPTING THE NEW EARLY CHILDHOOD CARE AND  
DEVELOPMENT AND CONVERTING DAY CARE SERVICES TO QUALITY EARLY  
CHILDHOOD CARE DEVELOPMENT**

**Sponsor:** Coun. Sergie Rex M. Atienza | Coun. Claudette U. Ambida-Alday

**Co-Sponsor:** All City Councilors

**Date Approved:** March 8, 2016

**CHAPTER II**

**ORDINANCE NO 7. S. 2015**

**COMPREHENSIVE ANTI-BULLYING ORDINANCE OF BATANGAS CITY**

**Sponsor:** Coun. Alyssa Renee Cruz- Atienza

**Co-Sponsor:** Coun. Glenn M. Aldover | Coun. Claudete U. Ambida-Alday

Coun. Hamilton G. Blanco | Coun. Aileen Grace A. Montalbo

Coun. Sergie Rex M. Atienza | Coun. Armando C. Lazarte

Coun. Gerardo A. Dela Roca | Coun. Ma. Kristine Josefina G. Balmes

Coun. Julian B. Villena | Coun. Angelito "Dondon" A. Dimacuha

**Date Approved:** June 1, 2015

**CHAPTER III**

**ORDINANCE NO. 9 S. 2012**

**AN ORDINANCE ADOPTING AND IMPLEMENTING THE PROVISIONS OF R.A. 9344  
SPECIFICALLY ON THE PRESCRIBED LOCAL JUVENILE INTERVENTION  
AND DIVERSION PROGRAMS, PROVIDING FUNDS THEREFOR,  
AND FOR OTHER PURPOSES**

**Author:** Coun. Narciso B. Macarandang

**Date Approved:** Aug.15, 2012

**CHAPTER IV**  
**ORDINANCE NO. 8 S. 2016**  
**AN ORDINANCE AMENDING ORDINANCE NO. 20 S. 2011, AN ORDINANCE**  
**REQUIRING ALL GOVERNMENT AND PRIVATE AGENCIES, OFFICES,**  
**ESTABLISHMENTS AND INSTITUTIONS IN THE CITY OF BATANGAS TO**  
**ESTABLISH BREASTFEEDING CORNER/ROOM IN THEIR**  
**OFFICE/ESTABLISHMENTS/INSITUTIONS AND PROVIDING THE MECHANISM**  
**FOR ENFORCEMENT AND PRESCRIBING PENALTIES FOR VIOLATION THEREOF**

**Author:** Coun. Claudette U. Ambida-Alday

**Co-Author:** All City Councilors

**Date Approved:** June 15, 2016

**ORDINANCE NO. 20 S. 2011**  
**AN ORDINANCE COMPELLING STRICT IMPLEMENTATION OF MOTHER-BABY**  
**FRIENDLY HEALTH INSTITUTIONS IN BATANGAS CITY FOR THE PROMOTION**  
**AND SUPPORT OF BREASTFEEDING POLICY IMPOSING PENALTIES**  
**FOR NON-COMPLIANCE THEREOF AND FOR OTHER PURPOSES**

**Author:** Coun. Claudette U. Ambida-Alday

**Co-Author:** All City Councilors

**Date Approved:** Aug. 15, 2011

**ARTICLE XIII: YOUTH AND SPORTS DEVELOPMENT**

**CHAPTER I**

**ORDINANCE NO. 3 S. 2016**

**AN ORDINANCE CREATING THE ADOLESCENT AND YOUTH HEALTH COUNCIL  
IN THE CITY OF BATANGAS**

**Sponsor:** Coun. Claudette U. Ambida-Alday

**Co-Sponsor:** All City Councilors

**Date Approved:** March 8, 2016

**CHAPTER II**

**ORDINANCE NO. 6 S. 2015**

**AN ORDINANCE CREATING THE BATANGAS CITY PHYSICAL FITNESS AND  
SPORTS DEVELOPMENT COUNCIL**

**Sponsor:** Coun. Armando C. Lazarte

**Co-Sponsor:** Coun. Glenn M. Aldover | Coun. Claudete U. Ambida-Alday

Coun. Hamilton G. Blanco | Coun. Alyssa Renee Cruz- Atienza

Coun. Sergie Rex M. Atienza | Coun. Gerardo A. Dela Roca

Coun. Ma. Kristine Josefina G. Balmes | Coun. Julian Villena

Coun. Angelito "Dondon" A. Dimacuha

**Date Approved:** May 25, 2015

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# **APPENDIX D: LIST OF LEGAL REFERENCES**

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- Department of Agriculture Administrative Order No. 10 Series of 2015 – The Implementing Rules and Regulations of Republic Act No. 8550 as Amended by Republic Act 10654
- Department of Education Order No. 40 Series of 2012 – Child Protection Policy
- Department of Health 2009 Annual Report: Fourmula One for Health
- Department of Health 3<sup>rd</sup> Edition National Epidemiology Center Manual of Procedures for the Philippine Integrated Disease Surveillance and Response
- Department of Health Administrative Order No. 2008-0009 – Adopting the 2008 Revised List of Notifiable Diseases, Syndromes, Health-Related Events and Conditions
- Department of Health Administrative Order No. 2013-0013 – National Policy and Strategic Framework on Adolescent Health and Development
- Department of Labor and Employment Department Order No. 102-10 Series of 2010 – Guidelines for the Implementation of HIV and AIDS Prevention and Control in the Workplace Program
- Department of Social Welfare and Development Administrative Order No. 02 Series of 2010 – Framework for Social Welfare Standards Development
- Executive Order 51 – Adopting a National Code of Marketing of Breastmilk Substitutes, Breastmilk Supplements and Related Products, Penalizing Violations Thereof, and for Other Purposes
- Executive Order No. 170 – Rationalizing and Harmonizing Traffic and Transportation Management Powers and Functions of Agencies in Metropolitan Manila and for Other Purposes
- Executive Order No. 26 – Providing for the Establishment of Smoke-Free Environments in Public and Enclosed Places
- Inter-Agency Task Force for the Management of Emerging Infectious Disease Resolutions Series of 2020
- National Privacy Commission Advisory No. 2020-04 – Guidelines on the Use of Closed-Circuit Television (CCTV) Systems
- Presidential Decree No. 856 – Code Sanitation of the Philippines
- Republic Act 3573 – Law on Reporting of Communicable Disease
- Republic Act 3720 – Food, Drug, and Cosmetic Act
- Republic Act 4136 – Land Transportation and Traffic Code
- Republic Act 5416 – Social Welfare Act of 1968
- Republic Act 6847 – The Philippine Sports Commission Act

- Republic Act 6972 – Barangay-Level Total Development and Protection of Children Act
- Republic Act 7183 – An Act Regulating the Sale, Manufacture, Distribution and Use of Firecrackers and Other Pyrotechnic Devices
- Republic Act 7192 – Women in Development and Nation Building Act
- Republic Act 7277 – Magna Carta for Disabled Persons
- Republic Act 7875 – National Health Insurance Act of 1995
- Republic Act 8504 – Philippine AIDS Prevention and Control Act of 1998
- Republic Act 8550 – The Philippine Fisheries Code of 1998
- Republic Act 9165 – Comprehensive Dangerous Drugs Act of 2002
- Republic Act 9200 – An Act Amending Republic Act Numbered Eighty-Five Hundred and Sixty (RA 8560) Otherwise Known as the Philippine Geodetic Engineering Act of 1998, and for Other Purposes
- Republic Act 9211 – Tobacco Regulation Act of 2003
- Republic Act 9262 – Anti-Violence Against Women and Their Children Act of 2004
- Republic Act 92961 – The Meat Inspection Code of the Philippines
- Republic Act 9344 – Juvenile Justice and Welfare Act of 2006
- Republic Act 9482 – Anti-Rabies Act of 2007
- Republic Act 9710 – The Magna Carta of Women
- Republic Act 10028 – Expanded Breastfeeding Promotion Act of 2009
- Republic Act 10410 – Early Years Act (EYA) of 2013
- Republic Act 10627 – Anti-Bullying Act of 2013
- Republic Act 10742 – Sangguniang Kabataan Reform Act of 2015
- Republic Act 10754 – An Act Expanding the Benefits and Privileges of Persons with Disability (PWD)
- Republic Act 11313 – Safe Spaces Act
- Republic Act 11332 – Mandatory Reporting of Notifiable Diseases and Health Events of Public Health Concern Act
- Republic Act 11470 – An Act Creating and Establishing the National Academy of Sports and Providing Funds Therefor

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**APPENDIX E: ANNEX “A”**  
***PULONG BATO* MARINE**  
**PROTECTED AREA**

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Republic of the Philippines  
BATANGAS CITY

Office of the Sangguniang Panlungsod

Tel. No. 722-0304

2

Continuation of Ordinance No. 16 S. 2020

**AN ORDINANCE AMENDING SECTION 2 OF ORDINANCE NO. 4 S. 2007 OTHERWISE KNOWN AS AMENDMENTS TO THE "ORDINANCE DECLARING PULONG BATO IN SAN AGAPITO AND NALAYAG POINT IN SAN AGUSTIN KANLURAN BOTH IN ISLA VERDE, BATANGAS CITY A FISHERY REFUGE & SANCTUARY, ITS UTILIZATION, MANAGEMENT, PROTECTION AND CONSERVATION"**

**Annex "A"**

Pulong Bato Marine Protected Area – Locally known to the people of Isla Verde and the neighboring town as Pulong Bato and Verde Wall among divers and dive resort operators. Situated along the coastal area of Barangay San Agapito, as indicated in the following map showing the expanded boundaries of the marine protected area (Figure 1), as bounded by the following coordinates specifying the allowed gears and activities within the zones (Table 1):



Figure 1. Map of the Pulong Bato Marine Protected Area.

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**APPENDIX F: ANNEX “B”  
TECHNICAL DESCRIPTION OF  
*PULONG BATO* MARINE  
PROTECTED AREA**

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Continuation of Ordinance No. 16 S. 2020

AN ORDINANCE AMENDING SECTION 2 OF ORDINANCE NO. 4 S. 2007 OTHERWISE KNOWN AS AMENDMENTS TO THE "ORDINANCE DECLARING PULONG BATO IN SAN AGAPITO AND NALAYAG POINT IN SAN AGUSTIN KANLURAN BOTH IN ISLA VERDE, BATANGAS CITY A FISHERY REFUGE & SANCTUARY, ITS UTILIZATION, MANAGEMENT, PROTECTION AND CONSERVATION"

Annex "B"

Table 1. Technical Description of Pulong Bato Marine Protected Area

Technical Description  
Pulong Bato MPA expansion

A) Sustainable Use Zone 01\_Hook and Line only

A-1) Allowed Fishing Gears: *Hook and Line only*

A-2) Allowed Human Activities: *eco-tourism*

| POINT | North      | East        | Notes |
|-------|------------|-------------|-------|
| 1     | 13.536448° | 121.101545° |       |
| 2     | 13.531176° | 121.100969° |       |
| 3     | 13.530922° | 121.104580° | *     |
| 4     | 13.536070° | 121.105045° | *     |

B) Sustainable Use Zone 02\_(HL, GN, Fish Trap, Traditional Spear Fishing)

B-1) Allowed Fishing Gears: *Hook and Line, Fish Trap, Traditional Spear Fishing*

B-2) Allowed Human Activities: *eco-tourism*

| POINT | North      | East        | Notes                 |
|-------|------------|-------------|-----------------------|
| 1     | 13.547981° | 121.095314° | coastline to sea      |
| 2     | 13.548108° | 121.097376° |                       |
| 3     | 13.548229° | 121.100355° |                       |
| 4     | 13.548299° | 121.102624° |                       |
| 5     | 13.539605° | 121.106502° |                       |
| 6     | 13.531510° | 121.110185° |                       |
| 7     | 13.523853° | 121.096051° |                       |
| 8     | 13.516085° | 121.081691° |                       |
| 9     | 13.525724° | 121.066861° |                       |
| 10    | 13.528514° | 121.070660° |                       |
| 11    | 13.530336° | 121.073190° |                       |
| 12    | 13.530848° | 121.073909° | coastline to point 01 |

C) Core Use Zone (No Take Zone)

C-1) NO TAKE ZONE

C-2) Allowed Human Activities: *eco-tourism*

| POINT | North      | East        | Notes |
|-------|------------|-------------|-------|
| 1     | 13.534213° | 121.101715° | *     |
| 2     | 13.532740° | 121.101571° |       |
| 3     | 13.532661° | 121.102523° | *     |
| 4     | 13.534130° | 121.102632° | *     |

note: \* - amended points from original

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**APPENDIX G:  
ORDINANCE NO. 30 S. 2019**

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**ARTICLE X: TRADE, COMMERCE, INDUSTRY AND OPERATION OF MARKETS**

**CHAPTER I**

**ORDINANCE NO. 30 S. 2019**

**AN ORDINANCE ON COLLECTION OF CORRESPONDING BARANGAY CLEARANCE FEE IN THE APPLICATION FOR ANY BUSINESS-RELATED TRANSACTIONS**

**“ANNEX A”**

**ORDINANSANG NAGTATAKDA NG SINGIL SA BARANGAY CLEARANCE AT NAGBIBIGAY KAPANGYARIHAN SA PANLUNGSOD NA INGAT-YAMAN NA KOLEKTAHIN ANG BARANGAY CLEARANCE FEE AT MAG-ISYU NG BARANGAY CLEARANCE**

| <b>BARANGAY</b> | <b>BARANGAY ORDINANSA BILANG</b>              |
|-----------------|---|
| Alangilan       | Barangay Ordinansa Blg. 001 S. 2020           |
| Balagtas        | Barangay Ordinansa Blg. 02 S. 2019            |
| Balete          | Barangay Ordinansa Blg. 1 Serye 2020          |
| Banaba Center   | Barangay Ordinansa Blg. 05 S. 2019            |
| Banaba Ibaba    | Barangay Ordinansa Blg. 03 S. 2020            |
| Banaba West     | Barangay Ordinansa Blg. 03 S. 2019            |
| Bilogo          | Barangay Ordinansa Blg. 02 S. 2019            |
| Bolbok          | Barangay Ordinansa Blg. 01 S. 2019            |
| Bucal           | Barangay Ordinansa Blg. 01 Serye 2020         |
| Calicanto       | Barangay Ordinansa Blg. 03 Serye 2019         |
| Concepcion      | Ordinansang Pambarangay Blg. 5-2019           |
| Conde Labac     | Barangay Ordinansa Bilang - 01 Serye 2019     |
| Cuta            | Barangay Ordinansa Blg. 01 S. 2019            |
| Dumuclay        | Ordinansa ng Barangay Bilang 01 Serye ng 2020 |
| Gulod Itaas     | Ordinansa ng Barangay Blg. 3 Serye ng 2019    |
| Gulod Labac     | Barangay Ordinansa Blg. 05 S. 2019            |
| Kumintang Ibaba | Barangay Ordinansa Blg. 1 S. 2019             |
| Kumintang Ilaya | Barangay Ordinansa Blg. 08 S. 2019            |
| Libjo           | Barangay Ordinansa Blg. 1 Serye 2019          |
| Maapaz          | Barangay Ordinansa Blg. 01 S. 2020            |

|                   |  |
|-------------------|--|
| Mabacong          | Barangay Ordinansa Blg 01 Serye 2020         |
| Mahabang Dahilig  | Barangay Ordinansa Blg. 1 S. 2020            |
| Mahabang Parang   | Barangay Ordinansa Blg. 04 S. 2019           |
| Mahacot Kanluran  | Barangay Ordinansa Blg. 1 S 2020             |
| Mahacot Silangan  | Barangay Ordinansa Blg. 01 S 2020            |
| Malalim           | Barangay Ordinansa Blg. 01 S. 2020           |
| Pagkilatan        | Barangay Ordinance No. 01 Serye 2020         |
| Paharang Kanluran | Barangay Ordinansa Blg. 03 S 2019            |
| Pallocan East     | Barangay Ordinansa Blg. 02 Serye 2019        |
| Pobalacion 17     | Barangay Ordinansa Blg. 1 S. 2019            |
| Poblacion 01      | Barangay Ordinansa Blg. 01 Serye 2020        |
| Poblacion 02      | Barangay Ordinansa Blg. 01 S. 2019           |
| Poblacion 03      | Barangay Ordinansa Blg. 3 S. 2019            |
| Poblacion 04      | Barangay Ordinansa Blg. 02 Serye 2020        |
| Poblacion 05      | Barangay Ordinansa Blg. 1 S. 2019            |
| Poblacion 06      | Ordinansang Pambarangay Bilang 01 Serye 2020 |
| Poblacion 07      | Barangay Ordinansa Blg. 05 S. 2019           |
| Poblacion 08      | Barangay Ordinansa Blg. 02 S. 2019           |
| Poblacion 09      | Barangay Ordinansa Blg. 1 S. 2019            |
| Poblacion 10      | Barangay Ordinansa Blg. 02 S. 2019           |
| Poblacion 11      | Barangay Ordinansa Blg. 004 S. 2019          |
| Poblacion 12      | Barangay Ordinansa Blg. 2 S. 2019            |
| Poblacion 13      | Barangay Ordinansa Blg. 1 S. 2019            |
| Poblacion 14      | Barangay Ordinansa Blg. 03 S. 2019           |
| Poblacion 15      | Barangay Ordinansa Blg. 003 S. 2019          |
| Poblacion 16      | Barangay Ordinansa Blg. 03 S. 2019           |
| Poblacion 18      | Barangay Ordinansa Blg. 01 S. 2019           |
| Poblacion 19      | Barangay Ordinansa Blg. 03 S. 2019           |
| Poblacion 20      | Barangay Ordinansa Blg. 01 S. 2019           |
| Poblacion 22      | Barangay Ordinansa Blg. 02 S. 2019           |
| Sampaga           | Barangay Ordinansa Bilang - 01 Serye 2019    |
| San Isidro        | Barangay Ordinansa Blg. ____ S. 2019         |
| San Jose Sico     | Ordinansa Blg. 03 S. 2019                    |
| San Miguel        | Ordinansa Blg. 25 S. 2019                    |
| San Pedro         | Ordinansa Blg. 03 S 2019                     |
| Sorosoro Ibaba    | Barangay Ordinansa Blg. 1 S. 2020            |
| Sorosoro Ilaya    | Barangay Ordinansa Blg. 4 S. 2020            |
| Sorosoro Karsada  | Barangay Ordinansa Blg. 1 S. 2020            |
| Sta. Clara        | Barangay Ordinansa Blg. 5 S. 2019            |
| Sta. Rita Aplaya  | Barangay Ordinansa Bilang 2 Serye 2019       |
| Tabangao Aplaya   | Barangay Ordinansa Blg. 01 S. 2019           |
| Talumpok Kanluran | Barangay Ordinansa Bilang - 01 Serye 2019    |
| Talumpok Silangan | Barangay Ordinansa Bilang 2 Serye 2019       |
| Tinga Labac       | Barangay Ordinansa Blg. 2 S. 2019            |
| Tulo              | Barangay Ordinansa Blg. 4 S. 2019            |

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# PHOTO GALLERY

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Photos from SP Batangas Lakbay-Aral.



Another active participation of SP employees on the Batangas City Foundation Day Celebration-Street and Court Dance Competition (2017).





Kariktan @50: Sangguniang Panlungsod ng Batangas Street and Court Dance participants in celebration of Batangas City Foundation Day 2019.



Sangguniang Panlungsod ng Batangas was awarded as DILG-PCL Local Legislative Awards 2019 National Winner for Component Cities Category.