

BATANGAS CITY

CODE OF

GENERAL ORDINANCES

VOL. II

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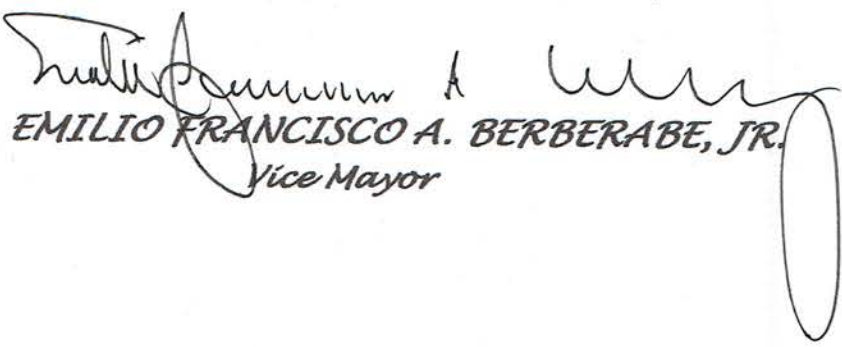
MESSAGE

I take great pride in the formulation and completion of the Batangas City Code of General Ordinances, Volume II under my tour as Vice Mayor and Presiding Officer of the Sangguniang Panlungsod of Batangas City. It is truly a signal achievement.

This place of work is a presentation of the various general ordinances enacted by the Sangguniang Panlungsod from 2009 to 2017 in a codified form. It aims to provide a consolidated tool for implementers and enforcers, as well as a fluid reference for the City's administrators.

The Sangguniang Panlungsod is pleased to help equip Batangas City in its race to the front row of progress.

To the people of Batangas City, this work is sincerely dedicated.


HON. EMILIO FRANCISCO A. BERBERABE, JR.
Vice Mayor

FOREWORD

My salute and greetings to our fellow Batangueños!

A law, rule, or an ordinance, in any of its form and subject serves to regulate, guide and protect the lives of people. It follows the rule of impartiality; promotes the common good, conveys truth, honesty and integrity and imposes certain punishment or penalty for disobedience. The purpose of which is not to harm violators but to promote the value of discipline and right conduct. It conveys to us that our execution of freedom is a responsibility and we are therefore accountable for our chosen actions. Compliance to any existing law is vital, promoting growth and development, organizing a humane society that respect the law of man and above all, the law of our Almighty Creator.

The Code of the General Ordinances of Batangas City serves as a comprehensive reference of all existing ordinances of Batangas City classified based on related topics and concerns for convenient access and aims for the proper enforcement of laws and regulations.

As a public servant, my duty and responsibility does not cease on the creation or enactment of law, it is a continuing task to see that no one violates nor abuses existing laws and regulations embodied herewith. Hence, to guard for the law's efficient implementation is also a shared responsibility not just of public officials, but of all concerned Batangueños who aim to maintain and build a society empowered of discipline, who believe in the dictate of reason and conscience, and who want to protect and value life and its surrounding environment.



COUNCILOR NESTOR E. DIMACUHA

Chairman
Committee on Codification of Laws

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ORDINANCE NO. 3, SERIES OF 2019
BATANGAS CITY CODE OF GENERAL ORDINANCES
SERIES OF 2019

**AN ORDINANCE ENACTING THE CODE OF GENERAL
ORDINANCES OF THE CITY OF BATANGAS, SERIES OF 2019**

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

WHEREAS, general ordinances with penal 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, weed 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:**

GENERAL PROVISIONS

SECTION 1. TITLE AND ITS CONTINUITY. - This Ordinance shall be known and cited as the Batangas City Code of General Ordinances Series of 2019:

SECTION 2. SCOPE AND 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 or superseded by later legislation or declared invalid by any authority.

It excludes the Comprehensive Land Use and Zoning Ordinance, Batangas City Revenue Code, Environment Code, Health and Sanitation Code, Batangas City Traffic Ordinance Series of 2019, Batangas City Investment Incentive Code, Slaughter House and Meat Inspection Code and other similarly voluminous Ordinances that may be enacted by the Sangguniang Panlungsod.

SECTION 3. AMENDMENT OR NEW CHAPTER OR SECTION. - Any amendment shall refer to the chapter or section concerned. A new chapter maybe placed where it belongs properly. A new section may be added or inserted in the proper chapter with corresponding decimal number.

SECTION 4. WORDS AND PHRASES. - Word 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 5. 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 the 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 CHAPTERS.** – 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 6. 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 7. 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 confirm with the provisions of this Code whenever possible.

SECTION 8. REFERENCE TO CODE. – Whenever reference is made to any portion of this Code, such reference shall apply to all amendments act additions which may hereafter be introduced.

SECTION 9. EFFECT OF HEADING. – The Title, Chapter, Article and Section heading do not in any manner affect the scope, meaning or intent of the provision contained in this Code.

SECTION 10. 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 a "restatements" and not as new enactments.

SECTION 11. SEPARABILITY CLAUSE. – If, for any reason, any provision, section or part of this Code is declared not valid by a court of competent jurisdiction or suspended or revoked by the authorities concerned, such judgment shall not affect or impair the remaining provisions, sections or parts which shall continue to be in force and effect.

SECTION 12. APPLICABILITY CLAUSE. – All other matters relating to the imposition or regulation provided in this Code shall be governed by the pertinent provision of existing laws and other Ordinances.

SECTION 13. REPEALING CLAUSE. – All Ordinances, rules and regulation or parts thereof, in conflict with, or inconsistent with any provision of this Code are hereby repealed or modified accordingly.

SECTION 14. EFFECTIVITY. – This Code shall take effect immediately after its approval.

TITLE I

HEALTH

WHEREAS, Article I Section 15 of the Constitution of the Republic of the Philippines 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, Section II, Article XII of the 1987 Constitution of the Republic of the Philippines 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 or the needs of the underprivileged, sick, elderly, disabled woman and children shall be recognized. 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, Paragraph VIII, Section 458 in relation to Section 16 of the Local Government Code of 1991 provides, among others that the government should provide officials and employees with benefit and services for its efficient and effective governance;

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.

CHAPTER I

CREATING THE BATANGAS CITY MULTI-SECTORAL STI, HIV AND AIDS COUNCIL AND ITS TECHNICAL WORKING GROUP FOR THE PREVENTION AND CONTROL OF SEXUALLY TRANSMITTED INFECTION, HUMAN IMMUNODEFICIENCY VIRUS (HIV) AND ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS), DEFINING ITS FUNCTIONS, PROVIDING RESPONSE, APPROPRIATING FUNDS AND OTHER RELATED PURPOSES

SECTION 1. Purpose. – The Council is created to be the central advisory, planning, and policy-making body for:

- a. The prevention and control of Sexually Transmitted Infection (STI), 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 2. 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 vaginosis, 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, HIV, 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.

f. Prophylactic – shall mean any agent or device used to prevent the transmission of a disease (e.g. Condom)

SECTION 3. Composition. – The council shall be composed of the following:

- | | |
|--|-------------|
| a. City Mayor | -Chair |
| b. City Health Officer | -Co-chair |
| c. SP, Chairman-Committee on Health | -Vice chair |
| d. City Planning and Development Officer | -Member |
| e. City Budget Officer | -Member |
| f. City Local Department of the Interior and
Local Gov't. Director | -Member |
| g. City Social Welfare and Development Officer | -Member |
| h. City DepEd Superintendent | -Member |
| i. ABC President | -Member |
| j. 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) | - |
| Member | |

- j.1. Entertainment Establishments
- j.2. Faith-based Group
- j.3. Women and young people group
- j.4. Other organization (based on local trend of STI and HIV epidemic) (Shell Foundation, BARAKO INC., TLF SHAPE)

Honorary members of the Council shall be
_____ of the (Name of the Office).

SECTION 4. Powers and Functions. – For the attainment of the aforestated purpose, the Batangas City Multi-Sectoral STI, HIV and AIDS Council shall be charged and vested with the following powers and functions:

- 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 and plans, 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 and control 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 IEC activities in the promotion of STI, HIV and AIDS related activities in different communities and barangay;
- g. Conduct every two years HIV and Syphilis Serological and Behavioral Surveillance 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, advocacy programs and develop strategies to benefit the people with high risk of contracting STI and HIV;
- i. Recommend to the Sangguniang Panlungsod enactment of laws and ordinances that shall assist in the control and prevention of STI and HIV;
- j. Recommend the closure or imposition of sanctions or penalties of any establishment found violating the prohibited acts as mentioned under the existing laws or related ordinances:

- RA 8504 (AIDS Law) on Human Rights and Confidentiality
- PD (DOLE and DSWD) on Hiring Minors
- PD 856 (Sanitation Code) failure to undergo regular smearing
- PD 856 (Sanitation Code) on health education attendance

k. Assist in the source/request for funding and recommend allocation of resources;

l. To act as the primary agency that shall represent 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. To monitor, in coordination with the City Health Office, all STI, HIV and AIDS cases;

n. To monitor, inspect and examine regularly the facilities, practices and procedures of hospitals, laboratories, medical/dental clinics, whether or not they have complied 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. To identify STI, HIV and AIDS cases through passive and active surveillance; and,

q. To perform all other tasks and functions related to the overall objective in the prevention and control of STI, HIV and AIDS in the City of Batangas.

SECTION 5. Mandatory STI and HIV Education/Issuance of Permit to Operate. – It shall be mandatory for all operators and/or managers, entertainers of night entertainment establishments to attend seminars on STI, HIV and AIDS prevention conducted by the Batangas City Health Office; otherwise NO PERMIT TO OPERATE shall be granted to aforementioned establishments.

SECTION 6. 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-sectoral STI, HIV and AIDS Council and Civil Societies accredited by the LGU of Batangas are hereby tasked to promote STI, HIV and AIDS in the workplace awareness activities (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 7. 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 8. Declaration of AIDS Awareness Month. – The Council shall spearhead the commemoration of national events pertaining to HIV and AIDS. This shall be 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;

SECTION 9. Appropriation. – The City Mayor shall include in the supplemental and or annual budget of the City Government the amount necessary to give effect to the provision of the ordinance.

CHAPTER II

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 PROGRAM AND PROJECTS IN THE CITY OF BATANGAS

SECTION 1. Definition of Terms. – As used in this Ordinance, the following shall mean:

1. **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.

2. **BCESU** – refers to Batangas City Epidemiological Surveillance Unit

3. **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 1) and Weekly Notifiable Disease or Syndrome (Category II). Such diseases include:

A. 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	

B. 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

4. 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 2. The Health Surveillance Unit. – The health surveillance unit of the city shall be called “The Batangas City Epidemiological Surveillance Unit”.

SECTION 3. Composition. – The City Epidemiological Surveillance Unit shall be composed of the following:

1. City Epidemiological Surveillance Officer
2. Assistant City Epidemiological Surveillance Officer
3. Encoder
4. Disease Surveillance Coordinator (in every hospital within the city)
5. Assistant Disease Surveillance Coordinator (in every hospital within the city)
6. Barangay Disease Surveillance Coordinator (in every barangay)
7. Assistant Barangay Disease Coordinator

SECTION 4. Duties and Responsibilities.

1. The City Epidemiological Surveillance Unit shall have the following duties and responsibilities:

a) Be responsible for collecting, analyzing and disseminating reliable and timely information on the health status, investigate disease outbreaks and other threats to public health.

b) Develop and maintain surveillance and other health information system that generates accurate, reliable and timely information for decision making.

c) Establish a network with sentinel hospitals, clinics and other municipal surveillance units.

d) Support the surveillance activities and programs of the provincial, regional and national epidemiological and surveillance units.

2. The City Epidemiological Surveillance Officer shall have the following duties and responsibilities:

a) Coordinate with hospital clinic and barangay disease coordinators for the systematic and timely reporting of reportable disease and other relevant health data.

b) 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.

c) Collate and analyze all reported data for review and appropriate action of the City Health Office and other higher authorities.

d) Update the City Health Officer and other higher authorities on the health status of the community.

e) Submit report to the Provincial or Regional Epidemiological Surveillance Unit.

f) Perform other health surveillance functions which may be assigned by the City Health Officer or other local health authority.

3. The Encoder shall be responsible for the encoding and generating computer outputs of all reported data for easy analysis of the end-users.

4. The Hospital and Barangay Surveillance Coordinators shall be responsible for the 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 at the Batangas City Health Office.

5. The assistant officers and coordinators shall help their respective higher officer or coordinators in performing their respective tasks and shall act as the alternate whenever necessary.

The Batangas City Epidemiological Surveillance Unit will be guided by the following legal issuances:

1. Republic Act 3573 (Law on Reporting of Communicable Disease) requires all individuals and health facilities to report notifiable diseases to local and national authorities.

2. Administrative Order No.2005-0023 (Implementation Guidelines for Formula One for Health as Framework for Health Reforms). Section C2.c.iii. states that "Disease surveillance shall be intensified to ensure that the targets for disease elimination, prevention and control are attained".

3. Administrative Order No. 2007-0036. Guidelines on the Philippine Integrated Disease Surveillance and Response (PIDSR) framework.

SECTION 5. Reportable Health Data. – The following health information/data shall be reported to the Batangas City Health Office through the Batangas City Epidemiological Surveillance Unit.

1. All notifiable diseases listed in Administrative Order No. 2008-2009. (Adopting the 2008 Revised List of Notifiable Disease, Syndromes, Health-Related Events and Conditions).
2. Deaths and cause of death
3. Birth deliveries attended in the community and birthing facilities
4. Immunization given at birth
5. Newborn screening done at health facilities
6. Birth defects seen at the community and health facilities
7. Other health data which may be prescribed by the CESU, PESU, RESU or National Epidemiological Center (NEC).

SECTION 6. 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 1 of this Ordinance either directly to the BCESU or through their respective hospital or barangay surveillance coordinators.

SECTION 7. Guidelines in Reporting. – The time frame for reporting health data to the City Epidemiological Surveillance Unit shall be the following:

1. 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).

2. Deaths must be reported by relatives or attending medical or non-medical personnel within 48 hours, or within 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 24 hours.

3. 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 48 hours after birth, or within 72 hours if birth occurs on a Friday.

4. Immunization and newborn screening done at health facilities shall be reported on a monthly basis.

5. 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 8. Penal Provisions. – The following penalties shall be imposed upon individuals or institutions or facilities found to have violated the provisions of this Ordinance:

1. Against Public Employee – subject to pertinent Civil Service Rules and Regulations, the imposable penalties for erring government employees are the following:

First Offense -	Reprimand
Second Offense -	Suspension for one (1) to thirty (30) days
Third Offense -	Suspension for 30 – 60 days

2. Against private individual health/institutions facilities, persons/institutions/facilities.

First Offense -	Fine of P3,000.00
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Second Offense -	Fine of P4,000.00
Third Offense -	Fine of P5,000.00 and recommended for suspension of business permit to operate or Health and Sanitary Permit or Occupational Mayor's Permit.

SECTION 9. Appropriation. – A sum sufficient in amount shall be appropriated and included in the Annual or Supplemental Budget of the City Government for the effective implementation of this Ordinance.

CHAPTER III

CREATING THE BATANGAS CITY PHYSICAL FITNESS AND SPORTS DEVELOPMENT COUNCIL AND APPROPRIATING FUNDS THEREFOR, AND REPEALING FOR THE PURPOSE ORDINANCE NO. 8 SERIES OF 2002

SECTION 1. 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 2. 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 3. 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 state 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 purposes 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.

d) **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 4. 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 in sports of all sectors, government and private, in amateur sports promotion and development in the City; and

c. Allocate funds for physical fitness and sports development activities in the City.

SECTION 5. Composition and Functions of the Council. – The Council shall be composed of three (3) divisions namely: the Executive Board, the Secretariat and the Program Coordinators.

a) **The Executive Board.** The Executive Board of the council shall be composed of the City Mayor as the Chairman and the Chairman 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:

1. Ensure that the objectives of this Ordinance shall be carried out.
2. Formulate the implementing rules and regulations of this Ordinance.
3. Supervise the activities and the performance of the Secretariat and the Program Coordinators.
4. Approve the policies to be laid down by the Program Coordinators.
5. 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:

1. Act as the Administrative Coordinator of the Council to document all the programs and undertakings of the Council.
2. Prepare notices of meetings, minutes, agenda and accomplishment reports.
3. Keep records of all the programs and activities of the Council, and
4. 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:

1. Propose to the Council plans for the conduct of physical fitness activities or sports events.
2. Formulate and submit to the Executive Board the policies governing specific events to be hosted by the Council.
3. Organize events approved by the Council.
4. Assist the Council in the full implementation of this Ordinance, and
5. Perform such other functions that are necessary to carry out the objectives of this Ordinance.

SECTION 6. Appropriation of Funds. – The City Mayor shall appropriate sufficient funds in the annual or supplemental budgets of the City Government for an effective implementation of this Ordinance.

CHAPTER IV

PROHIBITING SMOKING IN BATANGAS CITY AND FOR OTHER PURPOSES (Anti-Smoking Ordinance of 2012)

SECTION 1. 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 smokers.

SECTION 2. 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:

- a.1 – Preparatory schools, elementary schools, high schools, colleges and universities, including its premises;
- a.2 – Centers of youth activity such as playschools, youth hostels and all recreational facilities for minors under 18 years old;
- a.3 – Elevators and stairwells;
- a.4 – Gas stations, store or storage area for flammable liquids, gas, explosives or combustible materials, including location in which fire hazards are present;
- a.5 – Public and private hospitals, medical, dental and optical clinic, health centers, nursing homes, dispensaries and laboratories, including its premises;
- a.6 – Inside tricycles, passenger jitneys, bus, van and other public conveyance and public facilities;
- a.7 – Ship terminals, bus and jitney 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";
- a.8 – Food preparation area;
- a.9 – Tricycle terminals, whether registered or not;
- a.10 – City Hall, Sangguniang Panlungsod, Barangay Hall, Barangay Health Centers, Barangay Community Centers and all government buildings and offices, including its premises.

a. Theaters, Cinema and concert halls.

b. Selling or giving cigarettes or tobacco products to minors or purchasing cigarettes or tobacco product from minor.

c. Cigarette smoking of minors.

d. 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.

e. Cigarettes or tobacco advertising except inside the premises of point of sale establishment.

SECTION 3. Administrative Penalties. – Without prejudice to the provisions of Section 6 hereof and with observance of due process, the following penalties shall be imposed on the following persons for violation of this Ordinance:

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

3.2 – 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 out-puts, 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.

3.3 – 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.

3.4 – If the violators are minors below 18 years old, upon arrest for violation of this Ordinance, the minor shall immediately be release 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 4. Penalty Clause. – Any person, who shall violate the provision of this Ordinance, shall upon conviction be punished by a fine of P 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 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 5. 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 6. Enforcement. – All Traffic Enforcers (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 V

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

SECTION 1. Definition of Terms. – For the purpose of this Ordinance the following terms and phrases shall apply:

- 1.1 **Adulterated Products** – impure and contaminated products, products with undesirable substance.
- 1.2 **Adulteration** – to make products impure by adding undesirable substance to lessen the value by adding inferior ingredients.

- 1.3 **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.
- 1.4 **Commerce** – the sale, lease, exchange, traffic or distribution of goods, commodities, productions, services or property, tangible or intangible.
- 1.5 **Consumer** – a natural person who is a purchaser, lessee, recipient or prospective purchaser, lessor or recipient of consumer product.
- 1.6 **Consumer Products** – goods which are primarily for personal, family, household or agricultural purposes, which shall include but not limited to food and drugs.
- 1.7 **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.
- 1.8 **Drugs** – when used in this Act shall include herbal and/or traditional drug. They are defined as articles 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, 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, ready to use form by means of formulation, dosage or dosage directions; and (5) intended for use as a component of any of the articles specified in clauses (1), (2), (3), and (4) of this paragraph.
- 1.9 **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.

GENERAL GUIDELINES:

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.

Stamped with "Best if Used Before": This is the date the manufacturer feels is 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.

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.

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.

1.10 **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.

1.11 **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.

1.12 **Food Cart** – a non enclosed movable food stand with or without wheels selling take out food and drinks such as bread, pastries, cakes, bottled or canned drinks in mechanical dispensers and usually located in fastfood areas of mall, atrium, shopping complex or multipurpose establishment.

1.13 **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 fastfood area or multipurpose establishments, sometimes referred to as self service restaurants.

1.14 **Mislabeled Food** – A food shall also be deemed mislabeled:

- a) If its labeling or advertising is false or misleading in any way;
- b) If it is offered for sale under the name of another food;
- c) 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;
- d) Its containers is so made, formed, or filled as to be misleading;
- e) If any word, statement or other information required by or under authority of this Act 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;
- f) If it purports to be or is represented as a food for which a definition or standard of identity has been prescribed unless;

- 1.15. **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.
- 1.16. **Grocery** – where staple food commonly called groceries are handled and sold.
- 1.17. **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.
- 1.18. **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.
- 1.19. **Misbranding** – indicates all possible conditions of fraud, imitation or misrepresentation of food products and drugs.
- 1.20. **Restaurants** – coffeeshops, canteens, panciteria, bistro, carinderia, fastfood, refreshment parlors, cafeteria, snack bars, cocktail lounge, bars, disco, night club, food kitchen caterers premises and all other eating or drinking establishments in which food or drink is prepared for sale elsewhere.
- 1.21. **Sanitation Inspector** – an officer employed by national, provincial, city, municipal government who enforces sanitary rules, laws and regulations and implements environmental sanitation activities.
- 1.22. **Sari-sari Store** – a convenient store where variety of food materials and other household merchandise are sold in small scale.

- 1.23. **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.

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.

SECTION 2. Scope and Coverage. – This Ordinance shall be enforced within the territorial jurisdiction of the City of Batangas. This Ordinance shall be applicable to all fastfood chain, restaurants, and other related food establishment, malls, supermarkets and groceries, small enterprises such as "sari-sari stores," food stalls, food carts and drugstores.

SECTION 3. 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:

Chairman:	City Mayor
Vice Chairman:	Chairman of Committee on Trade Commerce, Industry and Operation of Markets - City Council Chairman of Committee on Health - City Council
Members:	Chairman of Committee on Peace and Order and Public Safety - City Council Chairman 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 Chairman. 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.

e) Random or scheduled inspection of any Food and Business establishments and drugstores for compliance of this Ordinance.

SECTION 4. Prohibited Acts. – The following acts and the causing thereof are hereby prohibited:

4.1. Sale, offering for sale, distribution or transfer of any food, drug that is beyond its expiration or expiry date by any fastfood chains or restaurants, supermarket and department stores and drugstores respectively.

4.2. Adulteration of any food and drug.

4.3. Refusal to permit inspection by schedule or in random by the members of City Health Office or the City Health Officer.

4.4. 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.

4.5. 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 act.

4.6. 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.

4.7. Sale of Mislabeled Food and Drugs.

4.8. Sale of Misbranded Food and Drugs.

4.9. Sale of any spoiled food from restaurants and fast food chain causing sickness, endangering life of any person or death of any person.

4.10. Sale of consumer products leading to poisoning causing sickness, endangering life of any person or death of any person.

4.11. Restaurants and Fast food chain non compliance 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 5. 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 (P2000.00) but not more than Five Thousand Pesos (P5,000.00) 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.

TITLE II

ENVIRONMENT AND SANITATION

WHEREAS, the 1987 Constitution provides in Section 16 of Article II 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) (VI) 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;

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

CHAPTER I

PROVIDING FOR GRANTS AND SUPPORT TO THE BANTAY DAGAT TASK FORCE OR DEPUTIZED FISH WARDENS OF BATANGAS CITY IN RECOGNITION TO THEIR CONTINUOUS INVALUABLE EFFORT FOR THE PROTECTION OF THE MARINE ECOLOGY OF THE CITY AND PROVIDING FUNDS THEREOF

SECTION 1. Scope and Coverage. – This Ordinance shall apply to all Bantay Dagat Task Force designated or legally known as Deputized Fish Wardens duly supervised by the Office of the Fishery Division of the Office of the City Veterinary and Agricultural Services and deputized by the City Mayor who patrols and performs services in aid of the implementation and enforcement of existing fishery laws, rules and regulations.

SECTION 2. 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 3. 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 Chairman 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 4. 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 II

DECLARING A FISHERY REFUGE AND SANCTUARY IN BARANGAY ILIJAN, BATANGAS CITY, ITS UTILIZATION MANAGEMENT, PROTECTION AND CONSERVATION

SECTION 1. Coverage Area. – This Ordinance shall cover and be applicable to the following:

1. 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, 121.07133 E
Point 2	12.62788 N, 121.07078 E
Point 3	13.62109 N, 121.07528 E
Point 4	13.62160 N, 121.07555 E

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

Point 1	13.62525 N, 121.07403 E
Point 2	13.62481 N, 121.07366 E
Point 3	13.62432 N, 121.07333 E
Point 4	13.62256 N, 121.07437 E
Point 5	13.62297 N, 121.07490 E

The boundaries, coordinates and technical description herein can be subject to change or modification by the Harageriert card under Section 5.

SECTION 2. 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 3. Definition of Terms. – As used in this Ordinance:

1. **Anchoring** – the casting of anchor or heavy instrument to the sea floor so as to grip and secure a vessel.
2. **Biology** – the various life stages and processes of an organism including its function, development, growth and relationship to the environment, both living and non-living.
3. **FARMC** – Fisheries and Aquatic Resources Management Council
4. **Fishing** – the taking of fisheries species from the wild state or habitat, with or without the used of fishing
5. **Fishery Refuge and Sanctuaries** – 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.
6. **Fishery Species** – all aquatic flora and fauna including but not restricted to fish, algae, coelenterates, mollusks, crustaceans, echinoderms and cetacean.
7. **Marginal Fishermen** – an individual engaged in subsistence fishing which shall not be limited to sale, barter or exchange of marine products produced by himself or his immediate members of the family.
8. **Marine Pollution** – the alteration of the physical, chemical and biological properties of any body of water as a result of discharge of substances in any form, liquid, gaseous or solid that will likely to create or render such water harmful, detrimental or injuries to public health, marine life and ecosystem, recreational or other legitimate uses.
9. **Mooring** – the act of securing the vessel to fixed buoy by mean of ropes, chain and other similar devices.
10. **Vessel Grounding** – (for modification or consideration) 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 4. Management. – The Ilijan Fishery Refuge and Sanctuary shall be managed by a council comprised of community stakeholders and applicable city agencies.

4.1 Composition of Sanctuary Management Board. The board shall be composed of:

- a. The City Mayor
- b. City Councilors, Committee on Environment and Committee on Agriculture
- c. The Department Head of OCVAS
- d. The Chief of Police, Batangas City Police Station
- e. The Barangay Chairman
- f. The Officers BFARMC
- g. The City ENRO
- h. The Principal, Ilijan National High School
- i. The Community Representative KEPCo Ilijan
- j. The Chairman, Ilijan Community Development Foundation

4.2 Officers of the Board

Chairman
Vice Chairman
Director of Law Enforcement
Director of Finance
Director of Research and Program Development

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

4.3 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:

- a. Decide on matters related on planning, resource protection and collection of fees and general administration of the area.
- b. 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.

c. Delineate and demarcate boundaries, buffer zone and other areas to properly define the protected area.

d. Control and regulate the construction, operation and maintenance of facilities and structure within the protected area.

e. 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 5. Zonation. – As defined under Section 2, the Ilijan Fishery Refuge and Sanctuary area shall be composed of:

1. **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.
2. **Buffer Zone.** Sustainable Use Zone, the area surrounding the core zone open for traditional fishing gear where are regulated for sustainable used and marked with designated buoy.

SECTION 6. Collection of Fees. – Fees as determine 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 7. 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.

Within the Core Area of the Fishery Refuge Sanctuary it is unlawful to:

- 7.1 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.

7.2 Enter, short cut or drive through the area with motorized boat or vessel.

7.3 Anchor or secure any craft to the sea bottom.

Within the buffer zone the following activities are prohibited:

7.4 The use of motorized boat, fishing with scaring devices and/or light to attract fish.

7.5 Other fishing activities not included in Section of this Ordinance.

SECTION 8. Penalties. – Penalties shall be enforced on the following violation:

- 8.a. Unauthorized entry
- 8.b. Anchorage
- 8.c. Illegal fishing
- 8.d. Vessel grounding
- 8.e. Marine pollution

Violation of any provision of this Ordinance shall be penalized by a fine of P5,000.00 or imprisonment of six (6) months or both at the discretion of the Honorable Court. In addition, if the courts determine 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.

TITLE III

PUBLIC WORKS AND ENGINEERING

WHEREAS, Section 16 of R.A. 7160, known as the Local Government Code of 1991 provides that every Local Government Unit shall promote the health, welfare, safety and convenience of its residents on the principles of sound environmental management;

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 insure the safety as well as the best use, occupancy and maintenance of buildings and other structures.

CHAPTER I

AN ORDINANCE AUTHORIZING THE CITY GOVERNMENT THROUGH ITS CHIEF EXECUTIVE, TO EXERCISE THE POWER OF EMINENT DOMAIN FOR THE EXPROPRIATION OF PRIVATE PROPERTIES IN BARANGAY CUMBA, BATANGAS CITY FOR DRUG REHABILITATION CENTER PURPOSES

SECTION 1. Eminent Domain. - The City Mayor in the name of the City Government is hereby authorized to exercise the power of eminent domain if necessary and for this purpose to commence and file with the proper court the action for expropriation of the aforementioned properties mentioned in 2 whereas clause and such other properties as may be necessary for purposes hereinabove stated within the immediate vicinity of Barangay Cumba, Batangas City. The complaint shall join all persons, owning or claiming to own, or occupying, any part of the properties to be expropriated;

SECTION 2. Appropriation. - The amount equivalent to the deposit fees and other expenses to commence the expropriation proceedings as well as the amount to be paid for the properties as determined by the Court shall be appropriated from unexpended portion of the general fund of the City Government or from other lawful sources of the government.

CHAPTER II

RECLASSIFYING LOT NO. 11661 PT COVERED BY TAX DECLARATION NO. 082-00306 AND TAX DECLARATION NO. 082-02215 BOTH SITUATED IN BARANGAY SAN JOSE SICO, BATANGAS CITY FROM AGRO INDUSTRIAL ZONE (AIZ) TO SPECIAL LAND USE ZONE

SECTION 1. Provision. – All the pertinent stipulation of Ordinance No. 1 Series of 2015 entitled: "An Ordinance Adopting the Batangas City Revised Zoning Ordinance of 2015 and Providing for the Administration, Enforcement and Amendment Thereof and for the Repeal of All Ordinances in Conflict Therewith" and all other rules and regulations which may be inconsistent with the provisions of this Ordinance are hereby amended accordingly.

SECTION 2. Approval. – The application of the Wastecon Inc. for reclassification of Lot No. 11661., pt. covered by Tax Declaration No. 082-00306 and Tax Declaration No. 082-02215 situated in Barangay San Jose Sico, Batangas City from Agro-Industrial Zone (AIZ) to Special Land Use Zone is hereby approved.

CHAPTER III

REPURCHASE AND/OR REDEMPTION OF PROPERTIES LEVIED OR SOLD IN PUBLIC AUCTION UPON PAYMENT OF REAL PROPERTY TAX IN ARREARS, PENALTIES AND COST OF SALE AND ADDITIONAL PENALTY OF FIFTEEN PER CENTUM (15%) UPON THE WHOLE

SECTION 1. Declaration of Policy. – (A) It is hereby declared that the policy of the City Government is to promote the welfare of its inhabitants and to grant some sort of relief in cases of calamities and adverse economic conditions. (B) It is also the policy of the City Government to encourage the taxpayers to settle their tax delinquencies to raise funds for public expenditures.

SECTION 2. Coverage. – This Ordinance shall cover and be applicable to:

1) All real properties which were issued warrants of levy or auctioned for non-payment of real property taxes and which the City Treasurer purchased in behalf of the City Government for lack of bidder or that there is no sufficient bid.

2) All real properties which although levied and purchased by the City Treasurer in behalf of the City Government, the declaration of forfeiture has not been registered with the Office of the Register of Deeds of Batangas City.

3) All real properties purchased by the City Treasurer in behalf of the City Government, which sale or declaration of forfeiture have been registered with the Office of the Register of Deeds of Batangas City but which no sale or contract of sale have been made by the City Treasurer to a third party in the manner and conditions required by law.

SECTION 3. Rights and Privileges Granted to Delinquent Taxpayers of Real Properties:

3.1. All real property owners whose property have been levied through the issuance of a warrant may stay the auction of the property upon payment of the amount of delinquent tax, interest and cost of levy at any time before the date fixed for the sale.

3.2. All real property owners whose property have been levied and purchased in a public auction by the City Treasurer for the City but which declaration of forfeiture have not yet been registered with the Register of Deeds is given one (1) year from date of registration of declaration of forfeiture to redeem or repurchase the property sold by paying the delinquent tax, penalties and cost of sale and additional penalty of 15% upon the whole pursuant to Section 62 of R.A. 5490.

3.3. All real property taxpayers whose property was levied and purchased by the City Treasurer for want of bidder or if the bid is for an amount insufficient to pay the real property tax, interest and cost of sale, shall be allowed to redeem or repurchase the property by paying only the delinquent tax, penalties, cost of the sale and additional penalty of 15% upon the whole pursuant to Section 62 of R.A. 5495 even after the declaration of forfeiture has become absolute provided that no sale or contract of sale has been made by the City Treasurer to a third person in the manner and conditions required by law, provided, however, that the redemptioner or purchaser is the owner or legal representative of the owner of the property.

SECTION 4. Period for the Availment of Rights and Privileges. – The availment of the rights and privileges mentioned shall be effective upon approval of the Ordinance by the Honorable City Mayor.

CHAPTER IV

RECLASSIFYING LOT NOS. 1205, 1243, 1202, 1102, PT., 1102-B-I (18044-B LOT 18098), 1102, PT., (18044-A LOT 18097), 1285 AND 1165-A ALL SITUATED IN BARANGAYS STA. CLARA AND BOLBOK, BATANGAS CITY FROM PORT ZONE TO HEAVY INDUSTRIAL ZONE

SECTION 1. Provision. – All the pertinent stipulation of Ordinance No. 1 Series of 2015 entitled: "An Ordinance Adopting the Batangas City Revised Zoning Ordinance of 2015 and Providing for the Administration, Enforcement and Amendment Thereof and for the Repeal of All Ordinances in Conflict Therewith" and all other rules and regulations which may be inconsistent with the provisions of this Ordinance are hereby amended accordingly.

SECTION 2. Approval. – The application of the First Gen Corporation for reclassification of Lot Nos. 1205, 1243, 1202, 1102, pt., 1102-B-I (18044-B Lot 18098), 1102, Pt., (18044-A Lot 18097), 1285 and 1165-A all situated in Barangays Sta. Clara and Bolbok, Batangas City from Port Zone to Heavy Industrial Zone land use for the proposed Batangas Liquefied Natural Gas Receiving and Reclassification Terminal Project is hereby approved.

CHAPTER V

ALLOWING DELINQUENT REAL PROPERTY OWNERS TO REPURCHASE AND/OR REDEEM THEIR PROPERTIES WHICH WERE LEVIED AND/OR SOLD IN PUBLIC AUCTION

SECTION 1. Declaration of Policy. – (A) It is hereby declared that the policy of the City Government is to promote the welfare of its inhabitants and to grant some sort of relief in cases of calamities and adverse economic conditions. (B) It is also the policy of the City Government to encourage the taxpayers to settle their tax delinquencies to raise funds for public expenditures.

SECTION 2. Coverage. – This Ordinance shall cover and be applicable to:

1.) All real properties which were issued warrants of levy or auctioned for non-payment of real property taxes and which the City Treasurer purchased in behalf of the City Government for lack of bidder or that there is insufficient bid.

2.) All real properties which although levied and purchased by the City Treasurer in behalf of the City Government, the declaration of forfeiture have not been registered with the Office of the Register of Deeds of Batangas City.

3) All real properties purchased by the City Treasurer in behalf of the City Government, which sale or declaration of forfeiture have been registered with Office of the Register of Deeds of Batangas City but which no sale or contract of sale have been made by the City Treasurer to a third party in the manner and conditions required by law.

SECTION 3. Rights and Privileges Granted to Delinquent Taxpayers of Real Properties:

3.1 – All real property owners whose property have been levied through the issuance of a warrant may stay the auction of the property upon payment of the amount of delinquent tax, interest and cost of levy at any time before the date fixed for the sale.

3.2 – All real property owners whose property have been levied and purchased in a public auction by the City Treasurer for the City but which declaration of forfeiture have not yet been registered with the Register of Deeds is given one (1) year from date of registration of declaration of forfeiture to redeem or repurchase the property sold by paying the delinquent tax, penalties and cost of sale and additional penalty of 15% upon the whole pursuant to Section 62 of R.A. 5495.

3.3 – All real property taxpayers whose property was levied and purchased by the City Treasurer for want of bidder or if the bid is for an amount insufficient to pay the real property tax, interest and cost of sale, shall be allowed to redeem or repurchase the property by paying only the delinquent tax, penalties, cost of the sale and additional penalty of 15% upon the whole pursuant to Section 62 of R.A. 5495 even after the declaration of forfeiture has become absolute provided that no sale or contract of sale has been made by the City

Treasurer to a third person in the manner and conditions required by law, provided, however, that the redemptioner or purchaser is the owner or legal representative of the owner of the property.

SECTION 4. Period for the Availment of Rights and Privileges. – The availment of the rights and privileges mentioned shall be effective upon approval of the Ordinance by the Honorable City Mayor and shall end on June 30, 2013 unless extended by the City Mayor.

TITLE IV

PEACE AND ORDER

WHEREAS, Section 16, General Welfare Clause of the LGC of 1991 grants to the Local Government Units, the power to pass ordinances to maintain peace and order and preserve the comfort and conveniences of their inhabitants;

WHEREAS, the Local Government Code empowers the government to enact ordinances intended to prevent, suppress and impose appropriate penalties for activities inimical to the health, welfare and morals of the inhabitants of the City;

WHEREAS, Section 458 No. 12 (V) of the Local Government Code of 1991 provides, among others that the Sangguniang Panlungsod shall enact ordinances to prevent, suppress and impose appropriate penalties for vagrancy, mendicancy and such other activities inimical to the 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;

WHEREAS, the welfare of the youth particularly the minors should received 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.

CHAPTER I

PROMOTING A DRUG-FREE BATANGAS CITY, PROVIDING SANCTIONS THEREFOR, AND FOR OTHER PURPOSES

SECTION 1. 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 2. 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 institutrary 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 benedrine or dexedrine, or any drug which produces a physiological action similar to amphetamine, and hepnotic 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 3. Coverage. – This Ordinance shall cover and be 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.

SECTION 4. 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 5. 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 6. 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 7. 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 8. 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 9. 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 10. 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 11. 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 12. 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 13. 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;

d. Plan and implement viable rehabilitation programs and activities.

SECTION 14. 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 15. 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 16. 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 17. 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 18. 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.

SECTION 19. Appropriation of Funds. – It shall be appropriated in the annual or supplemental budget of the City Government, amounts sufficient for the effective implementation of this Ordinance.

CHAPTER II

CREATING THE ANTI-DRUG ABUSE COUNCIL (ADAC) OF BATANGAS CITY AND APPROPRIATING FUNDS THEREFOR

SECTION 1. Declaration of Policy. – It is the duty of Batangas City 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 2. 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 3. 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 4. Composition. – The Council herein created shall be composed of the following:

Chairman:	City Mayor
Vice-Chairman:	Chief of Police
Members:	City Vice Mayor DILG City Director City Schools Superintendent City Prosecutor City Health Officer Chief, Public Information Office

CSWDO
City Probation and Parole Officer
SK President
ABC President
Representative from Socio-Civic groups
Representative from Religious Groups
Others, as may be deemed necessary

SECTION 5. 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 chairman/chairmen 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.

p. Perform such other functions, necessary and proper, to effect the foregoing functions

SECTION 6. Implementing Rules and Regulations. – ADAC shall formulate the Implementing Rules and Regulations (IRR) after the approval of this Ordinance.

SECTION 7. Appropriations. – For purposes of this Ordinance the amount that shall be appropriated for ADAC of Batangas City shall be included in the Annual Budget of Batangas City.

CHAPTER III

ANTI-SOCIAL BEHAVIOR ORDINANCE OF BATANGAS CITY

SECTION 1. 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:

1.1 – Using his house, building or premises for activities offensive to the decency of the neighborhood or community. Punishable by a fine of P 1,000.00 or imprisonment of not more than six (6) months, or both, at the discretion of the Honorable Court.

1.2 – 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 P 2,000.00 or imprisonment of not less than three (3) months, or both, at the discretion of the Honorable Court.

1.3 – 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 P 2,500.00 or imprisonment of not less than six (6) months, or both, at the discretion of the Honorable Court.

1.4 – 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 P 5,000.00 or imprisonment of not less than one (1) year, or both, at the discretion of the Honorable Court.

1.5 – Those who shall deliberately caused 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 P 1,500.00 or imprisonment of not less than thirty (30) days or both, at the discretion of the Honorable Court.

1.6 – 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 P 500.00 or imprisonment of not less than five (5) days, or both, at the discretion of the Honorable Court.

1.7 – 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 P1,000.00 or imprisonment of not less than ten (10) days, or both, at the discretion of the Honorable Court.

1.8 – 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 P2,000.00 or imprisonment of not less than thirty (30) days, or both, at the discretion of the Honorable Court.

1.9 – 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 P 500.00 or imprisonment of not less than five (5) days, or both, at the discretion of the Honorable Court.

1.10 – 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 P 1,000.00 or imprisonment of not less than ten (10) days, or both, at the discretion of the Honorable Court.

1.11 – 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/heroin 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 p 5,000.00 or imprisonment of not less than six (6) months, or both, at the discretion of the Honorable Court.

1.12 – 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 P 1,000.00 or imprisonment of not less than five (5) days, or both, at the discretion of the Honorable Court.

1.13 – 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 P 1,000.00 or imprisonment of not less than thirty (30) days, or both, at the discretion of the Honorable Court.

1.14 – 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 P 2,000.00 or imprisonment of not less than thirty (30) days, or both, at the discretion of the Honorable Court.

1.15 – Failure of the owner or administrator of the property to report to the barangay officials or to give notice to ones 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 P 1,000.00 or imprisonment of not less than thirty (30) days, or both, at the discretion of the Honorable Court.

1.16 – Unjustifiable refusal of the lessee or tenant or persons claiming right from the lessee or tenant to leave the property inspite 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 notice to vacate has already lapsed. Punishable by a fine of P 1,000.00 or imprisonment of not less than three (3) months, or both, at the discretion of the Honorable Court.

1.17 – 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 P 5,000.00 or imprisonment of not less than six (6) months, or both, at the discretion of the Honorable Court.

1.18 – 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 P 500.00 or imprisonment of not less than five (5) days, or both, at the discretion of the Honorable Court.

1.19 – Walking or staying on-the-road, streets or public places naked or almost naked of covering only ones private parts or without shirt. Punishable by a fine of P1,000.00 or imprisonment of not less than twenty (20) days, or both, at the discretion of the Honorable Court.

1.20 – Using profane and contemptuous language against a person in front of several persons or in public places. Punishable by a fine of P5,000.00 or imprisonment of not less than thirty (30) days, or both, at the discretion of the Honorable Court.

1.21 – Looting of property during conflagration, earthquake or calamity, irrespective of the value of the property taken. Punishable by a fine of P 1,000.00 or imprisonment of not less than thirty (30) days, or both, at the discretion of the Honorable Court.

1.22 – Performing lustful, vexatious or insolent acts against an opposite sex or even on the same gender. Punishable by a fine of P 1,000.00 or imprisonment of not less than ten (10) days, or both, at the discretion of the Honorable Court.

1.23 – 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 P 500.00 or imprisonment of not less than five (5) days, or both, at the discretion of the Honorable Court.

1.24 – 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 P 1,000.00 or imprisonment of not less than ten (10) days, or both, at the discretion of the Honorable Court.

1.25 – 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 P 500.00 or imprisonment of not less than five (5) days, or both, at the discretion of the Honorable Court.

1.26 – 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 P 500.00 or imprisonment of not less than five (5) days, or both, at the discretion of the Honorable Court.

1.27 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 P5,000.00 or imprisonment of not less than thirty (30) days, or both, at the discretion of the Honorable Court.

1.28 – 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 P 300.00 or imprisonment of not less than ten (10) days, or both, at the discretion of the Honorable Court.

1.29 – Riding a passenger jeepney or bus for the purpose of soliciting or begging for money or alms. Punishable by a fine of P 200.00 or imprisonment of not less than two (2) days, or both, at the discretion of the Honorable Court.

1.30 – Committing gross indecency against a minor. Punishable by a fine of P5,000.00 or imprisonment of one (1) year, or both, at the discretion of the Honorable Court.

1.31 – Indecent assault or direct assault against a barangay official, person in authority and agents of person in authority. Punishable by a fine of P1,000.00 or imprisonment of not less than thirty (30) days, or both, at the discretion of the Honorable Court.

1.32 – 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 P 500.00 or imprisonment of not less than ten (10) days, or both, at the discretion of the Honorable Court.

1.33 – 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 P 500.00 or imprisonment of not less than five (5) days, or both, at the discretion of the Honorable Court.

1.34 – Maliciously or negligently selling fake or adulterated products or goods or double-dead meat or poultry products. Punishable by a fine of P5,000.00 or imprisonment of not less than six (6) months, or both, at the discretion of the Honorable Court.

1.35 – Sexual battery or maliciously touching one’s private parts. Punishable by a fine of P 1,000.00 or imprisonment of not less than thirty (30) days, or both, at the discretion of the Honorable Court.

1.36 – 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 P3,000.00 or imprisonment of not less than sixty (60) days, or both, at the discretion of the Honorable Court.

1.37 – Maliciously preventing the lawful exercise of one's profession or occupations. Punishable by a fine of P1,000.00 or imprisonment of not less than thirty (30) days, or both, at the discretion of the Honorable Court.

1.38 – Vendors in public or private markets smoking while serving food or goods to the public. Punishable by a fine of P 500.00 or imprisonment of not less than fifteen (15) days, or both, at the discretion of the Honorable Court.

1.39 – Maliciously gossiping on the personal affairs of an individual or family. Punishable by a fine of P2,000.00 or imprisonment of not less than thirty (30) days, or both, at the discretion of the Honorable Court.

1.40 – 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 P5,000.00 or imprisonment of not less than thirty (30) days, or both, at the discretion of the Honorable Court.

1.41 – 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 P1,000.00 or imprisonment of not less than fifteen (15) days, or both, at the discretion of the Honorable Court.

1.42 – Carrying deadly weapons outside one's residence, such as fan knife, balisong, bob, brass-knuckles and other deadly weapons. Punishable by a fine of P 500.00 or imprisonment of not less than three (3) days, or both, at the discretion of the Honorable Court.

1.43 – 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 P3,000.00 or imprisonment of not less than fifteen (15) days, or both, at the discretion of the Honorable Court.

1.44 – 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 P1,000.00 or imprisonment of not less than ten (10) days, or both, at the discretion of the Honorable Court.

1.45 – 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 P 1,500.00 or imprisonment of not less than thirty (30) days, or both, at the discretion of the Honorable Court.

1.46 – 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 P 3,000.00 or imprisonment of not less than three (3) months, or both, at the discretion of the Honorable Court.

1.47 – Sniffing of rugby or volatile substance that induces a condition of intoxication or irrational behavior. Punishable by a fine of P 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 5 of this Ordinance for appropriate counseling and treatment program.

1.48 – 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 P 5,000.00 or imprisonment of not less than one (1) year, or both, at the discretion of the Honorable Court.

1.49 – 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 P 3,000.00 or imprisonment of not less than thirty (30) days, or both, at the discretion of the Honorable Court.

1.50 – 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 P

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

SECTION 2. Other Violations and Penalties. – 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 P1,500.00 or imprisonment of not less than fifteen (15) days, or both at the discretion of the Court. 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 3. 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:

(1) 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.

(2) Advise the minor of his constitutional rights in a language or dialect understandable by the minor.

(3) Present proper identification to the minor.

(4) Avoid displaying or using any firearm, weapon, handcuffs or other instrument of force or restraint.

(5) Avoid violence or unnecessary force.

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

(7) 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 4. Law Enforcement Officers. – The following are the Law Enforcement Officers who are duty bound to enforce this Ordinance:

- (1) Punong Barangay, Barangay Kagawad and Barangay Tanod/Brgy. Police
- (2) Members of the Defense and Security Services (DSS)
- (3) Persons that may be deputized by the City Mayor
- (4) Members of the Philippine National Police (PNP) stationed in Batangas City

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.

SECTION 5. 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 6. 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 P 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 7. 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 8. Community Service. – If the offender cannot pay the fine provided in Section 1 and Section 2 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 9. Power to Issue IRR. – The City Mayor may formulate and issue rules and regulations for the efficient and effective implementation of any provision of this Ordinance. The non-issuance of the rules and regulations shall not in any manner forestall the effectivity and implementation of this Ordinance. Copy of the IRR shall be furnished immediately to the Sangguniang Panlungsod for the information of the members.

SECTION 10. 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 11. Administrative Fine. – Any person found violating this Ordinance or apprehended for violation of this Ordinance may settle his obligation by paying the corresponding amount for each violation stated in Sections 3 and 4 of this Ordinance in the Office of the City Treasurer within 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.

TITLE V

FIRE AND PUBLIC SAFETY

WHEREAS, Republic Act No. 7160, otherwise known as the Local Government Code of 1991 mandates the Local Government Units to promote and preserve the welfare, safety and interest of its constituency;

WHEREAS, tragic accidents had occurred in different parts of the Philippines during festivities where people unnecessarily lost their lives and property which could have been prevented if basic public safety measures were properly observed;

WHEREAS, on occasion of conflagration, earthquakes, typhoons, volcanic eruptions and other tragic incidents, the local government should be equipped with measures to guarantee safety and protection of lives and property of the inhabitants.

CHAPTER I

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

SECTION 1. 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 2. 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 3. Proactive Measures. – All establishments enumerated under the preceding section are hereby required to comply with the following:

3.1 Employment of security guard/personnel on their establishments.

3.2 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.

3.3 Construction of a CCTV camera inside and outside the establishment.

3.4 At the discretion of the aforementioned establishments, allowing the PNP Batangas City and the City Government inspector to inspect yearly 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 said inspection, the banks and the establishments covered by Section 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 4. 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 exist 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 5. Penalties for Violation of Special Acts Enumerated in Section 3 hereof:

5.1 For failure to employ or secure the services of a 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 P 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.

5.2 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 P1,000.00 or imprisonment of ten (10) days, or both, or community service for fifteen (15) days, at the discretion of the Honorable Court.

5.3 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 P 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.

5.4 For failure to issue a yearly certification under oath as mentioned in Section 3, paragraph 3.4, the manager or officer-in-charge of the banks or financial institutions, including pawnshops, money lending shops and money changing shops, and similar lending institutions shall be liable to a fine of P1,000.00 or imprisonment of ten (10) days, or both, or community service for ten (10) days, at the discretion of the Honorable Court.

SECTION 6. Administrative Sanctions for Violations. – In case of failure to comply with this Ordinance, inspite 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 be effected after due notice and compliance to due process. The establishment who still refused to comply with the ordinance inspite of due notice and due process shall be subject to CLOSURE ORDER to be effected by the City Legal Officer.

CHAPTER II

REQUIRING ALL SHOPPING CENTERS OR MALLS TO PROVIDE PROVISIONS FOR THE PEACE AND ORDER AND SAFETY OF THE PUBLIC AND FOR OTHER PURPOSES

SECTION 1. Coverage. – This shall cover all existing Shopping Centers and Malls and those which in the future may be established within the jurisdiction of Batangas City.

SECTION 2. 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.
- d) **Trauma** – a bodily injury, wound or emotional shock.

SECTION 3. 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 equip 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 4. Other Obligations of the Shopping Center and Mall Managers. – Operators and Security Officers / Guards / Detachment Commanders:

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.

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 5. Penalty Clause. -

A. The manager, officer-in-charge or operator who violates Section 4 hereof, shall upon conviction, be punished by a fine of P5,000.00 or imprisonment of thirty (30) days or both at the discretion of the Honorable Court.

B. The manager, operator, security officer/guard/detachment commander who violates any of the provisions of Section 4 hereof, shall upon conviction be punished by a fine of P3,000.00 or imprisonment of fifteen (15) days or both at the discretion of the Honorable Court.

TITLE VI

TRANSPORTATION AND COMMUNICATION

WHEREAS, pursuant to the provisions of R.A. 7160 otherwise known as the Local Government Code of 1991 Section 16 of Local Government Units shall "exercise the power to regulate the affairs of its constituents in order to promote the common good or general welfare;

WHEREAS, pursuant to the provisions of Executive Order 125, "Reorganizing the Ministry of Transportation and Communications Defining Its Powers and Functions and For Other Purpose", that the Department of Transportation and Communication develops, promotes, implements, and maintains integrated and strategic transportation and communication system that will ensure safety, reliable, responsive and viable services to accelerate economic development and to effectively serve the transport and communication need of the people.

CHAPTER I

UPHOLDING THE EXEMPLARY SERVICE OF THE PUBLIC UTILITY VEHICLES IN THE CITY OF BATANGAS BY RECOGNIZING THE MOST OUTSTANDING TRICYCLE AND JEEPNEY DRIVER OF THE YEAR AND GRANTING AWARDS THEREOF

SECTION 1. Statement of Policy. – It is hereby declared to be the policy of the City of Batangas as an instrumentality of the State to provide for mechanism which shall protect the people transporting within its premises and to assure that the traffic rules and regulations are strictly observed.

SECTION 2. Definition of Terms.– As used in this Ordinance:

1. Public Utility Vehicles – shall mean the public transportation groups comprising of public utility tricycle and public utility jeepney which are available to transport passengers in any point within Batangas City for a set fare.

2. Award – shall refer to monetary incentive, publicity and/or other award that may be granted by the City of Batangas to the awardees.

3. Franchise – for tricycle, it is a privilege granted to its holder by the TDRO to operate in Batangas City in accordance with Ordinance No. 23 Series of 2000 entitled “The Tricycle Franchising Ordinance of Batangas City, As Amended.” For jeepney, it is a privilege granted to its holder by the TDRO and/or LTFRB to operate in Batangas City.

SECTION 3. Coverage. – This Ordinance shall cover all tricycle and jeepney drivers who are a holder of franchise and/or their duly authorized driver, who must be a member of any of the registered tricycle and jeepney drivers association which are recognized by the City Government of Batangas.

SECTION 4. Purpose. – This Act of Recognition and System of Reward is designed as a tool in motivating and encouraging the PUV drivers to continuously obey traffic rules and observe, at all times, due care and utmost diligence in providing their services to the public.

SECTION 5. Act of Recognition and Award System. – The Act of Recognition and Award System for the Batangas City’s Most Outstanding Tricycle and Jeepney Driver of the Year shall be conferred annually to qualified tricycle and jeepney drivers which have shown an exemplary act in obeying the traffic rules and regulations and in observing extraordinary diligence in driving and transporting passengers.

SECTION 6. Committee Functions. – The Recognition and Award Committee shall serve as the policy-making body which shall formulate guidelines, qualifications, requirements, awards and date of awarding. For the purpose of this Ordinance, the Committee shall formulate and issue implementing rules and regulations conveying the set of guidelines, qualifications, requirements, awards, date of awarding, and others as may be deemed necessary. It shall serve as an investigating body which shall identify and screen the nominees, gather substantial evidences to support the nominees’ qualifications, conduct investigations or inspections, conduct deliberation to formulate reliable findings on the matter, and such other functions related thereto.

The guidelines, qualifications, requirements, and awards duly approved for this purpose may for each year be subjected to review and modification according to the time and circumstance appropriateness. The Committee shall

recognize, among the qualified nominees for each category of tricycle and jeepney driver, the most outstanding driver of each year.

SECTION 7. Granting of Award. – The City Mayor shall grant recognition title and award to the Batangas City's Most Outstanding Tricycle and Jeepney Driver of the Year based on the findings of the Committee in an event which may be organized specially for the purpose.

CHAPTER II

REQUIRING ALL MOTORCYCLES TO USE THE RIGHT MOST SIDE OF THE LANE AND FOR OTHER PURPOSES

SECTION 1. Coverage. – This Ordinance shall apply to all persons driving motorcycles who shall use the streets and highway whether local, provincial or national, within the jurisdiction of Batangas City.

SECTION 2. Prohibited Acts. – The following acts shall be considered in violation of this Ordinance by the drivers of motorcycles:

1. Driving a motorcycle on the left or middle side of the lane being used by vehicle proceeding in the same direction.
2. Driving motorcycle on the left side of the center lane or center line of a street or highway in overtaking or passing another vehicle proceeding in the same direction.
3. Driving on the center lane or center line of a street or highway.
4. Overtaking or passing any other vehicle proceeding in the same direction at any intersection of streets or highways.
5. Driving his motorcycle of more than thirty (30) kilometers per hour within the Poblacion (Barangay 1-24) including the urban barangay, namely, Alangilan, Kumintang Ilaya, Kumintang Ibaba, Gulod Labac, Libjo, Cuta, Bolbok, Calicanto, Pallocan Kanluran and Sta. Rita Karsada.

SECTION 3. Exceptions. – The following acts shall not constitute a violation of this Ordinance:

1. Overtaking or passing any other vehicle parked or loading and unloading persons or passengers on the right side of the street or highway adjacent to the sidewalk.

2. Driving a motorcycle in a speed of more than thirty (30) kilometers per hour during emergency to save the life and property from imminent danger or loss.

3. Turning at Intersection. The driver of motorcycle intending to turn to the left at intersection shall with caution and signal approach the intersection nearest to the centerline of the street or highway, and in turning shall pass to the left of the center of intersection with caution to avoid obstruction of traffic flow or accident.

4. Crossing the Opposite Lane Unless otherwise prohibited by traffic rules and regulations, the driver of motorcycle intending to cross the opposite lane, shall give signal and proceed slowly to the centerline, make a stop, and then with caution pass to the left towards his destination.

SECTION 4. Penalty Clause. – Any person violating any of the provision of this Ordinance shall upon conviction be punished by fine of not less than P500.00 nor more than P 3,000.00 or imprisonment of not less than 30 days or more than one (1) year or both at the discretion of the Honorable Court.

SECTION 5. Administrative Fine. – Any offender can settle his violation by paying the amount of P500.00 in the Office of the Treasurer within 72 hours from receipt of Notice of Violation without prejudice to the compliance with the provisions of this Ordinance.

SECTION 6. 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 in any barangay of Batangas City as determined by the court.

CHAPTER III

PENALIZING RECKLESS DRIVING WITHIN THE JURISDICTION OF BATANGAS CITY

SECTION 1. Definition of Terms. – As used in this Ordinance:

a) **Motor Vehicle** – shall mean any vehicle propelled by any power other than muscular power using any public thoroughfare, road, street, boulevard or expressway.

b) **Reckless Imprudence** – consist in voluntarily doing or failing to do an act from which material damage results or which endangers the life and/or safety of persons by reason of inexcusable lack of precaution on the part of the person performing or failing to perform such act, taking into consideration his employment or occupation, degree of intelligence, physical condition and other circumstances regarding persons, time and place.

c) **Negligence** – is doing an act whereby injury or damage may results to the person or property of another or failing to take precaution against its mischievous results in driving the vehicle he is operating.

d) **Unjust vexation** includes any human conduct which although not productive of some physical or material harm, would unjustifiably annoy or irritate an innocent person.

SECTION 2. Punishable Acts. – The following penalties shall be imposed for violations of this Ordinance:

1) Driving recklessly or imprudently causing danger to the life and safety of persons and/or passengers of the other vehicle running the opposite side or on the same side of the road, street or highway.

2) Enticing by means of any overt act the driver of another vehicle traveling the road to engage him in drag-racing or fast driving competition.

3) Driving recklessly or imprudently his motor vehicle causing the driver of the other vehicle to swerve on the other side of the road or to travel on the sidewalks or path not intended for vehicular traffic.

4) Driving recklessly or imprudently his motor vehicle causing the driver of the other vehicle to ditch in a canal or hit an object to save life, property or prevent serious injuries.

5) Heckling or badgering the driver of another vehicle causing undue annoyance or disrespect.

6) Throwing rubbish on the other driver, passenger or vehicle while traveling the road, street or highway or expressway to unjustly vex or annoy the driver or passenger of the other vehicle.

7) Failure of the driver of a vehicle about to be overtaken to give way to an overtaking vehicle approaching from the rear by increasing his speed to prevent his vehicle from being overtaken by a driver who has given suitable and audible signal.

SECTION 3. Penalty Clause. – Any person found guilty of violating any of the provisions of this Ordinance shall upon conviction be penalized by a fine of Three Thousand (P 3,000.00) Pesos and imprisonment of not less than one (1) month or thirty (30) days community work as determined by the Court, or both, at the discretion of the Honorable Court.

SECTION 4. Prosecution for Other Offense. – The conviction of any person for any offense under this Ordinance shall not bar his prosecution for any other offense which may have been committed by such person.

TITLE VII

TRADE AND INDUSTRY

WHEREAS, Section 166 of the Local Government Code of 1991 mandates every Local Government Unit to exercise the power expressly granted for its efficient and effective governance, which shall ensure, support and enhance economic prosperity and the protection of the general welfare of the inhabitants within their territorial jurisdiction;

WHEREAS, the promotion, encouragement and support for locally produced and/or manufactured products is essential for the growth of local economies;

WHEREAS, the City Government recognizes its responsibility for the protection of local producers, manufacturers and suppliers of locally made products or produce.

CHAPTER I

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

SECTION 1. PROHIBITION. – 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.

CHAPTER II

REGULATING THE ENTRY AND SALE OF IMPORTED MEAT AT LOCAL MARKETS IN BATANGAS CITY AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF

SECTION 1. Definition. – As used in this Ordinance, the following terms shall have the following meaning:

1. **Imported Meat** – Meat coming from other Countries.
2. **Local Producers** – Meat producers coming from within the City of Batangas.
3. **Local Markets** – New Market, Old Market in the City, Supermarket or malls in the City, Cooperative market in the City, and all other wet market in the City selling meat products.
4. **Permits** – Business Permit, Sanitary Permit, Quality Control markings on the meat products.
5. **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;

SECTION 2. Coverage. – This Ordinance shall cover all the Local Markets in the City of Batangas whether public or private ownership including talipapa.

REGULATED ACTS

SECTION 3. 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.

SECTION 4. 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.

SECTION 5. 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.

PENALTY CLAUSE

SECTION 6. Violation of any provision of the Regulatory Act shall be punished by the following penalties:

First Offense: Fine of Php 2,000.00 and confiscation of merchandise

Second Offense: Fine of Php 3,000.00 and confiscation of merchandise

Third Offense: Fine of 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.

SECTION 7. 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 and those found to be adulterated and unsafe for human consumption shall be disposed off by burying.

TITLE VIII

ETHICS AND GOOD GOVERNMENT

WHEREAS, Article XIII, Section 15 of the Philippine Constitution states that (a) the State shall respect the role of independent peoples' organization to enable the people to pursue and protect, within the democratic framework, their legitimate and collective interests and aspirations through peaceful and lawful means; (b) the right of the people and their organization to effective and reasonable participation at all levels of social, political, and economic decision – making shall not be abridged. The state shall, by law, facilitate the establishment of adequate consultation mechanisms;

WHEREAS, Chapter IV, Section 34 of the Local Government Code of 1991 states that Local Government Units shall promote the establishment and operation of people's and non-governmental organizations to become active partners in the pursuit of local autonomy;

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. Within their respective territorial jurisdictions, Local Government Units shall ensure and support, among other things, the preservation and enrichment of culture, promote health and safety, enhance the right of the people to a balance ecology, encourage and support the development of appropriate and self-relevant scientific and technological capabilities, improve public morals, enhance economic prosperity and social justice, promote full employment among their residents, maintain peace and order, and preserve the comfort and convenience of their inhabitants.

CHAPTER I

BATANGAS CITY EMPOWERMENT ORDINANCE

SECTION 1. 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;

c. 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 NGO, PC and 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;

d. 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 2. 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 3. Definition of Terms. – As used in this Ordinance the following terms shall mean:

a. **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;

b. **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;

c. **Private Section (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;

d. **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;

e. **City Government** – refers to the City Government of Batangas City;

f. **Sectoral League** – an aggrupation of accredited NGOs or POs or PS;

g. **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;

h. **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.

i. **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.

SECTION 4. Scope and Coverage. – Assessment/Validation of NGOs/POs/PS documents by the Screening Committee of NGOs, POs and PS Accreditation shall cover only those NGOs/POs/PS who would like to be accredited by the Sangguniang Panlungsod.

SECTION 5. 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:

Chairperson - City Planning & Development Office
Vice Chairman - Chairman, Sangguniang Panlungsod Committee on Accreditation

Members:

1. Department of the Interior and Local Government representatives
2. City Social Welfare and Development Office
3. City Environment and Natural Resources Office
4. City Budget Office
5. City Economic Management and Cooperative Development Office
6. Local Finance Committee Action Officer
7. Chairman, Committee on Laws, Rules and Internal Government
8. Two (2) representatives from LGU - NGOs/PO Council

SECTION 6. Functions and Responsibilities. -

- a. Screening Committee (SC) of NGOs, POs and PS Accreditation:
 - a.1. Create among themselves a Technical Working Group (TWG) that may be headed by the Chairman, Sangguniang Panlungsod Committee on Accreditation;
 - a.2. 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;
 - a.3. Analyzes the problems/information on the document submitted by NGOs/POs/PS as verified by the TWG;
 - a.4. Institutes sanctions to NGOs/POs/PS who shall be found intentionally providing false information in the documents submitted for purposes of accreditation;
 - a.5. Holds monthly meeting or as often as necessary to discuss pertinent matters concerning the validity of NGOs/POs/PS documents;
 - a.6. 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:
 - b.1. Receives NGOs/POs/PS documents from the Sangguniang Panlungsod for Screening/Validation by SC;
 - b.2. Schedules and convenes meetings of the SC;
 - b.3. 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;
 - b.4. Provides the screening committee the list of all NGOs/POs/PS who applied for accreditation to the Sangguniang Panlungsod;
 - b.5. Provides the Screening Committee with list and schedule of names of NGOs/POs/PS applicants; and
 - b.6. Provides the screening committee relevant information regarding the status of the NGOs/POs/PS who applied for accreditation.

SECTION 7. 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:

- 7.1. Brief History, Proof of Existence and Operation in Batangas City for at least one (1) year prior to the application of the accreditation;
- 7.2. Proof of activities held in pursuit of developmental objectives or of organizational activities conducted;
- 7.3. Program of activities planned for the year following the date of Application for Accreditation;
- 7.4. 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;
- 7.5. List of officers and members of good standing;
- 7.6. Financial statement and declaration of assets and liabilities; and
- 7.7. Board resolution manifesting a decision to seek accreditation and participation under this Ordinance.

SECTION 8. 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 9. Approval, Amendment, Validity and Revocation of Accreditation. -

a. 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.

b. 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.

c. 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.

d. 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.

EMPOWERMENT AND PARTNERSHIP WITH NGO, PO OR PS

SECTION 10. Empowerment Principle. – Parallel to the vision, mission, goals and aspirations of the City Government of Batangas as it attain 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 11. Empowerment of Rights. – Accredited NGOs, POS, PS or sectoral groups is hereby empowered and/or encouraged to carryout 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.

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 12. 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 13. 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 vote of the Sangguniang Panlungsod and subject to the provisions of existing laws.

SECTION 14. 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

AN ACT GRANTING HONORARIUM TO ALL SK KAGAWAD OF BATANGAS CITY

SECTION 1. Coverage. – This grant of monthly honorarium shall cover all duly elected SK Kagawad of all 105 barangays of the City of Batangas.

SECTION 2. Amount of Monthly Honorarium and Conditions. – All duly elected SK Kagawad shall be entitled to an honorarium of Two Hundred Pesos (P 200.00) monthly subject to the following conditions as certified to by their respective SK Secretary:

1. Must have attended the regular monthly meeting or meetings and Special meeting of the Sanggunian Kabataan.

2. 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.

3. If there is no monthly meeting called for the month, the SK Kagawad shall not be entitled to the monthly allowance for that month.

4. SK Officers who are not elected SK Kagawad are not entitled to the honorarium.

5. 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.

6. 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 3. 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.

TITLE IX

PUBLIC MARKET

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, No. 3 (vii) of the LGC 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) requires the enactment of an Ordinance for the establishment, operation, regulation of the construction of private markets, talipapas or other similar buildings or structures.

CHAPTER I

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

SECTION 1. Definition of Terms. -

- 1.1 **Baratillo/Tiangge or Flea Market** – a type of bazaar or shopping market where inexpensive goods are sold.
- 1.2 **Trade Fair** – an event at which the local products and capabilities of the 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.
- 1.3 **Night Market** – a baratillo/tiangge or flea market that operates at night.

- 1.4 **Seasonal Businesses** – businesses that operates during special seasons such as, but not limited to, the selling of Christmas decorations.

SECTION 2. 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 3. 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 4. 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:

1. City Market Administrator
2. City Planning and Development Officer
3. City Treasurer
4. Head of the Office of the City Veterinarian and Agricultural Services (OCVAS)
5. Sangguniang Panlungsod Chairman of the Committee on Trade, Commerce, Industry and Operation of Markets
6. Representative from the Office of the City Mayor
7. Authorized Representative of the Market Vendors Association

SECTION 5. 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 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, 25% of sellers must be residents of Batangas City.

SECTION 6. 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 7. Prohibitions. – The following activities are prohibited in tiangges, baratillos, flea markets, night markets and other seasonal businesses:

- 7.1 The sale and drinking of liquor and bringing in of firearms and other deadly weapons within the premises.
- 7.2 Cooking within the baratillo site. Those whose products require cooking shall be segregated from the rest of the vendors.
- 7.3 Playing of loud music within the selling premises.
- 7.4 Selling of contraband and pirated goods, (imitation of branded items), obscene gadgets and paraphernalias.

SECTION 8. Obligation of the Organizers. -

- 8.1. The organizers shall provide for portable toilets, electrical requirements and other amenities as may be required.
- 8.2. The organizers shall be required to pay the necessary permit fees and business taxes to the City Government of Batangas.
- 8.3. 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.
- 8.4. 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.
- 8.5. The organizers shall coordinate with the Philippine National Police for random inspection of the area to ensure peace and order, and whenever the circumstances requires police assistance.

SECTION 9. Fees and Penalties. – The following fees shall be paid by the applicant-organizer: (Based on The Batangas City Revenue Code of 2009.)

9.1 Imposition of Fees.

9.1.1 Special Permit Fee for Exhibitor or Participant.

- a. 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.
- b. 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.
- c. 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.

9.1.2 Sanitary Permit Fees. – (based on floor area)

Less than 25 sq.m.	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

9.1.3. 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

9.1.4 Garbage fees

More than 200 square meters	2,000.00
100 to 200 square meters	1,000.00
Below 100 square meters	500.00

9.2 Exemption. – The fees in this article 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.

9.3 Manner of Payment. – The fees imposed shall be paid to the City Treasurer.

9.4 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 10. Penalty Clause. – Any violation committed shall be subject to a fine of five thousand pesos (P5, 000.00) for every offense and the revocation of the permit upon recommendation of the Business Permits and License Officer (BPLO).

TITLE X

HUMAN RIGHTS

WHEREAS, Section 1 (a), Article XIII of the 1987 Philippine Constitution states that the enactment of measures that protect and enhance the right of the people to human dignity, reduce social, economic and political inequalities and remove cultural inequities shall be given highest priority;

WHEREAS, Section 11, Article II of the 1987 Philippine Constitution states that the State values the dignity of every human person and guarantees full respect to human rights;

WHEREAS, the Philippines is a state party to several international agreements such as the Universal Declaration of Human Rights (UDHR), International Covenant of Economic, Social and Cultural Rights (ICESCR), Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), Convention Against Torture (CAT), International Convention on Civil and Political Rights (ICCPR) and Convention on the Rights of Persons with Disabilities (CRPD), which instruments aim to eliminate all forms of discrimination and abuse.

CHAPTER I

PROVIDING FOR A COMPREHENSIVE ANTI-DISCRIMINATION POLICY ON THE BASIS OF SEXUAL ORIENTATION, GENDER IDENTITY AND EXPRESSION

SECTION 1. Declaration of Policy. – It is hereby declared a policy of Batangas City to actively work for the elimination of all forms of discrimination that offend the equal protection clause of the Bill of Rights enshrined in the Constitution and other existing laws and to value the dignity of every person, guarantee full respect for human rights and give the highest priority to measures that protect and enhance the right of all people:

SECTION 2. Definition of Terms. -

1) **LGBT** – refers to a diverse and complex range of identities based on sexual orientation, gender identity and expression (hereinafter "SOGIE"). The

term "LGBT" refers to gender and sexuality non-conforming persons, including, but not limited to lesbian, gay, bisexual and transgender persons.

1.a. **Lesbian** – a woman whose emotional, romantic and sexual energies are geared towards other women;

1.b. **Gay** – a person who is emotionally and/or physically attracted to members of the same sex. Although all-encompassing, this term refers mainly to men;

1.c. **bisexual** – a person who is emotionally and/or physically attracted to members of both the same and the opposite sex;

1.d. **Transgender** – is the state of one's gender identity(self-identification as woman, man or neither) not matching one's "assigned sex" (identification by others as male or female based on physical/genetic sex). Transgender does not imply any specific form of sexual orientation; transgender people may identify as heterosexual, homosexual, bisexual, pansexual, polysexual or asexual. The precise definition for transgender remains in flux, but includes: — of relating to or designating a person whose identity does not conform ambiguously to conventional notions of male or female gender roles, but combines or moves between these. — people who were assigned a sex, usually at birth and based on their genitals, but who feels that this is a false or incomplete description of themselves. — non-identification with or non-presentation as the sex (and assumed gender) one was assigned at birth.

2. **DISCRIMINATION** – shall mean any distinction, exclusion, restriction, or preference made on the basis of sexual orientation and gender identity and expression (SOGIE) which has an effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by a person, group of persons, or institutions of their human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field, especially including but not limited to, employment, livelihood, education and basic services;

3. **SEX** – is a human and civil status of a person acquired by birth having organ and system of reproduction.

4. **SEXUAL ORIENTATION** – refers to each person's capacity for profound, emotional, affectional and sexual attraction to and intimate and sexual relations with, individuals of a different gender or the same gender or more than one gender;

5. **GENDER IDENTITY** – refers to each person's deeply felt and individual experience of gender which may or may not correspond with sex assigned at birth, including personal sense of the body which (may involve, if really chosen, modification of bodily appearance or function by medical, surgical or other means) and other expressions of gender, including dress, speech and mannerisms;

6. **GENDER EXPRESSION** – is how a person publicly presents one's gender. This can include behavior and outward appearance such as dress, hair, make-up, body language and voice. A person's chosen name and pronoun are also common ways of expressing gender;

7. **EDUCATION** – refers to all types and levels of education and includes access to education, the standard and quality of education and the conditions under which it is given;

8. **EMPLOYMENT** – existence of an employer-employee relationship, which is determined by the four-fold test: 1) selection of the employee; 2) payment of wages; 3) power of dismissal; and 4) power of control. This definition shall apply to regular, probational, contractual, seasonal and project-based workers. In legitimate contracting or sub-contracting agreements, the contractor/sub-contractor shall be deemed the employer of the contractual employee;

9. **ACCOMMODATION** – as mentioned herein, includes a house, apartment, condominium, townhouse, flat, motel, boarding house, hotel and dormitory which are open to the general public. It shall also include the grant of license, clearance, certification or any other document issued by governmental authorities or other private juridical entities;

10. **GOODS AND SERVICES** – as applied herein includes but shall not be limited to establishments, individuals and groups of individuals supplying physical goods and services such as restaurants, resorts, hotels, clubs and shopping malls as well as those providing clearing, repair, maintenance, construction, financial health, transportation and public utility services;

11. **VILIFICATION** – the utterance of slanderous and abusive statements done in any activity in public which incites hatred towards serious contempt for, or severe ridicule towards any person/s on the basis of actual or perceived sexual orientation, gender identity and expression (SOGIE).

12. **PUBLIC RIDICULE** – an act of making fun or contemptuous imitating or making mockery of persons whether in writing or in words or in action on the basis of actual or perceived sexual orientation, gender identity and expression (SOGIE).

SECTION 3. Scope and Coverage. - This Ordinance shall be implemented within the territorial jurisdiction of Batangas City.

SECTION 4. Prohibited Acts / Acts of Discrimination. – Discrimination is committed when a person treats another less favorably on the basis of actual or perceived sexual orientation, gender identity and expression (SOGIE), than a person treats or would treat another without that attribute, on the same or similar circumstances in employment, education, accommodation, delivery of services and in other areas, to wit:

1. **Discrimination in Employment** – It shall be unlawful for any employer to discriminate against any person or group of persons on the basis of actual or perceived sexual orientation, gender identity and expression (SOGIE), in public or private employment by:

1.a. Denying or limiting rights to trainings, recruitment, promotion, remuneration and other terms and conditions of employment;

1.b. Denying or limiting opportunities to favorable terms and conditions of employment which afford employees advancement, in all areas of public service, including all levels of government service and employment in Batangas City;

1.c. Excluding membership in labor unions or similar organizations;

1.d. Subject any employee to workplace harassment or any threat of physical, mental and verbal violence, intimidation or other threatening disruptive, behaviour committed by the employer or by another employee; i.e. Dismissing the employee or subjecting the employee to any other detriment on the basis of actual or perceived sexual orientation, gender identity and expression (SOGIE).

2. Discrimination in Education – It shall be unlawful for an educational institution, both public and private, along with the institution's officers and employees, to discriminate against a person on the ground of actual or perceived sexual orientation, gender identity and expression (SOGIE) thereof by:

2.a. Unduly delaying, refusing or failing to accept a person's application or admission as a student, without prejudice to the right of educational institutions to determine the academic qualifications of their students;

2.b. Providing onerous or unjust terms and conditions for admission of a person as a student;

2.c. Denying or limiting the student's access to any benefit provided by the educational authority;

2.d. Expelling or subjecting the student to any penalty or any other detriment on the basis of actual or perceived sexual orientation, gender identity and expression (SOGIE);

2.e. Refusing admission, denying acceptance or expelling or dismissing a student from academic, socio-civic organization and associations on the basis of actual or perceived sexual orientation, gender identity and expression (SOGIE);

2.f. Subjecting any student to harassment, bullying or any threat of physical, mental and verbal violence, intimidation or other threatening disruptive behavior committed by teachers, professors, trainers, administrators or by other students.

3. Discrimination in the delivery of Goods or Services – It shall be unlawful for a person, natural or juridical, whether as a principal or agent, to discriminate against a person on the ground of actual or perceived sexual orientation, gender identity and expression (SOGIE) by:

3.a. Refusing to provide goods or services and/or imposing onerous terms and conditions to a person on the ground of one's actual or perceived sexual orientation, gender identity and expression (SOGIE) as a pre-requisite for providing such goods or services where the said terms and conditions are not imposed on another person under the same or similar circumstances;

3.b. Denying a person's access to health services and facilities, health insurance and other related benefits as provided under the law or those health benefits provided by the local government;

4. Discrimination in Accommodation – It is unlawful for a person, natural or juridical, whether as principal or agent to refuse or limit access to any benefit associated to accommodation, on the ground of actual or perceived sexual orientation, gender identity and expression (SOGIE) BY:

4.a. Refusing or failing to allow any person to avail of services or accommodation in an apartment, condominium, townhouse, flat, hotel, inn, dormitory and any other places of dwelling being rented out or offered to the public for a fee;

4.b. Denying an application for a license, clearance, certification or any other document issued by governmental authorities or other private or juridical entities, on the basis of actual or perceived sexual orientation, gender identity and expression (SOGIE).

5. Verbal, Non-Verbal Ridicule and Vilification – Any person, natural or juridical, is hereby prohibited from vilifying or ridiculing any person on the basis of actual or perceived sexual orientation, gender identity and expression (SOGIE) which could result in the loss of self-esteem of the latter through any of the following acts:

5.a. Making fun or contemptuous imitating or making a mockery whether in writing or in words, or in action;

5.b. Uttering of slanderous and abusive statements;

5.c. Executing any activity in public which incites hatred towards, serious contempt for, or severe ridicule of a person;

5.d. Doing any other analogous act/s of ridicule in any time and place which could intimidate or result in loss of self-esteem of the person.

6. Harassment, unjust detention and involuntary confinement – It shall be unlawful to commit harassment, unjust detention and involuntary confinement because of one's actual or perceived sexual orientation, gender identity and expression (SOGIE).

7. Disallowance from entry and refusal to serve – It shall be unlawful to refuse entry and/or disallow a person or group of persons from entering any establishment such as restaurants, bars, stores, movie houses, shopping malls and other places or entertainment and other businesses which are open to the general public, and/or to refuse to attend to or serve any orders for food, drinks and other goods, consumable and non-consumable, or to subject one to discrimination or harassment in buses, taxis, ships, airplanes on the basis of actual or perceived sexual orientation, gender identity and expression (SOGIE).

8. Promotion of Discrimination against LGBT – It shall be unlawful to organize groups and activities which promote and incite discrimination against persons based on actual or perceived sexual orientation, gender identity and expression (SOGIE).

9. Any Other Analogous Act – Any act of discrimination or harassment based on actual or perceived sexual orientation, gender identity and expression (SOGIE), which demeans the dignity and self-respect of a person or impairs, mars, reduces or nullifies the recognition, enjoyment or exercise of a person's human and legal rights and basic freedoms in the civil, political, labor, economic, social, cultural, education spheres and other spheres.

SECTION 5. Affirmative Acts. – To ensure that the rights of lesbian, gay, bisexual and transgender (LGBT) persons are protected, the following plans and programs shall be adopted in employment, in education, in the delivery of goods and services, accommodation, and other areas to wit:

1. Affirmative Acts in Employment

1.a. Wage and Benefits for Lesbian, Gay, Bisexual and Transgender (LGBT) persons – Every employer in Batangas City shall comply with the minimum wage as stipulated by the Regional Wage Board or as stipulated by pertinent legislation passed by Congress and shall grant all lesbian, gay, bisexual and transgender (LGBT) persons benefits afforded under existing laws, such as maternity/paternity leaves, sick and vacation leaves, retirement and benefits provided under special laws such as in R.A. No. 9262, among others;

1.b. Issuance of Annual Gender Sensitivity Training Certificate including Sexual Orientation Gender Identity and Expression (SOGIE) – All private offices, commercial/industrial establishments located in Batangas City shall encourage an annual gender sensitivity training or orientation for all

employees, including a module on the elimination of all forms of discrimination on the basis of one's actual or perceived sexual orientation, gender identity and expression (SOGIE)

1.c. Dissemination to Employee and Posting of the Ordinance – A copy of this Ordinance shall be provided to all employees upon engagement by the Hiring Officer or by the Human Resources Officer of any public or private entity where employment is sought. A copy of the ordinance shall be posted in two conspicuous places in the office where the business is located;

1.d. Facilities and Support System for Lesbian, Gay, Bisexual and Transgender (LGBT) Persons – All government agencies, private officers and commercial/industrial establishments shall designate toilet rooms and lavatories labeled as all gender CR.

2. Affirmative Acts in Education

2.a. Equal Access to Education Opportunities – The Batangas City Government shall ensure equal access to opportunities for lesbian, gay, bisexual and transgender (LGBT) persons in various trainings and scholarships;

2.b. Availability of Anti-Discrimination Materials – All schools, colleges, universities and other educational and training institutions, whether public or private, located in Batangas City, shall develop and make available resource materials on gender rights and empowerment, including laws and ordinances pertinent to the elimination of any form of discrimination on the basis of actual or perceived sexual orientation, gender identity and expression (SOGIE), in their libraries;

2.c. Elimination of Gender Stereotyping – All schools, colleges, universities and other educational and training institutions, whether public or private, located in Batangas City, shall promote the elimination of sex-role stereotyping and gender-discriminatory role modeling for students in academic and extra-curricular activities;

3. Affirmative Acts in the Delivery of Goods and Services

3.a. Deliver of Goods and Services to Eligible Individuals – Establishments supplying physical goods and services shall ensure that goods

and services are delivered to eligible individuals in a non-discriminatory manner in accordance with the standards provided under applicable laws;

4. Affirmative Acts in Accommodation

4.a. Health Services for Lesbian, Gay, Bisexual and Transgender (LGBT) Persons and Capacity-Building and Training for Health Care Providers – In order to ensure that health care services shall be provided in a non-discriminatory manner, the Batangas City Government, through the City Health Department, shall:

4.a.1. Extend quality health care services and information on reproductive health without regard to one's marital status, age, religious affiliations, sexual orientation, gender identity and expression (SOGIE), personal circumstances and nature of work;

4.a.2. Monitor and ensure that provisions for gender-sensitive, gender-responsive and accessible health services for lesbians, gays, bisexuals and transgenders (LGBTs) are available both at the hospitals within the City and in Barangay Health Centers;

4.a.3 Encourage the establishment of an LGBT Desk in every public and private hospital to handle concerns pertaining to the proper administration of medical services to a person with specific needs, according to one's self-identified sexual orientation, gender identity and expression (SOGIE), in order to provide a comprehensive, responsive and accessible health services;

4.a.4. Build the capacities of barangay health workers, schools and community-based health personnel in delivering gender-sensitive and gender-responsive health services to the community in coordination with the barangay and non-governmental organizations;

4.a.5. Initiate a sensitization and training drive in all government health care facilities about the needs of lesbian, gay, bisexual and transgender (LGBT) population vis-a-vis general health and medical emergencies.

SECTION 6. Composition of the Batangas City Pride Council. -

Members of the Secretariat shall be recommended by the Batangas City Pride Council which shall be composed of the following:

Chairperson: Mayor
Vice Chairperson: Chairman Committee on Women & Family

Members:

1. Head of Public Employment Services Office
2. Chief of Business Permits and Licensing Office
3. Superintendent of the Division of City Schools
4. Representative, Gender Development Council
5. Four (4) Representatives from Non-government Organizations accredited by the City
6. Head of the Batangas City Health Department
7. Representative from the Batangas City Police District

SECTION 7. Oversight Functions of the BCPC under the Ordinance. -

The Batangas City Pride Council shall perform oversight functions over the implementation of this Ordinance, including the implementation of Anti-Discrimination programs provided herein. The BCPC shall exercise the following principal functions:

- a. Monitor complaints concerning violations of any provision of this Ordinance;
- b. Facilitate and assist the victims of stigma and discrimination to ensure that they have legal representation, counselling and psychological assistance;
- c. Maintain discrimination case documentation, case monitoring system, and set-up a databank to easily access various cases and experiences of stigma and discrimination;
- d. Recommend to the Sangguniang Panlungsod anti-discrimination policies;
- e. Monitor or review all policies embodied in resolutions, ordinances, codes and other policy documents to determine if they are free from discriminatory statements and provisions and undertake necessary amendments of those provisions to effectively eliminate discrimination, stigma and stereotyping LGBTs.

SECTION 8. Commemoration of Lesbian, Gay, Bisexual and Transgender (LGBT) Events. -

In support of the lesbian, gay, bisexual and transgender (LGBT) community, the Batangas City Government shall commemorate the annual celebration of the following:

- a. Philippine Pride March on the First Saturday of December;
- b. World Aids Day on December 1; and
- c. Human Rights Day on December 10.

SECTION 9. Appropriation. - For the effective implementation of this Ordinance, the City Government shall source out funds from the five percent (5%) of the annual budget appropriated to finance the Gender and Development (GAD) plans, projects and programs.

SECTION 10. Anti – Discrimination Programs. - Fund shall be allocated by the Batangas City Government for the implementation of the following programs:

- a. Discrimination Databank and Monitoring;
- b. Access to legal representation of victims of discrimination based on sexual orientation, gender identity and expression (SOGIE);
- c. Psychological Counselling;
- d. Anti-Discrimination Campaign;
- e. Policy review;
- f. Organization of Lesbian, Gay, Bisexual and Transgender (LGBT) persons in the barangay to ensure sectoral representation in the City Government.

SECTION 11. Persons Liable. - Any person, natural or juridical, who commits any of the acts herein prohibited, shall be criminally liable and penalized accordingly. In case of juridical persons, such as but not limited to corporations, partnerships, associations, institutions, whether private or public, the President or head of office, shall also be criminally responsible.

SECTION 12. Penalties. - Any person held liable under this Ordinance shall be penalized with imprisonment for a period of not less than sixty (60) days but not more than one (1) year and/or a fine of not less than One Thousand

Pesos (Php 1,000) but not to exceed Five Thousand Pesos (Php 5,000) or both at the discretion of the Court, without prejudice to any applicable criminal, civil or administrative action that may be instituted under the provision of existing laws.

SECTION 13. Independent Action for Damages. – Nothing in this Act shall preclude the victim of discrimination based on actual or perceived sexual orientation, gender identity and expression, from instituting a separate and independent action for damages and other affirmative relief.

SECTION 14. Implementing Rules and Regulations. – Within Sixty (60) days from the effectivity of this Ordinance, the Batangas City Pride Council, shall jointly formulate, after thorough consultation with multi-sectoral groups and stakeholders to be consulted shall be composed of experts and representatives from various sectors such as: civil society, LGBT non-government organizations, LGBT organizations and community based organizations.

TITLE XI

SOCIAL WELFARE

WHEREAS, Article XIII, Section 2 of the 1987 Constitution states that it is the duty of the State to give its highest priority in the promotion of social justice which shall include its commitment to create economic opportunities based on freedom of initiative and self-reliance;

WHEREAS, Republic Act 5416, Section 2, states 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.

CHAPTER I

GRANTING PERSONS WITH DISABILITY FREE MOVIE ACCESS TO ALL MOVIE THEATERS IN THE CITY OF BATANGAS

SECTION 1. Definition of Terms. – For the purpose of this Ordinance, the following terms and phrases shall apply:

1.1 Persons with Disability – 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 on impairment. They are all individuals issued with Persons with Disability Identification Card from City Social Welfare and Development Office as prescribed by law.

2.2. **Exclusive Use or Enjoyment of Persons with Disability** – refers to the discount privilege that can be availed only by persons with disability.

2.3. **Benefactor** – refers to any person whether related to the person with disability or not who takes care of him/her as a dependent.

2.4. **Movie Theaters** – a theater where films are shown

2.5. **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.

2.6 **Amusement Tax** – refers to tax levied on such forms of entertainment as motion pictures, theater, etc., and included in the total admission price.

The definition of terms provided in Republic Act 7277 otherwise known as the Magna Carta for the Disabled Persons and Republic Act 9442 as far as applicable are hereby made part of this Ordinance.

SECTION 2. Scope and Coverage. – This Ordinance shall be enforced within all movie theaters in the territorial jurisdiction of the City of Batangas.

SECTION 3. Rules and Regulations. -

3.1. **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.

3.2. **AVAILMENT.** Every Person with Disability shall be allowed to avail of this free movie privilege once a week on the 1st or 2nd 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 have the Senior Citizen (SC) Card, only one can be used either the PWD or the SC Card.

3.3. 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 (80%) or 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 80% and Cinema 20% Memorandum of Agreement between Cinema and Batangas City shall be provided upon effectivity of the ordinance.

3.4. SPECIAL EVENTS. The free movie privilege covers only the regular theater/movie on the 2 Day viewing/screening onwards and does not include 3D Cinema and Special events like sponsored movie premiers, pay per view showing etc.,

3.5. 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 20% discount as provided by the law.

3.6. 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.

3.7 THEATER/MOVIE SEATS. Theatres 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.

3.8. Implementation and Information Dissemination. - The administration of the Movie theatre shall ensure that a sign or advertisement extending the free movie privilege is continuously posted within the premises. It shall also endeavour 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.

TITLE XII

SENIOR CITIZENS, WOMEN AND CHILDREN AND THE YOUTH

WHEREAS, Article XIII, Section 14 of the 1987 Constitution of the Philippines provides that the State shall protect working women by providing safe and healthful working conditions, taking into account their maternal functions, and such facilities and opportunities that will enhance their welfare and enable them to realize their full potential in the service of the nation;

WHEREAS, it is the mission of the Sangguniang Panlungsod to enact quality and substantive legislation that will promote general welfare and development of their communities;

CHAPTER I

CREATING THE ADOLESCENT AND YOUTH HEALTH COUNCIL IN THE CITY OF BATANGAS

SECTION 1. Definition of Terms. – For purposes of this Batangas City Ordinance on Adolescent and Youth Health Council, these terms shall be defined as follows:

1.1 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.

1.2 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).

1.3. 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.

1.4. AYH – Adolescent and Youth Health

1.5. AYHDP – Adolescent and Youth Health and Development Program

1.6. 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.

1.7. 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.

1.8. 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.

1.9. 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.

1.10. 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.

1.11. **TEEN PREGNANCY** – the number of adolescents who visited any of the six main health centers in Batangas City for pre-natal check up prior to their deliveries.

1.12. **YOUTH** – refers to young people whose age range from fifteen to twenty four (15-24) years old.

SECTION 2. Scope and Coverage. – This Ordinance shall be implemented within the territorial jurisdiction of Batangas City.

SECTION 3. Composition of Adolescent and Youth Health Council. – The Adolescent and Youth Health Council shall be composed of the following:

Chairman : City Mayor
Co-Chairman : City Health Officer

Members:

1. Sangguniang Panlungsod Chairman Committee on Health
2. Sangguniang Panlungsod Chairman Committee on Youth and Sports Development
3. Batangas City Health Office Representative
4. City Social Welfare and Development Officer
5. Civil Society Organization
6. International NGOs
7. Youth Organizations
8. City Council for Youth Affairs Office
9. Department of Education Batangas City Schools Division Superintendent

9.a. Academic Institutions will be consisted but not limited to the following:

- Colegio ng Lungsod ng Batangas (CLB)
 - Batangas State University (BSU)
 - Lyceum of the Philippines University (LPU)
 - University of Batangas (UB)
 - St. Bridget's College (SBC)
 - Golden Gate College (GGC)
 - Technical/Vocational Schools and Institutions
10. President, Association of Barangay Council

SECTION 4. Duties and Functions of the Adolescent and Youth Health Council. – The Council shall immediately convene and have the following functions:

1. Serves as the policy-making body for Adolescent Youth Health and Development Program (AYHDP) in the City of Batangas.
2. Oversee the Technical Working Group for guidance and technical assistance.
3. 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 5. 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:

1. AYH Coordinators, Program Managers of public health facilities in Batangas City.
2. Health Service providers trained on Adolescent/Youth Health, both from public and private sector.
3. Trained Peer Educators among students and Out-of-School Youth.
4. Representatives of private sector with programs on Adolescent, Youth and Health
5. Representatives of Civil Society Organizations

SECTION 6. Implementing Rules and Regulations. – The City Mayor is given the power to issue and promulgate rules and regulations necessary for the proper or effective implementation of this Ordinance.

SECTION 7. Appropriation. – The City Mayor in his discretion may appropriate funds under the Office in the Annual and Supplemental Budget of each calendar year for the effective implementation of this Ordinance.

CHAPTER II

ADAPTING THE NEW EARLY CHILDHOOD CARE AND DEVELOPMENT AND CONVERTING DAY CARE SERVICES TO QUALITY EARLY CHILDHOOD CARE DEVELOPMENT

SECTION 1. Scope and Coverage. – This Ordinance mandates the adaption and implementation of the new Early Childhood Care Development System under R.A. 10410 from Day Care Service Program within the territorial jurisdiction of Batangas City.

SECTION 2. 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 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:

(1) 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

(2) 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.

(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 3. Compliance. – The ECCD system shall comply National Early Childhood Care Development Program to be implemented to the national standards as R.A. 10410 provides that:

3.1 System Framework and Components. – The Early Childhood Care Development System shall ensure that the National 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:

(a) **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;

(b) **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;

(c) **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

(d) **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 4. 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:

4.1 Implementing Arrangements and Operational Structures. – The implementation of the National ECCD System shall be the responsibility of the ECCD Council.

(a) **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 National 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.

(b) 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.

(c) 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 5. 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 6. 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) 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.

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.

CHAPTER III

COMPREHENSIVE ANTI - BULLYING ORDINANCE OF BATANGAS CITY

SECTION 1. 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 2. Definition of Terms. – For the purpose of this Ordinance, the following terms shall mean:

- a) **Student** – a learner who is enrolled in any educational institution.
- b) **Child** – refers to a person under the age of eighteen (18) years.
- c) **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.

iv. **Non-Academic Personnel** – school personnel not falling under the definition and coverage of teaching and academic staff and academic non teaching personnel.

d) **Legal Guardian** – is those who is such by provision of law without need of judicial appointment.

e) **Judicial Guardian** – a guardian appointed by the court to represent the minor in all of latter's civil acts and transactions.

SECTION 3. Prohibited Acts of Bullying. -

I. 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 or students, 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 or students;
- 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.

II. 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;
- iv. the 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
- vi. homophobic or racist slurs.

c. **Emotional / Psychological Bullying** – involves the 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;
- 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 walls 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;
- 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. Electronic technology 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. impersonating a victim online or posting personal information, photos, or videos designed to hurt or embarrass another person;
- iii. rumors and threats sent by email or posted on social networking sites;
- 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 4. 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 5. 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:

Chairperson – Principal

Vice Chairperson – Vice President, Parents-Teachers Association

Members:

Guidance Councilor or its Equivalent, President of Student Council, Barangay Captain and/or Barangay Kagawad

Chairman of the Committee on Education of the host barangay

President of Faculty Association, Youth representative from the Barangay

SECTION 6. 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 IRR and DepED Order No. 40, a. 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.

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 7. 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 Chairman 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:

Chairperson –	City Mayor
Vice Chairperson (Internal) –	City Social Welfare Development Coordinator
Vice Chairperson (External) –	City Legal Officer
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 8. 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 chairman 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;
- 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 9. Civil and Criminal Liabilities for Acts of Bullying. – The parents, judicial or legal guardians shall be principally and solidarily liable for damages caused by acts of bullying to a student as provided for in Section 4 (Prohibited Acts of Bullying) of this Ordinance.

SECTION 10. Penalty Clause. – The penalty of fine ranging from One Thousand Pesos (P1,000.00) to Three Thousand Pesos (P3,000.00) 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 IV

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

SECTION 1. Guiding Principles. – 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 2. 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 3. Establishment and Strengthening of the City Council for the Protection of Children (CCPC) as provided for under Section 15 of R.A. 9344. -

- 3.1 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.
- 3.2 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 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 4. 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 5. Implementation of the City Juvenile Intervention Program (CJIP).– The City Government of Batangas shall implement the 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 6. 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:

- 6.1 Primary Intervention, which includes general measures to promote social justice and equal opportunity, which will indirectly tackle perceived root causes of offending.
- 6.2 Secondary intervention, which includes measures to assist children at risk and to prevent them from offending.
- 6.3 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 7. Appropriation of Funds. – The Sangguniang Panlungsod shall incorporate in its Annual Appropriation Ordinance funds for the immediate development of information and education campaign (EIC) 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 the law. In addition, the City Government of Batangas shall appropriate 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 8. 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.

SECTION 9. Penal Provision. – The Penal Provision of this Ordinance shall be pursuant to Section 62 of R.A. 9344 and Rule 95 of its Implementing Rules and Regulations.

SECTION 10. Appropriations. – The City Government of Batangas shall allocate funds to carry out the provisions of this Ordinance with an initial budget of Php 300,000.00 subject to the usual accounting and auditing rules and regulations.

CHAPTER V

BATANGAS CITY ANTI - TRAFFICKING ORDINANCE OF 2012

SECTION 1. 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 dignity and human rights and 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 2. 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 3. Batangas City Anti – Trafficking Task Force. –

(a) **Creation of the Task Force; Task Force Members.** A special committee, which shall be named the "Batangas City Anti-Trafficking Task Force" (hereinafter called as the "task force") shall be created. The chairman 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, NCO 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 persons 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 the month in which this Ordinance is enacted. The task force may convene in special sessions 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:

- d.1. Develop and implement programs for 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.
- d.2. Develop and implement programs for 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.

- d.3 Develop and implement strategies for effectively investigating and interdicting trafficking in persons in the City.
- d.4 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.
- d.5 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.
- d.6 Recommend to the City Mayor to have the permits or license of business establishment suspended or revoked for activities related to trafficking in persons.
- d.7 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.
- d.8 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.
- d.9 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.

- d.10 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 VI

REQUIRING ALL GOVERNMENT AND PRIVATE AGENCIES / OFFICES, ESTABLISHMENTS AND INSTITUTIONS IN THE CITY OF BATANGAS TO ESTABLISH BREASTFEEDING CORNER / ROOM IN THEIR OFFICE/ESTABLISHMENTS/INSTITUTIONS AND PROVIDING THE MECHANISM FOR ENFORCEMENT AND PRESCRIBING PENALTIES FOR VIOLATION THEREOF, AS AMENDED

SECTION 1. Scope and Coverage. – This Ordinance shall apply to all government offices and agencies and private establishments and institutions operating within the territorial jurisdiction of the City of Batangas.

SECTION 2. Establishment of Lactation Station. -

(a) Facility. – 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 3. Rules and Regulations. -

3(a) Mechanism for Enforcement. – Compliance with this Ordinance shall be a requirement for the granting and/or renewal of business licenses and permits. For this purpose, the Business Permits and Licensing Office shall deny new or renewal applications or business licenses and permits without the certification by the City Health Office certifying compliance with this Ordinance.

3(b) Monitoring – The City Health Office and the Business Permits and Licensing Office 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 City Health Office shall adapt 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 to help in the monitoring and implementation of the Ordinance. The City Health Office 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:

- a. City Health Office
- b. Business Permit and Licensing Office
- c. Non-Government Organization
- d. Civil Society such as BATMC, Kalipi and Civic Organizations
- e. 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/corner needed per area or per establishment.

Other functions of monitoring team includes:

- a. Monitor compliance as well as problems encountered in the implementation of the Ordinance.
- b. Review /act on reports of violations of the provisions of the Ordinance.
- c. Recommend sanctions or punitive actions for the violations of the Ordinance.

- d. Submit regular reports on the status of the implementation of the Ordinance.

SECTION 4. Penalty for Violation of this Ordinance. - Any person, association, partnership or corporation or any health institution which shall violate any of the provisions of this Ordinance be subject to the following penalties:

First (1st) Offense – Warning.

Second (2nd) Offense – Fine of Five Thousand Pesos (P5,000).

Third (3rd) Offense – Fine of Five Thousand Pesos (P5,000) and revocation or cancellation of business permit or license to operate.

CHAPTER VII

GENDER AND DEVELOPMENT FOCAL POINT

SECTION 1. Statement of Policy. – The City of Batangas hereby declares its strong commitment and recognition of the role of Filipino Women in development and nation building through the creation of a GAD Focal Point. This initiative is vital in gender mainstreaming. More importantly, this Ordinance will facilitate and sustain the implementation of RA 7192.

SECTION 2. Definition of Terms. – The following terms used in this Ordinance are defined as:

1. **Gender and Development** – shall refer to the development perspective, which recognizes the equal contribution of women and men in all aspects/sectors of development.
2. **GAD Focal Point** – a mechanism that is tasked to catalyze, coordinate, provide direction to, monitor and serve as technical adviser for programs; projects on women/gender and development concerns within the city.
3. **Gender Mainstreaming** – a strategy with gender and development concerned issues at all levels of government undertaking.

SECTION 3. Composition. – The GAD Focal Point shall be composed of the following:

CHAIRMAN – Local Chief Executive
VICE CHAIRMAN – Chairperson Committee on Family and Women

MEMBERS:

- City Planning and Development Officer
- City Health Officer
- City Social Welfare and Development Officer
- City Budget Officer
- DECS Supervisor
- ABC President
- SK Federation President

Chairperson - Committee on Trade, Commerce and Industry & Operation of Market
Chairperson - Committee on Agriculture

CIVIC ORGANIZATIONS:

- Girl Scout of the Philippines
- Boy Scout of the Philippines
- Lions Club
- Rotary Club
- Jaycees Caballero
- APEX
- Batangas Rizalinos
- Kalipi

SECTION 5. Powers, Functions and Responsibilities. – The GAD Focal Point shall be tasked with the following functions:

- a. Catalyze, coordinate, provide direction to monitor and serve as technical adviser for programs/projects on women/gender and development concerns within the city.
- b. Review the mandated tasked of the LGU as per RA 7192 and other presidential decrees/directives on the course of action to be taken.

- c. Conduct a gender responsive planning workshop.
- d. Make a comprehensive and integrated plan and program for women in the city and ensure the implementation thereof.
- e. Establish a data bank unit.
- f. Facilitate a trainor's training on GAD.
- g. Ensure that GAD activities of the LGU are replicated in the Barangay level.
- h. Assess their performance and learn from the experience of others by attending annual linkages with the National Commission on the Role of Filipino Women (NCRFW).
- i. Require the LGU personnel unit to look into the situation of women and men within the unit and to review the policies and practices in relation to hiring, training, promotion and retirement to eliminate gender biases therein.

SECTION 5. Funding. – For this purpose, a minimum of 5% out of the 20% Development Fund of the City is appropriated yearly thereafter for the realization and implementation of its programs and activities.

CHAPTER VIII

COMPELLING EVERY BARANGAY TO ESTABLISH VIOLENCE AGAINST WOMEN (VAWC) DESK AND LAUNCH PROTOCOL IN HANDLING VAW CASES AT BARANGAY LEVEL

SECTION 1. Definition of Terms. – For the purpose of this Ordinance, the following terms and phrases shall apply:

1.1. **Violence Against Women (VAW)** – refers to any act of gender-based violence that results in or is likely to result in physical, sexual, or psychological harm or suffering to women, including threats of such acts,

coercion, or arbitrary deprivation of liberty, whether occurring in public or in private life. It shall be understood to encompass, but not limited to the following:

- (1) Physical, sexual, psychological, and economic violence occurring in the family, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, and other traditional practices harmful to women, non-spousal violence, and violence related to exploitation;
- (2) Physical, sexual, and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women, and prostitution; and
- (3) Physical, sexual, and psychological violence perpetrated or condoned by the State, wherever it occurs. It also includes acts of violence against women as defined in Republic Act No. 9208 and 9262. Under the Magna Carta of Women, this term is used interchangeably with gender-based violence.

2.2. VAW Desk – a facility that would address VAW cases in a gender responsive manner, managed by a person designated by the punong barangay. It is situated within the premises of the barangay hall. In the absence of a barangay hall, the VAW Desk shall be established within the premises where the punong barangay holds office.

The definition of terms provided in Republic Act RA 9710, otherwise known as the Magna Carta of Women as far as applicable are hereby made part of this Ordinance.

SECTION 2. Scope and Coverage. – This Ordinance shall be enforced within all Barangays of the City of Batangas.

SECTION 3. Establishment of VAW Desk in Every Barangay. -

3.1. Setting up the VAW Desk – the punong barangay shall designate an area within the barangay hall for the VAW desk. She/he shall provide for the necessary furniture and fixtures such as, but not limited to, table, chairs, separate filing cabinet and log book for record-keeping of cases. Likewise, the punong barangay shall ensure the confidentiality of the case and

privacy and safety of the victim-survivor. The responsibility will then be transferred to Barangay Outpost that is opened for 24 hours.

3.2. **Designation of VAW Desk person** – the punong barangay shall designate a VAW Desk person who is trained in gender-sensitive handling of cases; preferably a woman barangay kagawad or woman barangay tanod. In cases where there are no trained personnel, ensure that the person assigned shall undergo basic gender sensitivity training and orientation on anti-VAW laws.

SECTION 4. Functions of the Barangay VAW Desk. -

The VAW Desk shall perform the following tasks:

- 4.1. Respond to gender-based violence cases brought to the barangay;
- 4.2. Keep VAW case records confidential and secured and ensure that only authorized personnel can access it;
- 4.3 Assist victims of VAW in securing Barangay Protection Order (BPO) and access necessary services;
- 4.4. Develop the barangay's gender-responsive plan in addressing gender based violence including support services, capacity building and referral system;
- 4.5 Coordinate with and refer cases to government agencies, non-government organizations (NGOs), institutions, and other service provider necessary such as KALIPI;
- 4.6. Disseminate awareness campaign on VAW and if possible conduct seminar and orientation on VAW and other laws of Barangay leaders, neighborhood associations and Womens Group;
- 4.7. Address other forms of abuse committed against women, especially senior citizens, women with disabilities, and other marginalized groups;
- 4.8. Lean advocacies on the elimination of VAW in the community;

4.9. Seek technical assistance/support from CSWDO for the effective implementation of Anti-VAW Laws;

4.10. Perform other related functions as may be assigned.

SECTION 5. Protocol in Handling VAW Cases at Barangay Level –

The following protocol shall be observed by the Barangay VAW Desk person when responding to VAW situations;

5.1 A VAWC (RA 9262) victim-survivor is accompanied by someone to the barangay or the victim herself goes to the barangay;

5.1.1 Arrest the perpetrators even without warrant when the acts of violence is occurring or when said barangay official has personal knowledge that any act of abuse has just been committed and in the presence of eminent danger to the life of the victim-survivor;

5.1.2 Make the woman and children, if applicable comfortable in a safe and private room giving her water and other immediate needs if any; must also feel safe in a secure place where they have privacy and separate from the perpetrator;

5.1.3 Assess the situation and get initial information to determine the risks on hand and if immediate medical attention is needed. If so, facilitate referral to the nearest medical facility;

5.1.4 After the victim-survivor has stabilized, assist the punong barangay/kagawad in the conduct of an investigation in a gender sensitive and non-judgmental manner in a language understood by her;

5.1.5 Inform her of her right and the remedies available and the processes involved particularly in relation to the BPO. Assist her to file application, if she decides to have a GPO;

5.1.6 Record the incident using the National VAW Documentation System barangay form;

- 5.1.7 If victim-survivor desires to be in a safe shelter, seek the assistance of the other barangay officials, barangay tanod or the police in getting her belongings and refer to a shelter/women's center or to the CSWDO;
- 5.1.8 Assist the victim-survivor to file for a temporary protection order (TPO) or permanent protection order (PPO) with the nearest Family Court within 24 hours after issuance of the GPO, if the victim-survivor so desires or she applies directly for a TPO instead of a PPO;
- 5.1.9 Report the incident within four hours to the PNP and the CSWDO.
- 5.2 A victim-survivor of VAW is reported by a community member:
 - 5.2.1 Verify the information and if needed, seek assistance from the PNP;
 - 5.2.2 Assess the situation and facilitate the rescue of the victim-survivor when necessary to ensure her safety, and when applicable the safety of her children;
 - 5.2.3 Inform the victim-survivor about her rights and remedies available particularly the BPO and its processes. Assist her to apply for a BPO, if she so desires;
 - 5.2.4 Refer victim-survivor for medical care and temporary shelter and other needs when needed based on the assessment done;
 - 5.2.5 Record the incident using the National VAW Documentation System barangay form;
 - 5.2.6 If not done earlier, report the incident within four hours to the PNP and the CSWDO.
- 5.3 For rape, trafficking in persons and other cases which do not fall under the jurisdiction of the barangay, assist the victim-survivor to

file a complaint at the PNP Women and Children Protection Center or the National Bureau of Investigation (NBI).

SECTION 6. Monitoring and Reporting. - All Barangay Captains or VAW Desk Person in Charge within one month after the passage of the ordinance shall submit a report on the establishment of barangay VAW Desk in their respective Barangay to the Office of the Sangguniang Panlungsod under the Committee on Family and Women and City Social Welfare and Development Office.

Furthermore, all designated VAW Desk person in charge shall record and file all VAW Cases in their respective Barangay and a Quarterly Report be likewise submitted to the above mentioned office including the Action Taken and Status for each cases. VAW case records should be treated with utmost confidentiality and security, and ensure that only authorized personnel can have an access in it.

CHAPTER IX

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

SECTION 1. Definition of Terms. – For the purpose of this Ordinance, the following terms and phrases shall apply:

- 1.1. **Age of gestation** – the length of time the fetus is inside the mother's womb.
- 1.2. **Bottlefeeding** – the method of feeding an infant using a bottle with artificial nipples, the contents of which can be any type of fluid.
- 1.3. **Breastfeeding** – the method of feeding an infant directly from the human breast.
- 1.4. **Breastmilk** – the human milk from a mother.

- 1.5. **Breastmilk substitute** – any food being marketed or otherwise represented a partial or total replacement of breastmilk whether or not suitable for that purpose.
- 1.6. **Donor milk** – the human milk from a non-biological mother.
- 1.7. **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.
- 1.8. **Expressing milk** – the act of extracting human milk from the breast by hand or by pump into a container.
- 1.9. **Formula feeding** – the feeding of a newborn with infant formula usually by bottlefeeding. It is also called artificial feeding.
- 1.10. **Health institutions** – are hospitals, health infirmaries, health centers, lying-in centers, or puericulture centers with obstetrical and pediatric services.
- 1.11. **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.
- 1.12. **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.
- 1.13. **Infant** – a child within zero (0) to twelve (12) months of age.
- 1.14. **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.

- 1.15. **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 counselors 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.
- 1.16. **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.
- 1.17. **Low birth weight infant** – a newborn weighing less than two thousand five hundred (2,500) grams at birth.
- 1.18. **Nursing employee** – any female worker, regardless of employment status, who is breastfeeding her infant and/or young child.
- 1.19. **Mother's milk** – the breastmilk from the newborn's own mother.
- 1.20. **Non-health facilities, establishment or institution** – public places and working places, paragraphs (u) and (y), respectively.
- 1.21. **Public place** – enclosed or confined areas such as schools, public transportation terminals, shopping malls, and the like.
- 1.22. **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.

- 1.23. **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.
- 1.24. **Wet-nursing** – the feeding of a newborn from another mother's breast when his/her own mother cannot breast feed.
- 1.25. **Workplace** – work premises, whether private enterprises or government agencies, including their subdivisions, instrumentalities and government owned and -controlled corporations.
- 1.26. **Young child** – a child from the age of twelve (12) months and one (1) day up to thirty-six (36) months.

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.

SECTION 2. Scope and Coverage. – This Ordinance shall be enforced within the territorial jurisdiction of the City of Batangas. The provisions shall apply to all private and government health institutions adopting rooming-in and breastfeeding as defined in this Ordinance.

SECTION 3. 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:

1. 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.

2. Train all health care staff in skills necessary to implement this policy. Training at all levels should address the 10 steps, breastfeeding and counselling.
3. 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.
4. 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.
5. 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.
6. 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.
7. Practice rooming-in that is, allows mothers and infants to remain together 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.
8. 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.

9. 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.
10. 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 4. Breastfeeding Provisions. -

4.1 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:

- a) well infants regardless of age gestation
- b) infants with low birth weights but who can suck

4.2 Deliveries by Caesarian. – Infants delivered by caesarian Section shall be roomed-in and breastfed within three (3) to four (4) hours after birth.

4.3 Deliveries outside Health Institutions. – New borns 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.

4.4 Infants whose condition do not permit rooming-in and breastfeeding as determined by the attending physician.

4.5. Infants whose mothers are either:

- a) seriously ill
- b) taking medications contraindicated to breastfeeding
- c) violent psychotics
- d) whose conditions do not permit breastfeeding and rooming-in as determined by the attending physician.

SECTION 5. 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.

SECTION 6. 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 7. 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-dietitians, 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 8. Implementing Agency. - The City Health Office shall be principally responsible for the implementation and enforcement of the provisions of this Act.

SECTION 9. Rules and Regulations. - The City Health Office 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 Act.

SECTION 10. 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 a fine of not less than Two Thousand Pesos (P2,000.00) but not more than Five Thousand Pesos (P5,000.00) 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.

SECTION 15. Rules and Regulations. – The City Mayor may promulgate rules and regulations to effectively implement the provisions of this Ordinance.

ENACTED by the Sangguning Panlungsod of Batangas City, this 26th day of February, 2019.


ATTY. OLIVA D. TELEGATOS
Secretary
Sangguniang Panlungsod

ATTESTED BY:


EMILIO FRANCISCO A. BERBERABE, JR.
Presiding Officer

APPROVED:


BEVERLEY ROSE A. DIMACUHA

City Mayor

Date Approved: MAR 07 2019

ANNEX "A"

LIST OF ORDINANCES INCLUDED IN THIS CODIFICATION

1. **ORDINANCE NO. 19, S. 2016, "AN ORDINANCE CREATING THE BATANGAS CITY MULTI-SECTORAL STI, HIV AND AIDS COUNCIL AND ITS TECHNICAL WORKING GROUP FOR THE PREVENTION AND CONTROL OF SEXUALLY TRANSMITTED INFECTION, HUMAN IMMUNODEFICIENCY VIRUS (HIV) AND ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS,DEFINING ITS FUNCTIONS, PROVIDING RESPONSE, APPROPRIATING FUNDS AND OTHER RELATED PURPOSES"**. Author: Hon. Glenn M. Aldover. Date Enacted: August 23, 2016. Date Approved: March 2, 2017.
2. **ORDINANCE NO. 2, S. 2015, "ORDINANCE CREATING THE BATANGAS CITY EPIDEMIOLOGICAL SURVEILLANCE UNIT UNDER THE BATANGAS CITY HEALTH OFFICE AND DIRECTING ALL STAKEBOLDERS TO REPORT ALL NOTIFIABLE DISEASES AND OTHER IMPORTANT HEALTH DATA NECESSARY IN THE PRIORITIZATION AND IMPLEMENTATION OF HEALTH PROGRAM AND PROJECTS IN THE CITY OF BATANGAS"**. Author: Hon. Glenn M. Aldover. Date Enacted: February 23, 2015. Date Approved: March 5, 2015.
3. **ORDINANCE NO. 6, S. 2015, "AN ORDINANCE CREATING THE BATANGAS CITY PHYSICAL FITNESS AND SPORTS DEVELOPMENT COUNCIL AND APPROPRIATING FUNDS THEREFOR, AND REPEALING FOR THE PURPOSE ORDINANCE NO. 8, SERIES OF 2002"**. Author: Hon. Armando C. Lazarte. Date Enacted: May 18, 2015. Date Approved: May 25, 2015.
4. **ORDINANCE NO. 1, S. 2012, "AN ACT PROHIBITING SMOKING IN BATANGAS CITY AND FOR OTHER PURPOSES"** (*Anti-Smoking Ordinance of 2012*). Author: Hon. Narciso B. Macarandang. Date Enacted: February 28, 2012. Date Approved: March 8, 2012.
5. **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"**. Date Enacted: December 10, 2010. Date Approved: December 22, 2010.

6. **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 INVALUABLE EFFORT FOR THE PROTECTION OF THE MARINE ECOLOGY OF THE CITY AND PROVIDING FUNDS THEREOF".** Author: Hon. Sergie Rex M. Atienza. Date Enacted: March 14, 2016. Date Approved: March 21, 2016.
7. **ORDINANCE NO. 13, S. 2011, "AN ORDINANCE DECLARING A FISHERY REFUGE AND SANCTUARY IN BARANGAY ILIJAN, BATANGAS CITY, ITS UTILIZATION MANAGEMENT, PROTECTION AND CONSERVATION".** Author: Hon. Sergie Rex M. Atienza. Date Enacted: June 21, 2011. Date Approved: July 1, 2011.
8. **ORDINANCE NO. 1, S. 2017, "AN ORDINANCE AUTHORIZING THE CITY GOVERNMENT THROUGH ITS CHIEF EXECUTIVE, TO EXERCISE THE POWER OF EMINENT DOMAIN FOR THE EXPROPRIATION OF PRIVATE PROPERTIES IN BARANGAY CUMBA, BATANGAS CITY FOR DRUG REHABILITATION CENTER PURPOSES".** Author: Hon. Alyssa Renee A. Cruz. Date Enacted: February 28, 2017. Date Approved: March 15, 2017.
9. **ORDINANCE NO. 21, S. 2017, "AN ORDINANCE RECLASSIFYING LOT NO. 11661 PT COVERED BY TAX DECLARATION NO. 082-00306 AND TAX DECLARATION NO. 082-02215 BOTH SITUATED IN BARANGAY SAN JOSE SICO, BATANGAS CITY FROM AGRO INDUSTRIAL ZONE (AIZ) TO SPECIAL LAND USE ZONE (SLU)".** Author: Hon. Gerardo A. Dela Roca. Date Enacted: December 7, 2017. Date Approved: December 18, 2017.
10. **ORDINANCE NO. 3, S. 2017, "AN ACT ALLOWING THE REPURCHASE AND/OR REDEMPTION OF PROPERTIES LEVIED OR SOLD IN PUBLIC AUCTION UPON PAYMENT OF ALL REAL PROPERTY TAX IN ARREARS, PENALTIES AND COST OF SALE AND ADDITIONAL PENALTY OF FIFTEEN PER CENTUM (15%) UPON THE WHOLE".** Author: Alyssa Renee Cruz-Atienza. Date Enacted: May 2, 2017. Date Approved: May 15, 2017.
11. **ORDINANCE NO. 14, S. 2016, "AN ORDINANCE RECLASSIFYING LOT NOS. 1205, 1243, 1202, 1102, PT., 1102-B-I (18044-B LOT 18098), 1102, PT., (18044-A LOT 18097), 1285 AND 1165-A ALL SITUATED IN BARANGAYS STA. CLARA AND BOLBOK, BATANGAS CITY FROM PORT ZONE TO HEAVY INDUSTRIAL ZONE".** Author: Hon. Gerardo A. Dela Roca. Date Enacted: June 20, 2016. Date Approved: July 15, 2016.

12. **ORDINANCE NO. 11, S. 2011, "AN ACT ALLOWING THE REPURCHASE AND/OR REDEMPTION OF PROPERTIES LEVIED OR SOLD IN PUBLIC AUCTION UPON PAYMENT OF ALL REAL PROPERTY TAX IN ARREARS, PENALTIES AND COST OF SALE AND ADDITIONAL PENALTY OF FIFTEEN PER CENTUM (15%) UPON THE WHOLE".** Authors: Hon. Mario A. Mariño, Hon. Narciso B. Macarandang, Hon. Armando C. Lazarte. Date Enacted: June 13, 2011. Date Approved: June 13, 2011.
13. **ORDINANCE NO. 6, S. 2017, "ORDINANCE PROMOTING A DRUG-FREE BATANGAS CITY, PROVIDING SANCTIONS THEREFOR, AND FOR OTHER PURPOSES".** Authors: Hon. Angelito "Dondon" A. Dimacuha, Hon. Armando C. Lazarte. Date Enacted: August 15, 2017. Date Approved: August 22, 2017.
14. **ORDINANCE NO. 30, S. 2011, "AN ORDINANCE CREATING THE ANTI-DRUG ABUSE COUNCIL (ADAC) OF BATANGAS CITY AND APPROPRIATING FUNDS THEREFOR, AS AMENDED".** Author: Hon. Armando C. Lazarte. Date Enacted: October 17, 2011. Date Approved: October 27, 2011. Date Amended: June 15, 2016.
15. **ORDINANCE NO. 10, S. 2012, "ANTI-SOCIAL BEHAVIOR ORDINANCE 2012 OF BATANGAS CITY".** Author: Hon. Narciso B. Macarandang. Date Enacted: August 13, 2012. Date Approved: August 22, 2012.
16. **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: Hon. Narciso B. Macarandang. Date Enacted: December 3, 2012. Date Approved: December 17, 2012.
17. **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: Hon. Narciso B. Macarandang. Date Enacted: March 19, 2012. Date Approved: April 2, 2012.
18. **ORDINANCE NO. 16, S. 2011, "AN ORDINANCE UPHOLDING THE EXEMPLARY SERVICE OF THE PUBLIC UTILITY VEHICLES IN THE CITY OF BATANGAS BY RECOGNIZING THE MOST OUTSTANDING TRICYCLE AND JEEPNEY DRIVER OF THE YEAR AND GRANTING**

AWARDS THEREOF". Date Enacted: July 4, 2011. Date Approved: July 14, 2011.

19. **ORDINANCE NO. 36, S. 2011, "REQUIRING ALL MOTORCYCLES TO USE THE RIGHT MOST SIDE OF THE LANE AND FOR OTHER PURPOSES"**. Author: Hon. Narciso B. Macarandang. Date Enacted: November 14, 2011. Date Approved: November 22, 2011.
20. **ORDINANCE NO. 9, S. 2010, "AN ORDINANCE PENALIZING RECKLESS DRIVING ENDANGERING THE LIVES AND SAFETY OF PERSONS WITHIN THE JURISDICTION OF BATANGAS CITY AND FOR TOHER PURPOSES"**. Author: Hon. Narciso B. Macarandang. Date Enacted: October 27, 2010. Date Approved: November 10, 2010.
21. **ORDINANCE NO. 7, S. 2014, "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"**. Author: Hon. Alyssa Renee A. Cruz-Atienza. Date Enacted: June 23, 2014. Date Approved: June 30, 2014.
22. **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: Hon. Julian B. Villena. Date Enacted: June 16, 2014. Date Approved: June 30, 2014.
23. **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 PARTICIPATION IN LOCAL GOVERNANCE OTHERWISE KNOWN AS 'BATANGAS CITY EMPOWERMENT ORDINANCE'"**. Author: Coun. Sergie Rex M. Atienza. Date Enacted: March 21, 2016. Date Approved: May 02, 2016.
24. **ORDINANCE NO. 32, S. 2011, "AN ACT GRANTING HONORARIUM TO ALL SK KAGAWAD OF BATANGAS CITY"**. Author: Hon. Narciso B. Macarandang, Marvey Mariño. Date Enacted: October 24, 2011. Date Approved: November 9, 2011.

25. **ORDINANCE NO. 10, S. 2015, "AN ORDINANCE PRESCRIBING THE RULES ND REGULATIONS IN THE OPERATION OF TIANGGES, BARATILLOS, FLEA MARKETS, NIGHT MARKETS ND OTHER SEASONAL BUSINESSES LAW IMPOSING PENALTIES FOR VIOLATIONS THEREOF"**. Authors: Hon. Aileen Grace A. Montalbo and Hon. Sergie Rex M. Atienza. Date Enacted: June 29, 2015. Date Approved: July 20, 2015.
26. **ORDINANCE NO. 12, S. 2016, "AN ORDINANCE PROVIDING FOR A COMPREHENSIVE ANTI-DISCRIMINATION POLICY ON THE BASIS OF SEXUAL ORIENTATION, GENDER IDENTITY AND EXPRESSION"**. Author: Hon. Claudette U. Ambida-Alday. Date enacted: June 13, 2016. Date approved: July 18, 2016.
27. **ORDINANCE NO. 18, S. 2012, "AN ORDINANCE GRANTING PERSON WITH DISABILITY FREE MOVIE ACCESS TO ALL MOVIE THEATERS IN THE CITY OF BATANGAS"**. Authors: Hon. Claudette U. Ambida-Alday and Hon. Eloisa De Loyola Portugal. Date Enacted: October 15, 2012. Date Approved: October 24, 2012.
28. **ORDINANCE NO. 3, S. 2016, "AN ORDINANCE CREATING THE ADOLESCENT AND YOUTH HEALTH COUNCIL IN THE CITY OF BATANGAS"**. Author: Hon. Claudette U. Ambida-Alday. Date Enacted: February 15, 2016. Date Approved: March 8, 2016.
29. **ORDINANCE NO. 4, S. 2016, "ORDINANCE ADAPTING THE NEW EARLY CHILDHOOD CARE AND DEVELOPMENT AND CONVERTING DAY CARE SERVICES TO QUALITY EARLY CHILDHOOD CARE DEVELOPMENT"**. Authors: Hon. Sergie Rex M. Atienza and Hon. Claudette U. Ambida-Alday. Date Enacted: February 22, 2016. Date Approved: March 8, 2016.
30. **ORDINANCE NO. 7, S. 2015, "COMPREHENSIVE ANTI-BULLYING ORDINANCE OF BATANGAS CITY"**. Author: Hon. Alyssa Renee Cruz-Atienza. Date Enacted: May 25, 2015. Date Approved: June 1, 2015.
31. **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: Hon. Narciso B. Macarandang. Date Enacted: August 6, 2012. Date Approved: August 15, 2012.

32. **ORDINANCE NO. 6, S. 2012, "BATANGAS CITY ANTI-TRAFFICKING ORDINANCE OF 2012"**. Author: Hon. Narciso B. Macarandang. Date Enacted: July 2, 2012. Date Approved: July 11, 2012.
33. **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/INSTITUTIONS AND PROVIDING THE MECHANISM FOR ENFORCEMENT AND PRESCRIBING PENALTIES FOR VIOLATION THEREOF"**. Author: Hon. Claudette U. Ambida-Alday. Date Enacted: March 21, 2016. Date Approved: June 15, 2016.
34. **ORDINANCE NO. 2, S. 2013, "GENDER AND DEVELOPMENT FOCAL POINT, HEREINAFTER REFERRED TO AS THE GAD FOCAL POINT"**. Author: Hon. Eloisa De Loyola Portugal/Hon. Claudette U. Ambida. Date Enacted: April 4, 2013. Date Approved: April 18, 2013.
35. **ORDINANCE NO. 9, S. 2013, "AN ORDINANCE COMPELLING EVERY BARANGAY TO ESTABLISH VIOLENCE AGAINST WOMEN (VAWC) DESK AND LAUNCH PROTOCOL IN HANDLING VAW CASES AT BARANGAY LEVEL"**. Author: Hon. Ma. Claudette U. Ambida. Date Enacted: September 16, 2013. Date Approved: September 30, 2013.
36. **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: Hon. Claudette U. Ambida. Date Enacted: August 8, 2011. Date Approved: August 15, 2011.