



Republic of the Philippines
Tanggapan ng Sangguniang Panlungsod
City of Naga



ORDINANCE NO. 92-048

THE REVISED HEALTH AND SANITARY CODE OF NAGA CITY

CHAPTER I - GENERAL PROVISIONS

SECTION 1. – Title: This ordinance shall be known as the “REVISED SANITARY CODE OF NAGA CITY” and shall hereafter be known as the code:

SECTION 2. – Pursuant to the declared policy of the state, to safeguard life, promote the health, public safety and public welfare to this end, this code is enacted.

SECTION 3. – Definition of Term: As used in this ordinance the following words and phrases shall mean and be construed as indicated:

- a) Agricultural products – include the yield of the soil, such as corn, rice, wheat, rye, hay, coconuts, sugarcane, tobacco, root crops, vegetables, fruits and the like and their by products: ordinary salt, sugar, honey, all kind of fish, poultry, livestock and animal products whether in their original form or when preserved in a more convenient and marketable form through the simple processes of freezing, drying, salting, smoking, stripping and bottling;
- b) Bakery Shall refer to a place for baking bread, cakes and the like and/or a shop for retailing or selling the same;
- c) Bed Space refers to a bed set in a room or any space in a house, building or structure where any students, working minor or who rents sleeping space in a house, building or structure of a consideration payable in money or services, or any combination of money, goods or services;
- d) Commercial pigpen is one which is used to house three or more pigs either for breeding purposes or for trade and commerce;
- e) Communicable disease mean such or shall include any disease that may be transferred from one person to another or from animals to person;
- f) Creek shall mean and include any flowing rivulet or stream of water, normally smaller than a river and larger than a brook;
- g) Cooked Foods – shall refer to all kinds of foods and drinks that are cooked and/or mixed, intended to be sold to the general public such as but not limited to rice, biands, corn, ripe bananas, barbecue, log-log, lugaw, peanuts, pakwan seeds and peas, dinuguan, gulaman, fruit juice, other ready mix drinks, and the like, including sliced pineapple, pakwan and similar fruits peeled and/or sliced for sale;
- h) Ditch and canal shall mean and include any natural or man made elongated excavations for the purpose of allowing the passage of water;
- i) Domestic pigpen is one where there are less than three pigs irrespective of size and the purpose of such is to rear them for their consumption;

- j) Dry goods and articles shall include but not limited to school supplies and uniform, all kinds of shirts and pants, children shoes, foot wear, leather-craft, socks ready made dresses and clothing's, kitchen wares, and accessories, metal and stone crafts, handicrafts and the like;
- k) Dwelling shall mean 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 herein after defined shall not be regarded as dwelling;
- l) Dwelling unit or premises when used in this code shall be construed through they are follow by the words or any parts thereof;
- m) Employee shall mean any person who handles food or drink preparation for serving or one who comes in contact with any eating or cooking utensil who is employed in a room in which food or drink is prepared or served;
- n) Estero shall mean and include estuaries which are affected by water from a river and by the tide whether natural or man made;
- o) Garbage shall include to refuse of such animals, or vegetables matters or food supplies are where originally intended for human food but have been rejected or left over after such used. Carrion or died animals, dung, manure, or feces, offal or waste parts of butchered animals or refused or slaughter houses shall be considered as garbage;
- p) Health Officer means the City Health Officer of Naga City or authorized representative;
- q) Hotel shall mean a building where transient and guest are received without stipulated engagements as to duration of their stay and are provided with and charged for meals, lodging and such services and attention as necessary and incidental to use of such place as temporary abode;
- r) Itinerant restaurant shall mean one operating for a temporary period in connection with a fair, carnival, circus, public exhibition or other similar gathering or traveling restaurant;
- s) Lodging houses shall mean a building or portion thereof which is leased to be occupied are residence of one or more families for a temporary period;
- t) Nuisance shall be anything that annoys, offends, irritates, or is injurious to health;
- u) Person shall mean any natural person, firm, corporation or association;
- v) Plaza shall mean and include a public square, a park and/or a plot of ground dedicated to the use of the general public;
- w) Public places shall mean and include any place of government owned and operated property dedicated to the use of the general public;
- x) Public Market shall mean and include any place owned and operated by the government where people meet for the purpose of buying and/or selling, such as goods, merchandise, wares, and the like;
- y) Public road, street and/or highway, sidewalk shall mean and include any way open to the use of the public or whatever nature, which the law makes open to the use of all to pass, whether a carriage way, a thorough fare, a bridge, road pavement, road shoulder, embankments, right of way, ferry, drainage, structure and landscaping work;

AA.) River – shall mean and include any natural stream of water larger than s brook.

BB.) Room for rent – refers to a house, building or structure, or portion thereof offered for rent to any student, working minor or person for a consideration of money, goods or services.

CC.) Rubbish – shall include ways or rejected materials that does not easily decay, such as used papers, paste board, woven material, abaca, broken glasses, porcelain, street sweeping and others of similar kind.

DD.) Rural barangays are the remote or outskirts barangays of the City of Naga such as Panicuason, Carolina, Pacol, San Isidro, Cararayan and Del Rosario.

EE.) Sari-Sari Store – is a retail store wherein foods, dry goods, and other articles of daily household use are being sold. This shall not include cooked foods and fresh drinks served in plates, glasses and/or that require the use of spoons or fork.

FF.) Sidewalk Vendor – shall refer to any person or individual who sells or vends any agricultural products, foods (cooked), and/or dry goods, items or articles including any person who attends to those above-cited products which are intended to be sold, at any temporary location, sidewalk, alley, vacant space or portion thereof as may be authorized by the City Mayor.

GG.) Temporary housing – shall mean any tent, trailer, or other structure used for human shelter which is designated treated as such and not attached to the ground or another structure, or to any utilities system on the same premises for more than 30 days

HH.) Urban barangays – all barangays within and surrounding the commercial areas and barangays not included in the rural barangays listing.

II.) Utensils – shall include any kitchenware, tableware, glassware, cutlery, utensils, containers or other equipment with which food or drink comes in contact during storage, preparation or serving.

SECTION 4. – Powers and Functions of the Health Officer under this Code. – For the purpose of carrying out the provision of this code, the City Health Officer shall exercise general powers and functions and it shall be his duty to enforce the provisions hereof.

SECTION 5. – Right of entrance and inspection – No person after being duly notified shall interfere with or obstruct the entrance to any house, building, vessel, vehicles or other premises, the Health Officer in the discharge of his official duties, nor shall any person interfere with or obstruct the inspection, examination or vaccination of any occupant of any such house, building, vessels, vehicles or other premises by the Health Officer in the discharge of his official duties.

SECTION 6. – INTERFERENCE WITH THE POSTING OF PLACARD AND SANITATION RECORDS PROHIBITED. – No person after he has been duly notified shall interfere with or obstruct the Health Officer in the posting of any placard in accordance with the requirements of this REVISED SANITARY CODE, in or on any place or premises nor shall any person, destroy, mutilate or remove any such placard or sanitation record.

In any event, if such placard be concealed, mutilated or torn down, it shall be the duty of the occupant, owner or person in charge of the premises wherein such placard was posted to immediately notify the Health Officer of such fact.

CHAPTER II - SANITATION MAINTENANCE IN GENERAL

SECTION 7. – PREMISE TO BE MAINTAINED IN CLEAN AND SANITARY CONDITION. – It shall be the duty of every owner, agent or administrator, lessee, operator, or person in charge of any building, place or premises, whether public or private, as well as all

land, water and air, vehicles or vessels to maintain in the same, clean and sanitary condition as found satisfactory to the Health Officer.

Land, water and air vehicles shall also provide and maintain clean and sanitary depository for human waste in their coaches, buses or vehicles.

SECTION 8. – Unsanitary train coaches or buses shall not be permitted to leave or arrive at their station in Naga unless such unsanitary conditions are corrected as determined and approved by the Health Officer;

SECTION 9. – Common carriers, jeepneys, trimobiles, padyaks, caretelas, transporting passengers must always be kept clean and sanitary when plying their tasks;

SECTION 10. – Drivers, conductors of common carriers including padyaks must always wear decent clothes at least a T-shirt but never in tango or without sleeves, and with long pants.

CHAPTER III - BUILDING SANITATION

SECTION 11. – Subject to existing laws, all existing buildings as well as buildings that may hereafter be erected, altered, remodeled, relocated or repaired for human habitation shall be provided with adequate and potable water supply, plumbing installation and suitable waste water treatment or disposal system, storm water drainage;

SECTION 12. – Burning of Waste Matters.

- a) All burning in densely populated areas shall take place during period prescribed by the Local Fire Department Chief. Densely populated area as used herein shall mean an inhabited area with at least five (5) dwelling separated from each other by not more than three (3) meters;
- b) Burning in Densely populated areas shall be confined to approved incinerators. Burning of combustible waste matter other than paper may however, be done in the open if:
 - 1) A notice is made and permission given by the Chief of the Local Fire Station;
 - 2) Such burning is done at a distance of a more than eight (8) meters any building, structure or combustible waste matters.

SECTION 13. – Burning on Public Property. – No person shall ignite or burn any combustible waste matter on any publicly owned or controlled lot or parcel of land, public bridge, street or other public places which has been set aside by public authority for such purpose without permit from the Chief of the Local Fire Station;

SECTION 14. – Offensive Smoke and Odors – No waste matter shall be burned which shall cause or produce dense smoke or offensive odor;

SECTION 15. – Vacating Premises – Upon vacating or abandoning any premises or lot, the occupant thereof shall remove any and all noxious and hazardous material or waste matter which has been deposited, allowed to come to rest or permitted to accumulate thereof and such premises shall be left in clean in neat condition;

SECTION 16. – Vacant Buildings – Every person owning, or in charge or control of any vacant building shall remove there from all accumulation of flammable or combustible waste

matter or rubbish and shall securely lock, barricade or otherwise secure all doors, windows and other openings thereof;

SECTION 17. – Water Supply System. –

- a. Whenever available, the potable water requirements for a building used for human habitation shall be supplied from the existing city water works system;
- b. The quality of drinking water from meteoric, surface or underground sources shall conform to the criteria set in the latest approved National Standards for drinking water;
- c. The design, construction and operation of deep wells for the extraction of groundwater shall be subject to the provisions of the water code of the Philippines;
- d. The design, construction and operation of independent waterworks system of private housing subdivisions or industrial estates shall be governed by existing laws relating to local waterworks system;
- e. The water piping installation inside building and premises shall conform to the provision of the National Plumbing Code of the Philippines.

SECTION 18. – WASTE Water Disposal System:

- a. Sanitary sewage from buildings and neutralized or pre-treated industrial waste water shall be discharge directly into the nearest street sanitary sewer main of the existing city sanitary sewerage system in accordance with the criteria set by Code of Sanitation and the National Pollution Control Commission;
- b. All building located in areas where there are no available sewerage system shall dispose their sewerage or septic tank and sub-surface absorption field;
- c. Sanitary and industrial plumbing installation inside buildings and premises shall conform to the provisions of the National Plumbing Code;

SECTION 19. – Pest and Vermin Control:

- a. All buildings with hollow and/or wood construction shall be provided with rat roofing;
- b. Garbage bin and receptacles shall be provided with ready means for cleaning and with positive protection against entry of pest and vermin's;
- c. Dining rooms for public use without artificial ventilation shall be properly screened.

SECTION 20. – Noise Pollution Control. – Industrial Establishment shall be provided with positive noise abatement devices to tone down the noise level of equipment and machineries to acceptable limits set down by the Department of Labor and the National Pollution Control Commission;

SECTION 21. – Pipe Materials. – All pipe materials to be used in buildings shall conform to the standard specifications of the Philippines Standard Council;

SECTION 22. - Proper natural lighting and ventilation for building. Every building shall be constructed as to secure proper natural light and ventilation for the occupants thereof;

SECTION 23. – Habitability of Buildings. – No house or buildings of any character or materials shall be used for habitation or place of work unless such house or building has been found sanitary and suitable for the purpose by the Health Officer;

SECTION 24. – Height of Rooms. – The height of rooms for dwelling purpose shall not be less than three (3) meters with he exception of open space as porches and balconies. Toilets and bathrooms with bamboo floor, with height of 2.50 meters may be allowed;

SECTION 25. – Height of Ground Floor. – Unless constructed on earth, gravel, or sand fill, the minimum distance between the finished grade line and the bottom of the fill or joint of a building intended for human habitation shall be 75 centimeters. If the clearance between the floor and the ground is surrounded by masonry walls, this shall be ventilated by means of air brackets or air opening protected by suitable screens to prevent the passage of rodents;

SECTION 26. – Mezzanine Floors. –Intermediate floors constructed in the vertical space between existing floors are called mezzanine floors. Such floor shall be limited in area to not more than one-half (1/2) of the floor area of the room in which it is constructed and shall have a space of not less than two and half (2-1/2) meters below and one and one half (1-1/2) meters above and adjacent floors. The space above such mezzanine floor shall not be included in the computation of the air space in the floor;

SECTION 27. – Building located on an in sanitary site – No building or structure shall be used as a place for human habitation which is erected on a lot that had been filled in with dangerous and unsanitary refuse or garbage or other substances which may have an unfavorable effect upon public Health Officer;

Whenever the Health Officer shall declare that, any site is unhealthy for the reason of lack of surface drainage or for other reasons or cause liable to effect adversely the health of the people, no building shall be erected in such site until the defect or unhealthful condition shall have been properly removed or corrected, and approved by the Health Officer.

SECTION 28. – Building considered unsafe for human habitation – Whenever the Health Officer finds the certain building is in such a poor structural condition as to endanger the lives and limbs of the occupants he shall notify the City Building Officer so that proper inspection may be taken for the purpose of determining whether the building should be declared unsafe for human habitants. If so declared by the entity concerned, proper legal procedure shall be made by said official agent against the owner for the demolition or repair of the building affected;

SECTION 29. – Sanitary Facilities of building before occupancy. – No dwelling house, building or place of business or parts thereof whether newly constructed, repaired or added, shall be occupied or inhabited until the sanitary facilities such as toilets, plumbing. Lighting, ventilation sewerage and drainage for the same are completed and approved by the Health Officer.

SECTION 30 – Annoying sound near hospitals or schools building. – No internal combustion, engine, meter, steam engine or any installation which may produce annoying sound shall be permitted to be installed within one hundred (100) meters from the nearest school building or two hundred (200) meters from the nearest hospital;

SECTION 31. – Windows. – All buildings intended for human habitation shall be provided with at least one window opening directly into the external air. The total area of the window or windows shall not be less than one-tenth (1/10) of the floor area of the room for which the window is provided;

SECTION 32. – Air space for rooms. – Unless otherwise, specified in other sections of this code, the number of persons occupying an ordinary room shall be limited so as to provide an ample air space for such occupant or a minimum of 14 cubic meters or space for each occupant or except when provided with an adequate means of artificial ventilation satisfactory to the health officer, no living room, office of workshop shall contain less than nine (9) square meters or floor space.

CHAPTER IV - SIDEWALK VENDING AND ALLIED ACTIVITIES

SECTION 33. – The following are hereby required of all sidewalk vendors:

- a. Shall register himself with the Office of the City Treasurer indicating his personal data;
- b. Shall secure a city sidewalk vendor identification card after paying an amount equivalent to the cost of the ID card;
- c. Shall wear at all times said City Sidewalk Vendor ID Card, prominently displayed in his front shirt while selling, vending and/or while tending the products to be sold at the prescribed time and place;
- d. Shall be responsible in maintaining the cleanliness of the premises where he is vending and selling;
- e. Shall provide his vending premises with a waste can or wastebasket where he shall place his garbage or trash and dispose of the same after vending hours.

SECTION 34. – The City Sidewalk Vendor ID Card shall be prescribed by the City Treasurer's Office. For this purpose, the sidewalk vending personal data, especially his name and classification or products he sells, shall be printed in big bold letters approximately one-half inch in height, as follows:

- a. His full name and complete address;
- b. The place where he is allowed to sell or vend his products;
The classification of the products he is authorized To sell, such as:
 1. AGRICULTURAL PRODUCTS
 2. COOKED FOODS
 3. DRY GOODS & ARTICLES
- c. His bust size recent photo;
- d. The prescribed place and time of vending;
- e. His signature, the signatures of the City Treasurer and the City Mayor.

SECTION 35. – The City Treasurer is hereby authorized to issue the City Sidewalk Vendor ID Cards at a nominal cost of P 20.00 each paid directly to his office.

The ID Card issued under this ordinance is renewable annually on or before the last working day of February. Instead of issuing a new ID for the succeeding year, a special sticker with the year and Mayor's signature shall be posted on the ID of the sidewalk vendor after having himself registered with the Office of the City Treasurer and shall have paid the sticker fee of P10.00.

Provided that after every three (3) years, a new City Sidewalk Vendor ID Card shall be reissued subject to the same cost of P20.00.

The ID Card is non-transferable.

SECTION 36. – Any sidewalk vendor without the required City Sidewalk Vendor ID Card is strictly prohibited from selling or vending in the City of Naga. Provided, that sidewalk vendors selling food, cooked or raw, shall secure also a Health Certificate from the City Health Officer for a fee of P20.00, and renewable annually at P10.00 as above provided for vendors;

SECTION 37. – All sidewalk vendors are allowed only to use handy containers for their products for sale, such as “nigo” (winnow), basin, water pail, sacks, small hand carried tables, baskets, bags and the like.

All types of stalls, store-type structure, platforms, and permanent structures of any kind unless they are foldable are hereby prohibited.

SECTION 38. – Any sidewalk vendor using and/or utilizing any stall, store-type structural platform and/or permanent structure of any kind prior to the enactment of this ordinance are hereby given fifteen (15) days from the approval of this ordinance within which to dismantle the same.

If after the prescribed fifteen (15) days period, the sidewalk vendor has not as yet dismantled his structure, the City Government thru his authorized representative shall dismantle the same and shall charge the sidewalk vendor concerned for the services rendered thereof.

CHAPTER V - ANTI-LITTERING, GARBAGE, RUBBISH AND STREET CLEANING

SECTION 39. – No person or persons, whether carelessly or intentionally shall scatter about, throw, place or deposit, allow to fall or to flow into or escape or cause to be scattered about, thrown, placed, or deposited or cause to fall or to flow into, or to escape, any garbage, waste paper, scrap or rubbish, cigarette butt, paper/plastic wrapping or bag, obnoxious matter, dung, carrion, dead animal manure and other similar waste materials or any filthy, putrid or offensive substance or the contents of any vault or cesspool, nor shall urinate or defecate in city streets, alleys and sidewalk, barangay multi-purpose buildings, barangay basketball courts and multi-purpose pavements, school buildings, stages and school compounds, sports and athletic grounds and grandstands, parks and plazas, public or private market and their premises, and other similar public places or rivers, banks or rivers, esteros, ditch or canals, streams or similar public or private properties, within the territorial limits of the City of Naga;

SECTION 40. – Every house owner, lessee, owner of stores, business of commercial establishments and administrator of schools and churches is hereby required to place or put dry or waste matters, rubbish into a container made of plastic of tidy, disposable reusable plastic bags and other containers, deposit them only in sealed garbage receptacles so that its contents will not spill or scatter about its putrid or obnoxious odor to escape which shall be provided for the purpose by the said house owner, lessee, owner of stores, schools and churches and the said garbage receptacles shall be kept by them inside their respective premises and shall be taken out only at such time in accordance with the rules and regulations promulgated by the City Engineer;

SECTION 41. – In place where there is no garbage collection by the city, the persons and establishments mentioned in the proceeding section hereof shall dispose of the garbage either by burning or burying the same in their respective lots;

SECTION 42. – No owner or lessee or occupant of vacant lots shall dump or permit to be dumped or thrown any garbage, rubbish or junk on the vacant lot unless a permit is issued by the City mayor upon recommendation by the City Health Officer;

SECTION 43. – Duties of residents, transients and occupants of lots and buildings;

- a. To actively participate in all efforts of the government and people to make the City of Naga clean, healthful and sanitary;
- b. The occupants of lands and buildings, or if not occupied, the owners shall be responsible for the cleanliness and sanitation within the premises of such properties. In Addition, they shall also be responsible and answerable for the garbage and rubbish that are dumped on the sidewalk, public passage, street, stream or river adjoining their property.

CHAPTER VI - SEWAGE AND CONCRETE DISPOSAL

SECTION 44. – Sanitary toilet required in every house or buildings. Every house used for habitation shall be provided with a sanitary toilet of the type approved the Health Officer. In areas covered by small houses of light materials or temporary in nature and which are close one another, a community toilet constructed at the expense of the owners concerned may be allowed at the discretion of the Health Officer;

SECTION 45. – Toilet Accommodation. – Every building constructed the City whether public or private, intended to be used as dwelling quarters, or where persons are to be employed or occupied in any trade or business or a place of assembly, shall be provided with sufficient and suitable toilet facilities for the number of people dwelling there or may be employed, occupied or assembled therein;

In all public buildings, theaters, factories, churches and other houses used as places of assembly where persons of both sexes are employed, occupied, or assembled, sufficient, suitable and separate toilet facilities shall be provided for each sex, of the type approved by the Health Officer and which shall not be less than one seat of every fifty (50) women and one seat and one urinal for every fifty (50) men, and every fraction, thereof to be calculated on the maximum capacity of the establishment, building or place of assembly. It shall be unlawful for any owner, lessor, administrator, or agent to allow any person to occupy therein or assemble therein unless same is suitably and sufficiently provided with toilet facilities.

SECTION 46. – Structural requirements:

- a. Size of toilet rooms – No toilet rooms shall have a floor area that is less than one and a half (1.5) square meters, nor a height less than two and a half (2.5) meters;
- b. Lighting and ventilation – All toilet rooms shall have sufficient lighting and ventilation either natural or artificial, satisfactory to the Health Officer;
- c. Type of Toilet. – The following types of toilet may be used depending on the value of the building it belongs to:
 1. For expensive buildings, a water carriage system connected to a septic tank;
 2. For house of light materials, the sanitary pit with water seals;
 3. For expensive buildings, the water sealed toilet is prescribed by the CHO;
 4. Any other model or type approved by the Health Officer.

SECTION 47. – Sanitary Maintenance. – All toilet shall be kept clean and in good repair and no waste water shall be permitted to be exposed to flies, insects, rodents and/or animals;

SECTION 48. – Public Toilets. – All government toilets intended for public use shall be under the control and supervision of the Health Officer and the City shall provide sufficient number of personnel and funds for the proper upkeep of the same. No public toilets shall be constructed other than the water carriage system type, and it shall not be constructed within a distance nearer than twenty-five (25) meters from food establishments;

SECTION 49. – Drainage of Premises and Yards. – It shall be the duty of any owner, administrator or agent of any building, place of business, or premises to provide the yard of the said building, or premises, or place of business with adequate drainage leading to suitable gutter, or sub-surface drainage, and causing no nuisance toilets to neighborhood or public.

CHAPTER VII - WATER SUPPLY

SECTION 50. – Sanitary Permit. – No public water supply shall be constructed nor a well intended for public use shall be sunk in any place without a sanitary permit from the Health Officer;

SECTION 51. – Sampling of Water. – No new source of public water supply shall be placed in the service used for consumption, until a sample of water from such source has been collected by the Health Officer, examined and in approved laboratory and found to be safe and certified in writing for consumption;

SECTION 52. – Disinfection. – Of new or newly repaired wells, spring basin, water mains and reservoirs. No new or recently repaired pump well or water system used as a source of public water supply, nor any pipe or structure through which water is delivered to customers shall be placed in use when installed for the first time after it has been cleaned or repaired until such structure the water from which are subsequently treated or purified;

SECTION 53. – Washing or Bathing near pump wells or any source of water supply. – Washing or bathing within a radius of fifteen meters of any well or any source of water supply shall be unlawful;

SECTION 54. – Sanitary supervision of water supplies. – The sanitary supervision of all public and private water supplies and their sources and surroundings shall be under the Health Officer;

SECTION 55. – Periodical examination of water supply. – Water samples from all public pump wells and water system shall be examined bacteriologically as often as possible but not longer than every three months and those that are found unfit for drinking purposes shall be placarded and its use prohibited until such time as the water is again safe as determined by the Health Officer;

SECTION 56. – Sinking or drilling and Sanitary Protection of pump wells. - No pump well shall be drilled or sunk within fifteen (15) meters from latrine and/or toilet barnyard and/or cesspool. All pump wells must be provided with sufficient drainage so as to completely draw away excess water;

SECTION 57. – Water in Public house. – All hotels, restaurants boarding houses, food stands, parlors and other public eating and drinking establishments shall use for drinking purposes and for the preparation of food, water, either taken from the existing water works system faucets or other water source that has previously been approved by the Health Officer. All containers used for water shall be provided with a cover and a suitable spout or faucet for

drawing and contents and shall at all times be maintained in a good sanitary condition. Direct dumping from waterworks system is strictly prohibited;

SECTION 58. – Buying and selling of potable water. – No person or persons shall be allowed to engage in the business of buying or selling potable water in the City or elsewhere without first securing the necessary Mayor’s permit and Health Certificate from the Health Officer. The requirements used shall be cleared to be sanitary by the City Health Officer and to be examined as often necessary to be determined by the City Health Officer;

CHAPTER VIII - HOTELS, LODGING, BOARDING AND TENEMENT HOUSES

SECTION 59. – Sanitary Permit. – No hotel, lodging house, boarding house or tenement house shall be operated without obtaining a Sanitary Permit from the Health Officer;

Such Sanitary Permit shall specify the maximum number of persons permitted to dwell therein and shall be displayed at a conspicuous place on the said premises.

SECTION 60. - Water Supply of hotels, lodging, boarding and tenement houses: -

- a. Water supplies to hotels, boarding houses, condominiums and/ or tenement houses, for drinking and culinary purpose shall be adequate, safe of sanitary quality, and approved by the Health Officer;
- b. Wells or springs used as sources of water supply shall be so located and constructed to preclude their pollution by seepage from cesspools, toilets, sewers, stables, or any surface drainage. The water from such sources shall be obtained by free gravity flow or by approved pump so arrange as to provide for delivery of safe and sanitary quality of water;
- c. No common drinking cup shall be provide. All drinking fountain when provided shall be of sanitary design and construction approved by the Health Officer;
- d. All existing wells, private and public shall not be used unless covered and approved by the Health Officer;

SECTION 61. – Protection of Food Supplies in hotels and Boarding Houses. – Adequate provision shall be made for sanitary storage, handling and protection of food supplies;

SECTION 62. – Dishwashing in hotels and Boarding Houses. – Adequate facilities, including a plentiful supply for hot water for washing dishes and utensils shall be provided. Dishes and utensils shall be washed, cleansed, and disinfected or sanitized effectively after each use;

SECTION 63. – Sanitary Maintenance in hotels, boarding houses, lodging houses and/or condominium, tenement houses, shall be kept clean and other waste which is offensive or injuries to health shall be effectively removed everyday;

SECTION 64. – Animals prohibited. – Dogs, cats and other pets shall not be kept in hotels, lodging houses, boarding houses and tenement houses except in appropriate kennels separate from living quarters and eating everyday.

Registration of Dogs:

64.1 No person shall be allowed to keep, care or raise any dog unless they are registered with the Office of the City Treasurer for annual registration of P10.00;

64.2 Owner, or keeper of dogs must at all times keep his dog tied or placed in a kennel and must never allow his dog on the loose;

64.3 The City Health Officer shall cause to go around his personnel to catch astray dogs which shall be kept in a dog pound which other than the penalty herein imposes shall pay the sum of P50.00 per dog for keeping of such dog. When such dog is unclaimed after days, the same may be sold at public auction under such rules provided by the purpose.

SECTION 65. – Communicable Diseases:

- a. No person known to be capable shall be employed in any hotel, lodging house, boarding house, condominium and/or tenement house, in any capacity or admitted thereto unless properly isolated;
- b. When no physician is in attendance, it shall be the duty of the person in-charge of any hotel, lodging house, boarding house, or tenement house, or any other person to report immediately to the Health Officer the name and address of any individual in such establishment known to have or suspected of having communicable disease. Until official action has been taken on such case strict isolation shall be maintained. Person-in-charge shall not allow the patient to leave or removed without the permission of the Health Officer;
- c. Whenever there shall occur in any hotel, lodging house, boarding house, condominium and/or tenement house and outbreak of suspected food poisoning or an unusual prevalence of any illness in which fever, diarrhea, sore throat, vomiting, skin eruptions or jaundice is the prominent symptom, it shall be the duty of the person I-charge of such establishment to report immediately the existence of such outbreak or unusual prevalence of illness to the Health Officer in person, by telephone or by any other means of communication.

CHAPTER IX - SANITARY PERMITS AND HEALTH CERTIFICATES

SECTION 66. – The proprietor and/or manager, and/or in-charge and/or entrepreneurs of the following business establishments and/or trades within the jurisdiction of Naga City are required to have Sanitary Permit, from the Health Officer of Naga City every calendar year, renewable within the first fifteen (15) days of every succeeding year. Issuance of the Sanitary Permit is solely determined by the Health Officer of Naga City, depending upon the local conditions and such rules and regulations necessary for the establishment and/or trade concerned, (See section 43) The Sanitary Permit shall be as follows:

Republic of the Philippines
Department of Health
Regional Health Office No. 5
Office of the City Health Officer

SANITARY PERMIT NO. _____

M _____ owner and/or in-charge _____,
street _____, _____ having complied with all sanitary requirements
governing the above-mentioned establishment and/or trade, after the necessary

inspection has been made thereat, hereby authorized to conduct the business mentioned above.

PROVIDED, FURTHER, that non-compliance with the verbal or written sanitary order of the Health Officer or his authorized representative is sufficient cause for this Sanitary Permit to be revoked, and the person or persons concerned shall immediately close his or their establishment and/or trade.

Given this _____ day of _____, 19 ____ at _____, _____.

INSPECTED:

AGREEMENT

_____, I, _____
Sanitation Inspector owner or in-charge of the business
Specified above, do hereby promise and agree to fulfill the requirements in this Permit.

APPROVED:

City Health Officer

Owner and/or In-charge

SECTION 67. – Business establishment and/or trades required to have or secure a sanitary permit, and whose corresponding fees are to be paid to the City Treasurer of Naga City, as herein below prescribed:

CLASS I – Hotels, Lodging House, Inns, Health Resorts, Bathing Resorts or places, Bar, Snack Bars, Restaurants, Lunch Counters, Cafeteria, Carenderias, Meat Stalls, or Counters, Ice Plants, Ice Cream Factories or Parlors, Ice Drop Factories or Parlors, Refreshments Parlors, Soft Drinks manufactures or Packers of Wines, Native or Foreign Wine Stores, or dealers manufactures of Cigars, Cigarette and Chewing Tobaccos, Repackers of Distilled Spirits, Compounders of wine, Cold Storage, cabarets, Dancing Halls or Schools, Night Clubs, Groceries, Drug Stores, Medical Laboratories and Companies, Dry Goods Stores, Hardware’s Stores, Auto Spare Parts Stores, radio Stores & Shops, Candy factories and Shoemarkers and Repairers, Dry Cleaning or Laundry Shops, Theaters Cinematography’s, Photos Studios, Insurance Agencies, Watch Repairers Shops, Books and Office Supplies Stores, Mikky Factories and the like, Pomade Factory, Furniture Shops or Stores, Funeral Parlors, Tailoring Shops, Dressmaking Shops, Beauty Parlors, Bakeries, Barber Shops, Pawn shops, Iron Works Shops and Stores, sari-Sari Stores, Massage Clinics, Pool or Billiard Halls, Bowling Dens or Alleys, any kind of land or sea or air transportation company, copra or Hemp dealers, Salt or Sugar or Corn or Rice/Palsy Dealers, candle or Soap factories, Lumber Dealers, Auto or Truck Dealers or Repair Shops, gasoline Stations, Cockpits, Stadiums shall pay such sum or amount as provided under the Revised revenue Code of Naga City.

CLASS II – The Store or counter or stallholder or establishment and/or trade not specified under Class I, and all sari-sari stores outside of the Poblacion of Naga City shall pay such sum as prescribed under the Revised revenue Code of Naga City.

SECTION 68. – The following are required to secure from the health Officer of the City of Naga, a Health Certificate every six months of the year renewable within the first fifteen days of

every six months with the corresponding fee of Twenty Five (P25.00) Pesos per semester, to be paid to the City treasurer of Naga City.

Proprietors and/or managers and/or in-charge and/or entrepreneurs of the business establishment and/or trades with Sanitary permit issued by the Health Officer of Naga City, meat and fish vendors, all peddlers or sellers of cooked and uncooked foods, medicines, drugs, toys, kitchen utensils of refreshments; professional chauffeurs, trucks, buses, automobiles or pick-ups conductors, cooks, attendants and all kinds of helpers and employees of any establishments and/or trade where any kind of foods, fruits and vegetables, meat drinks, refreshments, fish medicines, drugs are being manufactured or canned, or cooked or repacked, dispensed or mixed, or sold, or served; all attendants, helpers and employees in all establishments and/or trades mentioned in Section 68 Class I and II of this ordinance are required to have or Secure the prescribed health Certificate;

SECTION 69. – It shall be unlawful for any person to engage in the occupation of hospitality girl/boy or taxi driver who is not over eighteen (18) years of age;

SECTION 70. – It shall be unlawful for any person or persons to employ any man/woman as hospitality girl or dancers of nightclubs or cabarets, as serves, attendants or hostesses in beer joints, cocktail lounge or similar establishments selling or serving beer, liquor or intoxicating drinks, pubs and beer gardens or similar establishments without securing medical certificate showing that she shall have submitted for medico-gynecological examination and microscopic examination of smear taken from the ureter cervix utero and suspected lesions in any part of her body for such woman from the Health Officer for which a fee of P25.00 shall be paid;

SECTION 70. A. – The City health Officer shall issue the health certificate required in Section 2 hereof after performing the examination required in Section 70 hereof, that the person to whom the certificate being issued is not sick with any contagious, communicable or venereal disease and he shall annotate therein after each subsequent periodical health check-up the true health of the said person, provided that those found positive for communicable or venereal disease shall be prohibited from working and his/her health certificate shall be revoked until such time that he/she is found negative by the City Health Officer or his assistant;

SECTION 70. B. – The Health Certificate shall bear the photograph of the person to whom the certificate is issued and both the certificate and the photograph shall bear the imprint of the dry seal of the City of Naga, provided, that such photograph was taken not early than one month before the date of issue of said certificate shall also serve as identification card of the employee and shall be pinned prominently to public view on the dress, skirt, shirt or uniform of the employee during his/her hours of service;

SECTION 71. – It shall be unlawful for any woman to work as hospitality girl in a nightclub or dance in a cabaret, pub, beer garden and similar establishment without first securing an occupational license for which she shall pay an annual fee of P100.00;

SECTION 72. – Sanitary Permit. – It shall be unlawful for any person to operate a restaurant in the City of Naga, who does not possess a valid Sanitary Permit from the Health Officer. Such permit or sanitary clearance shall be posted in a conspicuous place. Only people who comply with the requirements of this Sanitary Code shall be entitled to receive and retain such a permit. A person conducting an itinerant restaurant shall also be required to secure a sanitary permit.

Such permit be revoked or temporarily suspended upon orders of the Health Officer upon the violation by the holder of any of the terms of this Sanitary Code.

SECTION 73. – PLACARDING or public display of grade notice. – Every restaurant shall displays at all times in a place designated by the Health Officer, a notice approved by the Health Officer stating the grade of the establishment;

SECTION 74. – Examination and Condemnation of unwholesome or adulterated food or drink. – Samples of food, drink and other substances may be taken and examined by the Health Officer as often as may be necessary for the detection of unwholesomeness or adulteration. The Health Officer may condemn and forbid the sale of, or cause to be removed or destroyed, any food or drink which is unwholesome or adulterated;

SECTION 75. – Inspection of restaurant. – The Health Officer or his authorized representatives shall inspect every restaurant as often as necessary. In case the health Officer or his authorized representative discovers the violation of any item required for the grade, he shall make a second inspection after the lapse of such time as he deems necessary for the defect to be remedied, and the second inspection shall be used in determining compliance with the grade requirements of this ordinance. Any violation of the same item of this ordinance, on such second inspection shall call for immediate degrading, or suspension of permit;

One copy of the inspection report shall be posted by the Health Officer upon an inside wall of the restaurant, and said inspection report shall not be defaced or removed by any person except the Health Officer. Another copy of the inspection report shall be filed in the records of the Health Officer.

The person operating the restaurant shall upon request of the Health officer permit access to all parts of the establishment and shall permit copying any or all records of food purchased.

SECTION 76. – Grading of Restaurants. – The grading of all restaurants shall be based upon the following standards:

SANITATION REQUIREMENTS FOR GRADE “A” RESTAURANTS –

ITEM 1 – FLOORS – The floors of all rooms in which food or drink is stored, prepared, or served, or in which utensils are washed, shall be of such construction as to be easily cleaned, shall be smoothed, paved, and shall be kept clean and in good repair;

ITEM 2 – WALL AND CEILINGS – Walls and Ceilings of all rooms shall be kept clean and in good repair. All walls and ceilings of room in which food or drink is stored or prepared shall be finished in light color. The walls of all rooms in which food or drinks are prepared or utensils are washed, shall have a smooth washable surface up to the level reached by a splash or spray;

ITEM 3 – DOORS AND WINDOWS – When flies are prevalent, all openings into outer air shall be effectively screened and doors shall be self-closing unless other effective means are provided to prevent the entrance of files;

ITEM 4 – VENTILATION – All rooms in which food or drink is stored, prepared or served, or in which utensils are washed shall be well ventilated;

ITEM 5 – All rooms in which food or drink is stored, or prepared or served or in which utensils are washed shall be well lighted;

ITEM 6 – Toilet facilities – Every restaurant shall be provided with adequate and conveniently located toilet facilities conforming with this Sanitary Code. In restaurants hereafter constructed, toilet rooms shall not open directly into any rooms in which food, drink, or utensils are kept and shall be self-closing. Toilet rooms shall always be kept in a clean condition, in good repair, with running water and well lighted and ventilated. Hand writing signs shall be posted in each toilet room;

ITEM 7 – WATER SUPPLY – Running water under pressure shall be easily accessible to all rooms in which food is prepared or utensils are washed and the water supply shall be adequate, and of a safe sanitary quality;

ITEM 8 – LAVATORY FACILITIES – Adequate and convenient hand washing facilities shall be provided, including soap and running water, and approved sanitary towels, The use of a common towel is prohibited. No employee shall resume work after using the toilet room without first washing his hands with soap and water;

ITEM 9 – CONSTRUCTION OF UTENSILS AND EQUIPMENT – All multi-use utensils and all shows and display cases or windows, counters, shelves, tables, refrigerating equipment, sink and other equipment or utensils used in connection with the operation of the restaurant shall be constructed as to be easily and shall be kept in good repair. Utensils made of or containing, or plated with cadmium or lead shall not be used provided; that solder containing lead may be used for jointing.

ITEM 10 – CLEANING AND BACTERICIDAL TREATMENT OF UTENSILS EQUIPMENT – All equipment, including display cases or windows, counters, shelves, tables, refrigerators, stoves, hoods and sinks, shall be kept free from dust, dirt, insect and other combination materials. All clothes used by waiters, chefs and other employees shall be clean. Single service containers shall be used only one.

All multi-used eating and drinking utensils shall be thoroughly cleaned and effectively subjected to an approved bactericidal process after each usage. All multi-used utensils issued in the preparation or serving food and drink shall be thoroughly cleaned and effectively subjected to an approved bactericidal treatment immediately following the day's operation. Drying clothes if used shall be cleaned and shall be used for no other purpose.

No article, polish or other substance containing any cyanide preparation and other poisonous material shall be used for the cleaning and polishing of utensils.

ITEM 11 – STORAGE AND HANDLING OF UTENSILS AND EQUIPMENT – After bactericidal treatment, utensils shall be stored in a clean, dry place, protected from flies, dust and other contamination as far as possible. Single serving utensils shall be placed only in sanitary containers, shall be stored there in a clean dry place until used, and shall be handled in a sanitary manner;

ITEM 12 – DISPOSAL; OF WASTE – All waste shall be properly disposed of, and all garbage and trash shall be kept in well-covered, water proof and suitable receptacles, in such manner as not to become a nuisance and disposed of in a manner approved by the Health Officer;

ITEM 13 – REFRIGERATION – All readily perishable food and drink shall be kept at or below fifty (50) degrees Fahrenheit except when being prepared or served. Wastewater from refrigeration equipment shall be properly disposed of;

ITEM 14 – WHOLESOMENESS OF FOOD AND DRINK – All food and/or drink shall be clean, wholesome, free from spoilage and so prepared as to be safe for human consumption. All

milk, fluid products of milk, ice cream and other frozen desserts shall be served from approved sources. Milk and fluid milk products shall serve in the individual originals in which they were received from the distributor or from a bulk container equipped with an approved dispensing device. All oyster, clams, and shellfish shall be from approved sources by the Health Officer;

ITEM 15 – STORAGE, DISPLAY AND SERVING OF FOOD AND DRINK – All food and drink shall be stored, displayed and served as to be protected from dust, flies, vermin, depredation and pollution by rodents, unnecessary handling, droplets infection, overhead leakage and other contamination. No animals or fowls shall be kept or allowed in any room in which food or drink is stored or prepared. All means necessary for the elimination of flies, cockroaches and rodent shall be used.

ITEM 16 – CLEANLINESS OF EMPLOYEES – All employees shall wear uniforms or apron and cap or hair net and shall keep hands clean at all times while engaged in handling food, drinks, utensils or equipment. Employees shall not expectorate or use tobacco in any from in rooms where food is served and prepared;

ITEM 17 – HEALTH CERTIFICATES – Every person engaged in the transportation, handling, manipulation, peddling, preparation, serving and storing of food and drinks shall possess a valid Health Certificate issued by the Health Officer. Such health certificate may be temporarily revoked and suspended upon the violation by the holder of any terms of this ordinance or upon finding that the holding had developed a communicable disease;

ITEM 18 – GENERAL SANITATION OF PREMISES – The premises of all restaurants shall be kept clean, sanitary and free of litter and rubbish at all times. All rooms used for the preparation, serving or storage of food or drink shall not be used as a selling quarters. Adequate lockers shall be provided for employees clothing and shall be kept clean. Proper drainage of surrounding and proper disposal of refuse shall be maintained at all times.

SECTION 77. – Grades of restaurants which may operate. – From and after three (3) months from the date on which this ordinance takes effect, no restaurant shall be operated within the Naga City or its police jurisdiction, unless it conforms with the Grade “A” or Grade “B” or approved itinerant restaurant requirements of this Ordinance; PROVIDED, that when any restaurant who fails to qualify for any of these grades, the Health Officer is authorized to suspend its operation during a temporary period not exceeding thirty (30) days until the defect shall have been corrected; Provided, further, that when any restaurant refuses or knowingly and willfully neglects sanitary corrections or continuously violates any of the provisions of this code, the Health Officer is authorized to close permanently such restaurant;

SECTION 78. – Reinstatement of permit, supplementary. – Any restaurant, the grade of which has been lowered and the display had been changed accordingly, or the permit of which have been suspended, may at any time apply for regarding or the continuation of its operation. Within one week after the receipt of a sanitary application, accompanied by a statement signed by the applicant to the effect that the violated provision or provisions of ordinance have been complied with, the Health Officer shall make inspection and thereafter as many reinspection as he deems necessary to assure himself that the applicant is again complying higher grade requirements, and in case he finds favorably, he shall award the higher grade or re-instate the sanitary permit;

SECTION 79. – Disease Control. – No person who is affected with any disease in a communicable form or is a carrier of such disease shall work in any restaurant, and no restaurant shall employ any person suspected of having any disease in a communicable from or of being a carrier of such disease. If the restaurant manager, administrator suspects that any of his employees has contacted any disease in communicable form or has become a carrier of a

disease, he shall notify the Health Officer immediately. When suspicion arises, the possibility of transmission or inspection from any restaurant, the Health Officer is authorized to make any or all the following measures:

1. The immediate exclusion of the employee from all restaurants;
2. The immediate closing of the restaurant concerned until no further danger or disease outbreak exist in the opinion of the Health Officer;
3. Adequate medical examination of the employee and his associate.

CHAPTER X - PUBLIC MARKETS

SECTION 80. – Water Supply. – All markets and slaughterhouses shall be provided with ample supply of good water sufficient for the cleaning of its premises and the operation of the establishment;

SECTION 81. – Partition and sheds in public markets prohibited. – No partition and sheds or both shall be permitted within a market compound or area except with the previous approval of the Health Officer;

SECTION 82. – Living or sleeping in Public Markets Prohibited. – No person shall dwell, live or sleep in public markets nor provide space, place or equipment for living or sleeping. All fire hazards shall not exist in any form or manner in public markets as determined by the Health Officer or the fire department;

SECTION 83. – Care of Stalls. – Stalls and tables used for the sale or exposure of foodstuff shall not be used for sitting or lying upon and no container, basket or any other object no longer used for the sale of food shall be allowed to accumulate or to be within the market. Likewise, all tables shall be provided with refuse receptacles of the type approved by the Health Officer;

SECTION 84. – Sectioning. – All market shall be divided into sections or zones for the purpose of grouping together the same or similar foodstuff or articles in one section and no food or article shall be allowed to be sold or exposed in any other section except the one assigned to it; provided, that in case of emergency and as a matter of temporary measure, food or article may be sold in another section with the approval of the Health Officer and concurred by the Municipal Treasurer, likewise, the construction and arrangement of stalls within the market shall be subject to the approval of the Health Officer;

SECTION 85. – Place where animals for public consumption may be slaughtered. – All animals for public consumption shall be slaughtered at the City Abattoir at Barangay Del Rosario, Naga City;

SECTION 86. – Sanitary disposal of abattoir wastes. – The personal in-charge of a slaughterhouse shall be responsible for the sanitary disposal of all wastes incidental to its operation in a manner satisfactory to the Health Officer;

SECTION 87. – Killing of Animals, dressing and transportation of meat. – No animals intended for public consumption shall be killed unless previously observed, examined and found to be in a healthy condition by a competent veterinarian of Health Office, the killing of such animals shall be done in a human manner and at least two (2) hours before the meat is offered for sale. The dressing transportation and other handling shall be done only in a manner approved by the Health Officer;

SECTION 88. – Sale of fresh food. - Unless otherwise authorized by the Health Officer, no fresh meat, fresh fish, fresh milk or other foods, that are easily decayed or contaminated shall be offered for sale outside public markets, and such foods shall always be protected from flies, dust and other contaminating agents;

SECTION 89. – Food in state decomposition. – It shall be unlawful for any person to sell or offer for sale in any market or elsewhere any foods that is in state of decomposition or that is contaminated or adulterated, or that has been forbidden by the Health Officer or by the police authorities upon the request of the former;

CHAPTER XI - SARI-SARI STORE AND BAKERY

SECTION 90. – Sanitary Permit. – It shall be unlawful for any person to open and operate a sari-sari store and/or bakery without first having secured a sanitary permit from the Health Officer;

SECTION 91. – Lights, ventilation and drainage. – Every sari-sari store and/or bakery shall be adequately lighted and ventilated. The ground shall be made of concrete or any other materials approved by the Health Officer; No stagnant water shall be allowed to remain in or around the store or bakery;

SECTION 92. – Health and Neatness of Vendor. – Every vendor in a sari-sari store or baker in a bakery is required to have a valid Health Certificate issued by the Health Officer and shall wear clean clothes and shall keep his hands and finger nails clean;

SECTION 93. – Provision for the protection of food. – It shall be the duty of the owner or persons in-charge of a sari-sari store or bakery to keep all food which requires no further cooking before they are eaten, to protect and cover the same with wire screen or to keep and display in screened or adequately protected show cases, that they may be easily inspected and cleaned and protected from dust, insects and deleterious materials;

SECTION 94. – Handling Bread, etc. – Bread, cakes and other unwrapped foods shall not be handled with bare hands. A fork, spoon or fork shall be provided and be kept sanitary in every sari-sari store and bakery for handling and picking these articles. Bread slicers shall be sanitary;

SECTION 95. – Garbage and Rubbish. – Every sari-sari store and/or bakery shall be provide itself with garbage receptacles of the type approved by the Health Officer, with convenient cover, wherein all cover and rubbish shall be kept until disposed in an approved manner, once a day. The owner or operator shall be responsible in keeping free, rubbish, garbage and refuse in the area within a radius of five (5) meters from the store.

CHAPTER XII - BARBER SHOPS AND BEAUTY PARLORS

SECTION 96. – Establishments included. – Included under this chapter are barber shops, hair dressing establishments, manicuring or parlor that are conducting free of charge or hire;

SECTION 97. – Sanitary Permit required. – No person or entity shall establish or operate any barbershop, hairdressing, manicuring or parlor establishment without obtaining a sanitary permit from the Health Officer;

SECTION 98. – Sanitary Maintenance. – Any person in-charge of any such establishment shall maintain the same in a clean and sanitary at all times;

SECTION 99. – Health Certificate. – No person shall be employed in any capacity in such establishment without possessing a valid Health Certificate issued by the Health Officer;

SECTION 100. – Sanitary Service to customer;

- a. Washing hands – The hands of the operator shall be washed with soap and water before serving each customer or with 70% rubbing alcohol;
- b. Hair brushes and comb – shall be kept clean at all times, and sanitized after each use;
- c. Shaving rugs and brushes and finger bowls – shall be thoroughly rinsed with hot water or sanitized after each use;
- d. Separate clean towel for each customer – there shall be a separate clean towel (cloth or paper towel) for each customer. The hand rest shall be covered with a clean towel or tissues paper for each customer;
- e. Customer with skin eruption – after handling a customer affected with skin eruption or swelling containing puss, the hand of the attendants shall be disinfected immediately by thoroughly washing them with soap and water followed by rinsing alcohol (70%), (80%) or by the use of some equally effective disinfectant.

The instruments used in a customer shall be made safe immediately after each use by washing soap and water and dipping for one minute in a ten percent (10%) commercial formalin or dipping for three minutes in alcohol (70%) (80%) or by the use of equally effective disinfectant.

No cup or brush which has been used for shaving of a customer afflicted with any of the above infectious skin disease shall be use for another customer unless the cup shall have been emptied and cleaned with oiling water and furnished with fresh soap and brushes has been sterilized by immersion in equally effective disinfectant.

- a. Use of the powder puff or sponge prohibited – No powder puff or sponge shall be used in any such establishment;
- b. Smoking or Eating – An operator or attendant is prohibited from smoking or eating while serving a customer.

SECTION 101. – Posting of Regulation. – The person in-charge of every barbershops, beauty parlor or hairdressing of manicuring establishment shall post conspicuously in such establishment, a copy of the regulation embodied under Chapter XII of this Code.

CHAPTER XIII - PLACES OF PUBLIC ASSEMBLY AND AMUSEMENTS

SECTION 102. – Permit and sanitary clearance necessary. – No theater, cockpit, movie houses, cabaret, nightclub, bowling and billiard halls, resorts, recreation halls, or any other place of amusement or assembly shall be operated without the sanitary permit from the Health Officer;

SECTION 103. – Health Certificate necessary. – No person shall be employed in any capacity in such places without possessing a valid Health Certificate issued by the Health Officer;

SECTION 104. – Sanitary Facilities required. – All buildings and premises intended for public amusement or assembly shall be provided with adequate toilet facilities, separate for male and female, of the type approved by the Health Officer and which shall not be less than one seat for every fifty (50) men. The fraction thereof to be calculated on the basis of the maximum capacity of the establishment or three square feet standing area per person inside from the sitting capacity of the establishment;

SECTION 105. – Ventilation. – The walls shall be sufficiently high and provided with adequate window openings and such artificial devices to insure sufficient ventilation and comfort to the people assembled therein, unconformity with Section 9 & 8 of this Code;

SECTION 106. – Smoking shall not be allowed inside movie houses nor shall moviegoers be allowed to place their foot/feet a top the backrest in front of him;

SECTION 107. – Smoking in public conveyances. – Smoking shall not be allowed in public conveyances, jeepneys, and buses within the territorial jurisdiction of Naga City;

SECTION 108. – Authority of the Health Officer to close. – Any establishment for public amusement or public assembly found operating under unsanitary condition or violating the provision of this Code shall be closed by the Health Officer and shall not be opened until the unsanitary defect or rules and regulations violated have been corrected and approved by the Health Officer.

CHAPTER XIV - STABLES (QUADRA), PIGPENS (TANGCAL), AND POULTRY HOUSES

SECTION 109. – It is hereby prohibited for any person or persons to construct stables (Quadra) whether domestic or commercial within the commercial district or two (2) kilometers radius from kilometers in the City of Naga or within the distance of twenty (20) meters from any neighbor or residential dwelling;

SECTION 110. – Any stables owner or operator must always be kept clean and sanitary by burying or burning all waste matter to avoid breeding places for flies;

SECTION 111. – It is prohibited for any person or persons to construct or put-up a poultry house or domestic pigpen (tangcal), or to rear or care for any pig, or livestock in urban barangays in the City of Naga within the distance of 10 meters from any neighbor or residential dwelling or along a callehon or street of the same distance where people pass by. However, if the pigpen is for breeding purposes or for commercial value, then the distance should not be less than 20 meters;

SECTION 112. – Pigpens and poultry houses constructed outside the limit specified in the foregoing sections must always be kept clean and sanitary by burying or burning all waste matters to get rid of the obnoxious odor and to avoid breeding places for flies;

SECTION 113. – Any owner of owners of pigpens, stables and poultry houses which are existing during the passage of this ordinance but are constructed in contravention with the

provisions hereof are hereby given a grace period of sixty (60) days from the date of approval hereof within which to comply with this ordinance.

CHAPTER XV - NUISANCE AND OFFENSIVE TRADES, OCCUPATIONS

SECTION 114. – Anything that annoys or is injuries to health shall be considered a nuisance. For the purpose of this Code, the following are considered nuisance:

- a. Dark, damp and dilapidated building
- b. Building infested with pest
- c. Unsanitary conditions
- d. Foul and unhealthful places
- e. Impure water
- f. Stagnant Water, manure and refuse
- g. Obnoxious business or trade
- h. Unhealthful cemeteries
- i. Unnecessary noise
- j. Excessive dust and rice and corn bran
- k. Depositing offensive substances in street and harbors
- l. Receptacles which serve as breeding places for flies and mosquitoes
- m. Dead animals
- n. Noxious orders
- o. Industrial wastes
- p. Or any other like matter as enumerated above.

SECTION 115. – Offensive trade, business or occupation and unwholesome trade, business or occupation defined:

- a. Within the meaning of this title, the word “offensive” trade, business or occupation shall be held to include soap boiling, tallow, melting, killing or disemboweling or cleaning guts, boiling offal, bones, fat, or lard, except in the public slaughterhouses which come under special regulations pertaining there to, manufacturing of glue or fertilizers;
- b. Within the meaning of this title, the “unwholesome” business, trade or occupation shall be held to include lye making or manufacturing process, or handicrafts in which lead, arsenic, mercury, phosphorus or other poisonous substances are used, or any obnoxious trade or offensive business or manufacture, what so ever: Provided, that nothing in this definition shall be construed as interfering with the practice of pharmacy or other business regulated by law and provided, further that ready made types used for printing purposes are hereby excluded from the meaning of unwholesome trade, business or occupation;

SECTION 116. – Closure or removal. – Whenever the Health Officer shall declare offensive or unwholesome any business, trade or occupational dangerous to health, such establishment shall be closed or transferred to a suitable location, assigned to this kind of industry by existing ordinance, if any. When no such zoning ordinance exists, the Health Officer shall determine the availability of the location.

SECTION 117. – Authority of the Health Officer to abate any nuisances. – The Health Officer shall have the authority to order any nuisance abated and it shall be the duty of the

owner, manager or agent or person whose acts, default or sufferance, the nuisance arises or continue to abate the same;

SECTION 118. – Sanitary Permit. – No unwholesome or offensive business or trade shall be establishment or operated without first securing a sanitary permit from the Health Officer.

CHAPTER XVI - PENALTY, REPEAL AND DATE OF EFFECTIVITY

SECTION 119. – Penalty:

- a. For violation of Sections 12, 13, 15, 16, 20, 36, 37, 38, 53, 81, 82, 84, 94, 100, 101, 106 & 107, One Hundred (P100.00) Pesos or an imprisonment of not exceeding One month or both fine and imprisonment at the discretion of the court;
- b. For violation of Sections 5, 6, 7, 8, 9, 10, 11, 30, 39, 40, 41, 42, 56, 57, 58, 59, 60, 63, 64, 66, 67, 69, 70, 71, 73, 77, 79, 85, 87, 88, 90, 93, 95, 97, 99, 102, 103, 109, 111 & 112, shall be penalized with a fine of not less than One Hundred (P100.00) Pesos but not more than Five Hundred (P500.00) Pesos and an imprisonment of not less than One (1) month but not more than six (6) months or both fine and imprisonment at the discretion of the court, and;
- c. For violation of Sections 44, 89, 104, the guilty person or party shall be penalized with a fine of not less than Five Hundred (P500) Pesos but not more than Two Thousand (P2, 000.00) Pesos or an imprisonment of not less than six (6) months but not more than Two (2) years or both fine and imprisonment at the discretion of the court.

SECTION 120. – Penalty. – Any violation of any other provision of this Ordinance not covered by the preceding section shall be penalized as follows:

- | | |
|----------------|--|
| First Offense | - Reprimand |
| Second Offense | - A fine of One Hundred (P100.00) Pesos |
| Third Offense | - Confiscation of product, foods and /or goods being sold including their containers, accessories and imprisonment of not more than One (1) month and/or a fine of not more than Five Hundred (P500.00) Pesos. |
| Fourth Offense | - Imprisonment of not less than One (1) month nor more than six (6) months and/or a fine of not more than Two Thousand (P2, 000.00) Pesos. |

The fines to be imposed as stated above shall be acknowledged with the official Receipt from the Office of the City Treasurer.

All confiscated products, foods and/or goods shall be donated to charitable institutions in the City of Naga.

SECTION 121. – Repealing Clause. – All ordinances and parts or ordinances in conflict with this Code are hereby repealed.

SECTION 122. – EFFECTIVITY. – This code/ordinance shall take effect upon its approval.

ENACTED: November 11, 1992.

WE HEREBY CERTIFY to the correctness of the foregoing ordinance.

J. ANTONIO A. AMPARADO
City Secretary

RODOLFO Z. FORTUNO
City Councilor, Acting Vice Mayor
& Acting Presiding Officer

APPROVED:

LOURDES V. ASENCE
City Vice Mayor & Acting City Mayor