



OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE 2ND REGULAR SESSION OF THE 14TH SANGGUNIANG BAYAN OF LOON, PROVINCE OF BOHOL HELD ON THE 9TH DAY OF JULY 2019 AT JUAN M. RELAMPAGOS SESSION HALL, LOON, BOHOL-

PRESENT:

Hon. Lloyd Peter M. Lopez, M.D.	Vice Mayor, Presiding Officer
Hon. Pedro M. Literatus, Jr.	SB Member
Hon. Ana Lisa O. Go	SB Member
Hon. Lydia L. Almasa	SB Member
Hon. Kristel P. Tecson	SB Member
Hon. Judy Marie H. Veloso	SB Member
Hon. Zaide Y. Coritico	SB Member
Hon. Timoteo L. Legitimas	SB Member
Hon. Nilo P. Branzuela	SB Member
Hon. Emalinda A. Veloso	LnB President, Ex-Officio Member
Hon. April Joseph L. Corciega	SKMF President, Ex-Officio Member

ABSENT:

NONE

MUNICIPAL ORDINANCE NO. 19-004

Series of 2019

THE GENERAL WELFARE CODE OF LOON, BOHOL

Be it enacted by the 14th Sangguniang Bayan of Loon, Bohol in session duly assembled:

ARTICLE I

GENERAL PROVISIONS

SECTION 1. TITLE AND SCOPE.

- a) Title. This ordinance shall be known and cited as the Code of General Ordinances, otherwise known as the GENERAL WELFARE CODE OF LOON, BOHOL.
- b) Nature and Scope. This Code covers all general ordinances of this municipality enacted over the years, as well as provisions of the Local Government Code of 1991 (Republic Act No. 7160), the pertinent provisions of law and circulars.

SECTION 2. RULES GOVERNING THE CODE.

- 2.1) Numbering of Ordinances. The Omnibus Code shall be recorded and identified as Municipal Ordinance No.C-001. The letter "C" stands for the "Code" denoting a new series of legislative acts of the Municipality of Loon, and "001" as the first in the order of each new ordinance, which henceforth, are to be numbered consecutively and in perpetuity.
- 2.2) Amendments and Integration of Additional Provisions. Any amendment on this Code may be incorporated in article or section concerned. All ordinances or provisions

thereof enacted subsequent to the date of effectivity of this Code shall be integrated into the corresponding article or section.

SECTION 3. RELATION OF CODE TO OTHER ORDINANCES.

3.1) Construction of Code. The provisions of this Code in so far as they bear substantially the same subject matter as the ordinance included in this codification shall be construed as restatements and continuations and not as new enactment.

3.2) Conflict of Provisions Within/Among Articles. Should the provisions of the different articles in this Code conflict or contravene with one another, the provisions of the article which is last in the ordinal sequence shall govern.

SECTION 4. REFERENCE TO CODE. Whenever reference is made to any portion of this Code, the reference applies to all amendments and additions now or hereafter made.

SECTION 5. RULES IN INTERPRETATION.

5.1) General Rule. All words and phrases shall be construed and understood according to the common and approved usage of the languages but technical words and phrases and such others as may have acquired a peculiar and appropriate meaning in the law be construed and understood according to that peculiar and appropriate meaning.

5.2) General: Plural and Singular. Every word in any ordinance imparting the masculine gender shall extend to and be applied to all the sexes, and every word imparting singular number shall extend and be applied to several persons or things as well as to one person or thing; and every word imparting the plural number shall extend and be applied to one person or thing as well as to persons or things.

5.3) Person. The word "person" shall extend and be applied to the natural and juridical persons such as firms, corporations, or voluntary associations, unless plainly applicable.

5.4) Tenses. The use of any verb in the present tense shall include past and future cases.

5.5) Shall Have Been. The words "shall have been" include past and future cases.

5.6) Reasonable Time or Notice. In all cases where any provisions of this Code shall require any act to be done in a reasonable time or notice shall mean such time only as may be necessary for the present performance of that duty, or compliance with that notice.

5.7) Shall and May. "Shall" is mandatory and "May" is permissive.

SECTION 6. APPLICABILITY CLAUSE. This Code shall apply to all Loonanon or non-Loonanon residents, transients, or visitors, or any person within the territorial jurisdiction of this municipality.

ARTICLE II

MUNICIPAL GOVERNANCE SERVICES

SECTION 1. GENERAL WELFARE. The municipality 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- ensure and support, among other things, the preservation and enrichment of culture, promote health and safety, enhance the right of the people to a balanced ecology, encourage and support the development of appropriate and self-reliant scientific and technological capabilities, improve public morals, enhance economic prosperity and social justice, technological capabilities, promote full employment among the residents, maintain and provide economic stability, social justice, peace and order, prosperity, health and safety, education, employment, comfort and convenience of the community and inhabitants thereof. (Section 16, RA 7160).

SECTION 2. MINIMUM BASIC FACILITIES. The municipality, in addition to their existing functions and responsibilities, shall provide basic services and facilities as provided for under Section 17a, (2) of RA 7160 covering, but not limited to the following:

- a. Agriculture and fishery extension and on-site research;
- b. Community-based forestry project;
- c. Health service;
- d. Social Welfare service;
- e. Information services through investment and job placement information systems, tax and marketing information systems, and maintenance of a public library;
- f. Solid waste disposal or environmental management systems and services or facilities related to general hygiene and sanitation;
- g. Construction and maintenance of infrastructure, such as roads and bridges, school buildings, fish ports, health centers, artesian wells and spring development, seawalls, drainage and sewerage and flood control;
- h. Construction, maintenance, and operation of municipal public markets, slaughterhouses, and other economic enterprises;
- i. Construction, maintenance and operation of municipal cemeteries;
- j. Construction, maintenance, and operation of tourism facilities, and other tourist attractions, including acquisition of equipment, regulation and supervision of business concessions and security services for such facilities; and
- k. Provide sites for police and fire stations, and municipal jail.

ARTICLE III

PUBLIC ORDER AND PUBLIC SAFETY

SECTION 1. DECLARATION OF POLICY. It is the mandate of the local government to maintain peace and order to prevent and suppress lawlessness, disorder, riot, violence and to adopt measures to protect the inhabitants of the municipality from the harmful effects of man-made or natural disasters and calamities.

SECTION 2. RULES ON LOCAL CELEBRATIONS AND RELATED EVENTS. The following are the operational guidelines to be observed and complied with during local celebrations, in every stage thereof, so as to equally ensure success of the celebrations as planned and guarantee the protection, preservation and safety of lives and property against accident, and related unwanted and unexpected intervention.

2.1) Issuance of Permits and Exemptions.

- a) Any individual, group or organization intending to hold or sponsor any local celebration shall first secure a permit from the Office of the Municipal Mayor at least fifteen (15) days before the actual conduct of the affair. The request for issuance of permit shall be accompanied with a detailed action plan for the

celebration. Applicants for permit shall be considered only after requisitions shall have been set, and after the required fees shall have been paid to the Municipal Treasurer. (Sec. 1, Art. X, MO 1994-07)

- b) Civic, military parades, and religious processions are exempted from paying permit fees, but are required to secure "Gratuitous Permit" for purposes of monitoring compliance to the safety provisions of this ordinance. (Sec. 2, Art. X, MO 1994-07)
- c) Payment of fine or service of imprisonment as herein provided shall not relieve or immune the offender from facing separate civil and criminal charges pursuant to existing national laws in case of loss or damage to life, limb and property. (Sec. 1, Art. X1, MO 1994-07)

2.2) Sanitation and Hygiene Equipment.

Owners and operators of makeshift or temporary shelters for their own use or for public eating places shall see to it that surroundings are kept clean and tidy. As such, they should provide the following sanitation and hygiene equipment:

- a) Latrines or portable restrooms;
- b) Posting of garbage and trash cans in strategic places, and
- c) Cleaning or clearing of clogged drainage and sewers to prevent breeding of rodents, cockroaches and other harmful insects. (Sec. 1, Art. VII, MO 1994-07)

The businessman/ owner/operator shall be held liable for any physical damage or injury of the customer accruing to the unsanitary food or equipment they have served.

2.3) Prevention of Crimes.

The local PNP Station shall, through the Chief of Police, institute the following to determine or check the commission of crimes during local celebrations:

- a) Fielding of crowd control marshals to avoid incidents of panic and stampedes during shows and exhibitions, and
- b) Assigning of police officers to be vigilance for criminal elements like pick-pocketers, drug pushers and users, swindlers and others who usually operate and strike during special occasions. (Sec.1, Art. VIII, MO 1994-07)

2.4) Fire Safety and Readiness to Respond to Emergencies.

- a) The Philippine National Police, Bureau of Fire Protection marshals, fire trucks and other fighting equipment including paramedic teams should be in full alert during local celebrations.

- b) Medical and Police sub-stations should be designated in the locality. Medical stations should be staffed with first aid teams knowledgeable with the application of Cardio Pulmonary Resuscitation (CPR) and similar techniques including first aid to take care of wounds and fractures.

- c) There shall be a standby vehicle/ ambulance to transport accident victims to the nearest hospital and medical clinic. (Art. VI, MO 1994-07)

2.5) Road Safety.

- a) Potholes, diggings, and other excavations should be covered at least one month before the festivities. Sidewalks should be free from obstructions.
 - b) Specific areas for ambulant vendors during special occasion shall be identified by the MPDC and approved by the Municipal Mayor.
 - c) Traffic laws, ordinances, rules and regulations should be observed and where necessary, appropriate traffic signs shall be installed.
 - d) Bottom portions of streamers, buntings, and similar materials installed in alleys, roadway, and highways shall have a vertical clearance of eighteen (18) feet or 5.49 meters. Arches posted on roadsides shall bear the same height or clearance with that of the streamers and should be erected on the road shoulder sufficient to allow two (2) vehicles traveling in flank towards the same or opposite direction to pass without obstruction.
- 2.6) Sea and River Safety.
- a) Man-powered bancas, motorized boats, and water transport crafts should be thoroughly checked to insure sea worthiness. In no case shall any water transport be allowed to operate in the absence of life jackets to be provided to the passengers.
 - b) Sea and river should be free from obstructions like water lilies, garbage, debris, and other flotsam.
 - c) Loading capacity of watercraft and other vessels should be closely monitored. In no case shall any watercraft or vessel be loaded beyond capacity, and in no case further, that watercraft or vessel be manned by unauthorized, ill-trained, and drunk or intoxicated operators.
 - d) Tugboats towing steel barges during fluvial parades should be secured with strong ropes or cables, and shall be manned only by those authorized and licensed under maritime laws. (Sec. 2, Art. III, MO 1997-07)
- 2.7) Safety of Floats, Platforms, Towers, Stages, Pagodas and Other Structures.
- a) Review and inspection on structural soundness and safety of floats, platforms, towers, stages, pagodas and other structures shall be strictly observed in accordance with the requirements of the National Building Code.
 - b) Loading should not exceed the maximum load capacity of the structure. (Sec. 3, Art. III, MO 1997-07)
- 2.8) Safety in Lighting and Sound System Electrical Installations.
- a) Installations of electrical wiring for floats, platforms, towers, stages, streetlights, and sound system should be supervised by a licensed electrician and should conform to the safety provisions of the Philippine Electrical Code.
 - b) Combustible decoration-materials neither should be combined with electrical bulbs, nor that inflated balloons be used as decorations near electric bulbs, and lighted candle. (Sec. 2, Art. IV, MO 1997-07)
 - c) The stage should have a standby fire extinguisher in case of short circuit or fire.
- 2.9) Handling of Firecrackers and Other Pyrotechnic Devices.

- a) Selling or disposing firecrackers and all forms of pyrotechnic devices shall be allowed through authorized stores and dealers only as prescribed under Republic Act 7183 otherwise known as - An Act Regulating the Sale, Manufacture, Distribution and Use of Firecrackers and other Pyrotechnic Devices. (Sec. 1, Art. V, MO 1997-07)
- b) Firecrackers and Pyrotechnic devices should be exploded away from persons, volatile or combustible materials and other fire-risk places. The barangays through an enabling barangay ordinance may designate a place or places for fireworks display and firecrackers explosions in their respective barangays or jurisdictions. The municipality for this purpose shall designate upon spaces and plazas within the town proper as venue for fireworks and firecracker explosions. (Sec. 2, Art. V, MO 1997-07)
- c) Persons handling firecrackers and pyrotechnic devices shall strictly be prohibited from boarding any sea craft, nor shall fireworks be allowed on board in any sea craft or vessel participating in fluvial parades. (Sec. 2, Art. V, MO 1997-07)

2.10) Penalty. Any violation of this section shall be fined Five Hundred Pesos (P500.00) for the first offense, One Thousand Pesos (P1,000.00) for the second violation, and Two Thousand Five Hundred Pesos (P2,500.00) for the third and succeeding violations, per individual liability.

SECTION 3. HOLDING OF RALLIES, DEMONSTRATIONS, PARADES/CARAVAN AND OTHER ASSEMBLIES

3.1) Regulated Acts. No person shall hold, conduct or stage a rally, demonstration, parades/caravan or other similar assemblies for whatever legal purposes without first obtaining a permit from the Mayor and paying the corresponding fee imposed under existing tax ordinances.

3.2) Administrative Provisions.

- a) Any person or group of persons desiring to hold a rally, demonstration, parades/caravan or other similar assemblies shall first obtain a permit from the Mayor before undertaking the activity.
- b) For the purpose, a written application shall be submitted to the office of the Mayor. The application shall set forth the name and address of the applicant, organizer or sponsor of the activity, description of the activity, the place where the same will be conducted and such other pertinent information or data as may be required.
- c) Action by the Mayor on the application shall be considered as a ministerial duty and he can only deny the granting of the permit sought if the Chief of Police or his authorized deputy will certify that the holding of such activity will pose a clear danger, or there is imminent danger, to public order and safety, or probable destruction to public and private properties.
- d) This is without prejudice to the right of the applicant or aggrieved party to seek redress before the proper Court.
- e) The police officers assigned to such kind of assemblies shall always observe the principle of maximum tolerance. Before any dispersal operations are conducted, there should first be held a dialogue between the law enforcers and the leader or spokesman of the other side.

- f) Should the leader or spokesman of the rallyists or demonstrators refuse to hold a dialogue and his group continues to act in defiance of law and public order, the law enforcers may then assert their authority and perform the necessary legitimate action as warranted by the circumstances.
- g) The Mayor, through the local Chief of Police, shall issue the necessary rules and regulations thru an Executive Order for the proper implementation of this provision.

3.3) Penalty. Any person who violates any provision under this Article shall be punished by a fine of not more than Two Thousand Five Hundred Pesos (P2,500.00).

SECTION 4. REGULATIONS ON THE SALE AND USE OF FIRECRACKERS AND PYROTECHNICS

4.1) Coverage. This ordinance shall apply to all persons whether natural or juridical, enforceable and applicable within the territorial jurisdiction of Loon, Bohol.

If the violation is committed by a corporation or partnership, the President or General Manager shall be held liable. In the case of single proprietorship, the owner or proprietor shall be held liable.

4.2) Definition of Terms.

- a) Minors – individual of any sex who are below eighteen (18) years of age. As applied in this ordinance, the prohibited act is applicable to minors who are 15 years old and below.
- b) Natural person – a common individual by birth.
- c) Juridical person – an organization, association, corporation or partnership operating in accordance with pertinent laws.
- d) Firecrackers – a paper or cardboard cylinder filled with an explosive and having a fuse that can be discharged to make a noise.
- e) Pyrotechnics – the art of making fireworks for display, military purposes, etc.(Sec. 3, MO 16-003)

4.3) Prohibitions.

The following are the prohibited actions:

- a) The selling of “regulated” firecrackers to minors aging fifteen (15) years and below such as:
 - (1) Baby rocket – a firecracker with a stick so constructed that lightning of the wick will propel the whole thing to lift a few meters before exploding. The firecracker is about 1 ½ inches in length by 3/8 inch in diameter, while the stick is about a foot in length;
 - (2) Small triangulo – a firecracker shaped like a triangle with powder content less than the bawang and usually wrapped in brown paper measuring ¾ inch length in its longest side;
 - (3) Pulling of strings – a firecracker consisting of a small tube about an inch in length and less than 1/4 of an inch in diameter with strings on each end. Pulling both strings will cause the firecracker to explode;
 - (4) Paper caps – minute amount of black powder spread in either small strips of paper on a small sheet used for children's toy guns;

- (5) El Diablo Firecrackers – tubular in shape about 1 1/4 inches in length and less than 1/4 inch in diameter with a wick; also known as labintador;
 - (6) Judah's belt – A string of firecrackers consisting of either diablos or small triangulos that can number up to a hundred or thereabout and culminating in large firecracker usually a bawang;
 - (7) Sky rocket (small kwitis). A large version of a baby rocket designed to be propelled to a height of forty (40) to fifty (50) feet before exploding;
 - (8) Other types equivalent to the foregoing in explosive content as determined by the Philippine National Police (PNP).
- b) The selling of “regulated” pyrotechnics such as:
- (1) Sparklers – Pyrotechnic devices usually made of black powder on a piece of wire or inside a paper tube designed to light up and glow after igniting;
 - (2) Luces – Any or several kinds of sparklers;
 - (3) Fountain – A kind of sparkler conical in shape which is lighted on the ground and designed to provide various rising colors and intermittent lights upon being ignited;
 - (4) Jumbo regular and special – A kind of sparkler similar to a "fountain" but bigger in size;
 - (5) Mabuhay – Sparklers bunched into a bundle of a dozen pieces;
 - (6) Roman candle – A sparkler similar to a "fountain" but shaped like a big candle;
 - (7) Trompillo – A pyrotechnic device usually fastened the center and designed to spin first clockwise and then counter-clockwise and provides various colored lights upon being ignited;
 - (8) Airwolf – A kind of sky rocket shaped like an airplane with a propeller to rise about forty (40) or fifty (50) feet and provide various kinds of light while aloft;
 - (9) Whistle device – Any of the various kinds of firecrackers or pyrotechnic designed to either simply emit a whistle-like sound or explode afterwards upon being ignited;
 - (10) Butterfly-shaped – Pyrotechnic device designed to lift above ground while providing light;
 - (11) All kinds of pyrotechnic devices (pailaw); and
 - (12) Other types equivalent to the foregoing devices as determined by the PNP
- c) The selling of “absolutely” prohibited types of firecrackers and pyrotechnics devices, such as:
- (1) Atomic big triangulo (bilang-bilong) – Firecrackers specifically mentioned in RA 7183;
 - (2) Super lolo – firecrackers specifically mentioned in RA 7183;
 - (3) Lolo thunder – a powerful firecracker twice the size of a Five Star;
 - (4) Big bawang – a firecracker packed in cardboard tied around with abaca strings, giving it the shape of large garlic;
 - (5) "Pla-pla";
 - (6) Watusi or the “dancing firecracker” – It was initially allowed for sale and manufacture under RA 7183, but was eventually banned because it causes poisoning when ingested, especially among children;
 - (7) "Big Sky Rocket" (“PITON”);
 - (8) Giant whistle bomb – Any firecracker or pyrotechnic designed to emit a whistle-like sound before exploding. Others are designed simply to whistle without exploding;

- (9) Large Judas Belt – a string of firecrackers consisting of smaller firecrackers that number up to a hundred, and culminating in a larger and more powerful firecracker;
- (10) Picolo – This firecracker has been the leading cause of firecracker-related injuries since 2007. The Department of Health banned it in 2007 because it can explode on the hands, and may cause death when ingested;
- (11) Goodbye Philippines – giant triangle-shaped firecracker which packs a powerful explosion; and
- (12) Kabasi – a triangle-sized explosive twice the size of a Pla-pla. (Sec. 4, MO 16-003)

4.4) Penalties

Any person, natural or juridical, found guilty of violating this ordinance shall be penalized as follows:

- A. Violation of regulated firecrackers and pyrotechnics
 - 1) On the first offense: Php 1,000.00 and confiscation of all firecrackers and pyrotechnics sold, stored or subject for selling
 - 2) On the second offense: Php 1,500.00 and confiscation of all firecrackers and pyrotechnics sold, stored or subject for selling
 - 3) On the third and succeeding offenses: Php 2,500.00 and confiscation of all firecrackers and pyrotechnics sold, stored or subject for selling
- B. Violation of absolutely prohibited fireworks and pyrotechnics - Php 2,500.00 and confiscation of all firecrackers and pyrotechnics sold, stored or subject for selling for every offense/violation. (Sec. 5, MO 16-003)

4.5) Enforcement

The Loon PNP, LGU officials, Market personnel, and the corresponding barangay officials, barangay kagawads, and barangay tanods shall be duly authorized to implement this ordinance.

SECTION 5. LOITERING.

5.1) Definition of terms:

Public Place – means any place to which the public has access including streets, highways, parks, plazas, alleys or sidewalks and such other places open to the public. It also includes parking lots or their vacant private property not owned by the individual found loitering therein, or in the case of the minor, not owned or under the control of his parents or guardians.

Loiter – means to remain idle in essentially one location and spending the time idly, loafing or walking aimlessly.

5.2) Regulated Acts – No person shall loiter in any public place in this municipality in such a manner as to:

1. Create or cause a danger of a breach of peace;
2. Create or cause any disturbance or annoyance to the comfort and repose of any person;
3. Obstruct the free passage of pedestrian or vehicles; or
4. Molest or interfere with the lawful activity of any other person in such public place.

5.3) Rules and Regulations.

Any police officer may, in the exercise of reasonable judgment, decide that the presence of any person in any public place is causing or is likely to cause any of the conditions enumerated in the preceding paragraph hereof and he may, if he deems it necessary for the preservation of public peace and safety, order that person to leave that place. Any person who

shall refuse to leave that public place after being ordered to do so by a police officer shall be prosecuted for violation of this section.

5.4) Penalty – any person who violates any provision of this section shall be punished by the following fines: First offense - One Hundred Fifty Pesos (P150.00) or 1 day community service, Second offense - Three Hundred Pesos (P300.00) or 2 days community service, Third and succeeding offenses - Five Hundred Pesos (P500.00) or 3 days community services.

SECTION 6. CURFEW HOURS (M.O. 05-011 series of 2005 as amended)

6.1) Imposing Curfew Hour for Adults:

No adult in this Municipality aging 18 years and above is allowed to roam outside of their residential premises from eleven (11:00) o'clock in the evening to four (4:00) o'clock in the following morning.

6.2) General Exemptions. The following are exempted to observe curfew hour:

- a) Any person such as but not limited to fishermen, businessmen, and other worker, who by reason of their legitimate and moral job or occupation has to render services within the curfew period, provided, they have corresponding job identity or ID, or having secured annual certification from the punong barangay signifying therein the nature of his/her work subject for exemption or the Chief of Police of Loon, PNP station.
- b) Persons attending a scholastic function, commencement exercises, convocation, religious and educational program, vigil, benefit shows such as disco, drama, basketball, and or in wholesome and decent assemblage, during political rallies, campaign period, yuletide masses, New Year's Eve, All Souls Day, All Saints Day, Holy Week devotions (Holy Thursday, Good Friday, Black Saturday), nightly program activities during town fiesta and barangay fiesta, and all drivers and commuters.
- c) Any person on call in connection with their profession of duty such as doctors, nurses, midwives, priests/pastors, police personnel, barangay tanods, security guards and other related works who are performing their functions within the curfew period.
- d) Government officials and employees who are performing their duties or in the course of the performance of their duties.
- e) During disasters and other calamities and similar emergency situations.
- f) One (1) day before and after Christmas Day; New Year's Day; and other similar events of public interest;
- g) Two (2) days before and after the day of the town or barangay fiesta
- h) Other instances wherein curfew hour is suspended on specific days by virtue of an Executive Order or SB Resolution in the spirit of tourism promotions.

6.3) Curfew Hour for Minors.

- a) No minor aging below 18 years old is allowed to stay outside of their residential compound or premises, or roam, wander, saunter around or loiter in any private

or public roads, parks, plazas, or any public place in this municipality from Ten o'clock in the evening (10:00 PM) to Five o'clock in the morning (5:00 a.m.), unless otherwise exempted under the provisions of this Section.

- b) The Home Solidarity and individual security shall be preserved at all times, especially to the minors for strictly observing the curfew hours for minors.

6.4) Exemptions on Curfew Hour for Minors. Minors shall be exempted from compliance on curfew hours from 10:00PM to 5:00AM in the following circumstances:

- 1) When the minor is being accompanied by his/her parent, guardian or adult person in charge of his custody for a legitimate purpose;
- 2) When the minor is engaged in a lawful pursuit of livelihood or providing assistance in any lawful activity;
- 3) When the minor is coming from scholastic functions like attending evening classes, commencement exercises, convocations, educational programs, any religious, social, civic or sports programs and similar activities, or those covered under Section 6.2 hereof;
- 4) When the minor is on an errand to save life or property like calling for the services of a physician, midwife, priest, police officers, fireman and other similar circumstances;
- 5) When the minor is responding to emergency situations during the occurrence of natural or man-made calamities;
- 6) When the minor can show proof, or explain to the satisfaction of the apprehending officer, that he has just arrived from travel and is on his way home and similar circumstances;
- 7) One (1) day before and after Christmas Day; New Year's Day; Election and other similar events of public interest;
- 8) Two (2) days before and after the day of the town or barangay fiesta where the minor resides;
- 9) On such other dates or occasions when the Municipal Mayor, by virtue of an Executive Order, suspends the implementation of the curfew hour for minors.

6.5) Implementing Authority:

- a) The Philippine National Police (PNP) personnel assigned in this Municipality shall be the leading agency in the implementation of the ordinance. In line with this, they may recommend to the Honorable Mayor for the issuance of an Executive Order for the specific implementation of the curfew policy of this LGU.
- b) All barangay officials, barangay tanods and lupon members are hereby deputized in the implementation of this policy.

6.6) Penalties:

Any violator of this Section shall be punished as follows:

a) First Offense – warning.

- 1) The violator shall execute a promissory note to the apprehending officer, assuring that he will no longer go out or roam around outside their places after eleven (11:00) o'clock in the evening and before four (4:00) o'clock the following morning, or ten o'clock in the evening (10:00 PM) to five in the morning (5:00 AM) for minors.

b) Second Offense:

- 1) Adult violators – Shall be fined Three Hundred Pesos (P 300.00) or Four hours community service.
- 2) Minor violators – Minor's parent, guardian or in their absence, a brother/sister exercising parental authority over said minor shall be required to undergo a Parenting Course together with the minor concerned, to be conducted by the PNP in coordination with the MSWDO and the parents will have a counseling with four hours community service.

c) Third Offense:

- 1) Adult violators – Shall be fined Five Hundred Pesos (P 500.00) or six (6) hours community service.
- 2) Minor violators – Minor's parents/ guardian shall be fined Three Hundred Pesos (P300.00) or four hours community service.

d) Subsequent violations:

- 1) Adult violators – Shall be fined of One Thousand Pesos (P 1,000.00) or eight (8) hours community service.
- 2) Minor violators – Minor's parents/ guardian shall be fined Five Hundred Pesos (P500.00) or (Six) 6 hours community service.

6.7.) Incentive scheme. There shall be devised an incentive scheme as follows:

- a. Apprehending Barangay officials including lupon members and tanods are given 30% share of the penalty charged.
- b. The informant shall be given 10% share of the penalty charged. If there is no informant, the 10% shall be added to the apprehending officers concerned.
- c. If there are more than one barangay apprehending officers, the sharing shall be in pro rata basis.
- d. The LGU Loon shall have a sharing of 30%, and the barangay with 30% sharing.
- e. The barangay treasurer shall be deputized to issue a corresponding receipt on payments if the payment is done in the concerned barangay to which the violation was committed, or it may be paid at the Municipal Treasurer's office.

SECTION 7. DRUNKENNESS IN PUBLIC PLACES.

7.1) Public Places – shall mean churches, schools, public buildings, streets, plazas, public bathing resorts, dancing halls, cockpit, restaurants, stores, eateries, confectioneries, recreation centers, markets, wharves, ports, vehicles parking areas, passenger buses and other conveyances, and all other places of similar nature.

7.2) Regulated Acts – No person shall be under the influence of liquor or narcotic in public places.

7.3) Rules and Regulations:

A) A person is considered to be under the influence of alcoholic or narcotic drinks if he has drunk or has taken alcoholic or narcotic substances and while under the influence thereof commits any of the following acts, to wit:

- (i) When a person makes unnecessary noise in public places which would cause alarm or disturbance to the residents anytime of the day or night;
- (ii) When he behave in a way that is scandalous or perform an act that is offensive to the senses such as vomiting, walking naked, urinating, defecating, saying defamatory statement that would besmirch the reputation, honor and dignity of a person;
- (iii) When he obstructs, hinders and unlawfully interfere the normal proceedings of any social, civil, political and religious affair;
- (iv) When a person commits an act that would tend to obstruct, hamper or impede vehicular traffic and the free passage of the pedestrians in any road or street of the municipality; and
- (v) When he causes injury to people or damage to property.

B) All individuals apprehended by police authorities and certified to by a doctor of medicine that he/she is drunk will be charged in court for drunkenness. (Sec. 3, MO 1993-9)

7.4) Penalty. First Offense – One Hundred Fifty Pesos (P150.00); Second Offense- Three Hundred Pesos (P300.00); and Third Offense- Five Hundred Pesos (P500.00).

SECTION 8. SALE OF LIQUOR, TUBA AND OTHER ALCOHOLIC DRINKS.

8.1) Regulated Acts – no person , corporation, partnership or association shall sell liquor, tuba and other alcoholic drinks without first securing a Mayor's Permit from the Office of the Mayor and paying the corresponding fees imposed under the Municipal Revenue Code.

8.2) Rules and Regulations.

- a. It is unlawful for any person, corporation, partnership or association to sell, offer or allow any person to drink tuba or any other alcoholic drinks after 10:00 o'clock in the evening in stores or similar establishments.
- b. Persons below eighteen (18) years of age are not allowed to drink intoxicating beverages in public.
- c. No person shall sell any alcoholic drinks or beverages within a radius of (50) fifty lineal meters from the campus of any public or private schools within the jurisdiction of the Municipality of Loon, Bohol during school days.
- d. No person shall sell or offer to sell tuba or any alcoholic drinks within the premises of any licensed cockpit arena when cockfighting are being held unless the operator of the cockpit arena will hire a licensed security guard.

8.3) Penalty. The following fines shall be imposed for violation of this section, to wit:

- 1) For the Vendors:

First Offense – One Hundred Pesos (P100.00)

Second Offense – Two Hundred Pesos (P200.00)

Third Offense – One Thousand Pesos (P1,000.00) cancellation/revocation of business permit

2) For the Minors:

First Offense – One Hundred Pesos (P100.00)

Second Offense – Two Hundred Pesos (P200.00)

Third Offense – Three Hundred Pesos (P300.00)

SECTION 9. BAR/ COCKTAIL LOUNGE.

9.1) Any person desiring to establish a place of business to sell and serve customers with intoxicating drinks or beverages shall first secure a permit from the Mayor to operate a “Bar” or Cocktail Lounge”.

9.2) Rules and Regulations.

a. No “bar” or “cocktail lounge” shall be established, operated or maintained within a radius of two hundred (200) meters from any religious, educational or public institutions.

b. No operator of a duly licensed “Bar” or “Cocktail” Lounge” shall serve or allow to be served inside his establishment, or parts thereof, any intoxicating drinks or beverages to persons who are below eighteen (18) years old.

c. Violation of this provision shall be a sufficient ground for the revocation of the Mayor’s Permit already issued, if any; or refusal for the renewal of the Mayor’s Permit being applied for, without prejudice to the filing of the appropriate charge before a competent Court.

SECTION 10. DRINKING LIQUOR ALONG HIGHWAY AND STREET.

10.1) Prohibition. The drinking of any intoxicating liquors within the road right of way setback for the national highway and for municipal or barangay streets as indicated in the Municipal Zoning Ordinance at all hours is hereby prohibited.

10.2) Penalty. Any violator shall be fined: First offense – One Hundred Fifty Pesos (P150.00), Second offense – Three Hundred Pesos (300.00), Third and succeeding offenses – Five Hundred Pesos (P500.00).

SECTION 11. BRINGING OF LIQUOR WITHIN SCHOOL PREMISES.

a) It shall be unlawful for any person to bring into the school premises any form of alcoholic drinks. (Sec. 2, MO 1997-03)

b) Penalty. First Offense – Three Hundred Pesos (P300.00), Second Offense – Five Hundred Pesos (P500.00), Third and succeeding offenses – One Thousand Pesos (P1,000.00)

SECTION 12. SMOKE FREE POLICY

12.1) Purpose. This Policy is intended to safeguard public health and ensure the well-being of all its constituents by protecting them from the harmful effects of smoking and tobacco consumption.

12.2) Scope. This policy shall apply to:

1. All drivers, conductors, inspectors and passengers, of all public conveyances, government-owned vehicles, and other means of public transport with the territorial jurisdiction of Loon, Bohol;
2. All accommodation and entertainment establishments;
3. All workplaces;
4. All public places;
5. All public buildings; and
6. All public outdoor spaces.

12.3) Prohibited Acts. The following acts are declared unlawful and prohibited by this Ordinance:

- a) Smoking in all public places, workplaces, public conveyances, or other public places, such as but not limited to:
 1. Centers of youth activity, including schools of all levels, youth hostels and recreation facilities for persons under eighteen (18) years old;
 2. Elevators and stairwells;
 3. Locations in which fire hazards are present, including gas stations and storage areas for flammable liquids, gas, explosives or combustible material;
 4. Within buildings and premises of public and private hospitals, medical dental and optical clinics, health centers, nursing homes, dispensaries and laboratories;
 5. Public conveyances and public facilities including airport and ship terminals and bus stations, restaurants and conference halls, except for separate designated smoking areas; and
 6. Food preparation areas.
- b) Selling or distributing tobacco products in a school, public playground or other facility frequented by minors, or within 100 meters from any point in the perimeter of these places;
- c) Selling of cigarettes or any tobacco product shall not be allowed inside the accommodation and entertainment establishments, and public buildings;
- d) Using minors to purchase tobacco products;
- e) Purchasing tobacco products from minors;
- f) Placing cinema and outdoor advertisements of tobacco products;
- g) Placing, posting or distributing advertising materials of tobacco products, such as leaflets, posters and similar materials, outside the premises of point-of-sale establishments;
- h) Placing, posting, or distributing advertising materials of tobacco products, such as leaflets, posters and similar materials, even if inside the premises of point-of-sale establishments, when the establishments are not allowed to sell or distribute tobacco products. Persons-in-charge shall be held similarly liable for the above acts if they are found to have allowed, abetted, or tolerated the same.
- i) Smoking any tobacco product or using Electronic Devise System, Shisha and the like in any of the places enumerated in this ordinance, except in duly approved designated smoking areas;

- j) Knowing allowing, abetting, or tolerating smoking any tobacco or using Electronic Device Systems, Shisha and the like in any of the places except when smoking is done within the duly approved designated smoking areas; and
- k) Refusal to allow the entry of the members of the Anti-Smoking Task Force or its duly deputized enforcers into places for the purpose of implementing, monitoring, inspecting and enforcing the provisions of the Ordinance.

12.4) Vehicles No Smoking Display. Owners, operators and drivers of Public Conveyances, government-owned and company-owned vehicles used to transport employees and guests are mandated to prominently display "NO SMOKING" sign in their units, as follows:

- a. For Jeepneys, the "NO SMOKING" sign of at least 3.5 sq inch shall be placed at the back of the windshield and another sign of at least 10 sq. shall be placed at the back of the front row seats;
- b. For taxis, vans or other similar vehicles, the "NO SMOKING" sign of at least 3.5 sq inch shall be placed on the glove compartment at the front right side of the taxi windshield and another sign of at least 10 sq inch shall be placed at the back of the driver's seat;
- c. For buses and tricycles the "NO SMOKING" sign of at least 3.5 sq inch shall be placed at the back of the windshield, and another sign of at least 14 sq inch shall be placed at the back of the driver's seat facing the passenger or a similarly prominent area of the bus and tricycles; and
- d. For other types of vehicles, the "NO SMOKING" sign of at least 3.5 sq inch shall be placed at the back of the windshield, and another sign of at least 10 sq. inch shall be placed at a prominent location facing the passenger or a similarly prominent area of the vehicles.

12.5) Penalties:

12.5A. Persons Liable.

The following persons are liable:

- a) Any person smoking any tobacco product or using Electronic Device Systems, Shisha and the like within any of the prohibited places enumerated in Section 2 of the Ordinance, except in duly approved designated smoking areas;
- b) The President or Manager in case of a company, corporation, or association or partnership or the owner/proprietor or operator in case of single proprietorship of accommodation and entertainment establishments, whether tourism-accredited or not, enclosed or partially enclosed public places, public buildings, public outdoor spaces or workplaces:
 - b.1 Who knowingly allows, abets or tolerates and/or fails to report violators of the Ordinance to any member of the Anti-Smoking Task Force or its duly deputized enforcers or any law enforcer or the nearest police station immediately upon commission of the violation; or
 - b.2 Who otherwise fall to fulfill the mandatory duties and obligations;
- c) The operator, driver, conductor or inspector of Public Conveyances, government-owned or company-owned vehicles who knowingly allows, abets or tolerates and/or fails to warn, advise or report violators of the Ordinance to any member of the Anti-Smoking Task Force or its duly deputized enforcers, or any law enforcer or nearest police station

immediately upon commission of the violation or, who otherwise fails to fulfill the mandatory duties and obligations.

12.5B. Penalties for Violators:

The following shall be imposed on violators of this Policy:

First Offense – warning and one hour community service;

Second Offense – Two Hundred Pesos (P200.00) administrative fine or four (4) hours community service Third and subsequent offenses – Five Hundred Pesos (P500.00) or one (1) day community service and cancellation of the establishment's business permit.

SECTION 13. EMPLOYMENT OF LIFEGUARDS IN BEACH RESORTS.

- a) All proprietors, managers, or operators of beach resorts and diving/swimming resorts within the territorial jurisdiction of the Municipality of Loon, Bohol shall employ a professional and certified lifeguard to oversee and protect customers while bathing and swimming in their beach resort, or in the swimming pool or any body of water where their customers, swim, dive or bath. (Sec. 3, MO 1997-007)
- b) Proprietors, managers, and operators of beach resorts and diving/swimming resorts shall assign and see to it that a professional and certified lifeguard is on duty during the entire business hours of said establishment and during the entire time that said place allows the entry of customers; provided that, the employer shall determine the number of lifeguards to be employed by him to comply with the requirements of this section, provided further, that the employer shall keep a sufficient number of life jackets and life-saving devices for the safety of the lives of its customers.(Sec. 3, MO 1999-007)
- c) Any proprietors, managers, or operators, of a beach resort or diving/swimming resort who violates any of the provisions of this section shall pay the following fines: First Offense – Five Hundred Pesos (P500.00), Second Offense – One Thousand Pesos (P1,000.00), Third and succeeding offenses – Two Thousand Five Hundred Pesos (P2,500.00) and cancellation of business permit.

SECTION 14. PARKING SPACE FOR SERVICE FACILITIES.

- a) Every establishment along the highway or main road should provide parking space for their customers or clients in order not to block the other vehicles passing by.
- b) Service facilities catering to the needs of vehicles such vulcanizing shops, automobile repair shops, and the like, must provide and maintain their own parking space for vehicles under repair, so that these vehicles will not occupy public thoroughfares including sidewalks and will not cause obstruction to traffic and pedestrians. (Sec. 1, MO 1999-009)
- c) Every parking area must allocate a space for parking of persons with disabilities (PWD's).
- d) Persons violating the provisions of this Ordinance shall be penalized: First Offense – Five Hundred Pesos (P500.00), Second Offense – One Thousand Pesos (P1,000.00), Third and succeeding offenses – Two Thousand Five Hundred Pesos (P2,500.00)

SECTION 15. POSSESSION OR CARRYING OF DEADLY WEAPONS.

No person shall possess or carry any kind of deadly weapons in any part of this municipality except within his residential home, privately-owned real estate, office or place of

work, private vehicle, or by virtue of his profession, member of the PNP, AFP, BFP or related forces, Judiciary and authorized LGU officials.

15.1) Definition. As used in this Section:

“Deadly Weapons” - include firearms of whatever kind, explosives, knives of whatever kind, swords of whatever kind, bolos, spears, and other kinds of bladed, pointed, round or blunt instruments that can cause physical injuries or death when used against another person including “chako”, brass knuckles, and other similar devices.

15.2) Exemption. Exempted from the prohibition are the following:

- a.) Military and police personnel who, under existing laws, are allowed to possess and carry firearms provided that they can produce the necessary papers or documents containing such authorization upon demand of the law enforcement officer concerned;
- b.) Private individuals who were granted a license to possess firearms, provided that they can show or have in their person the proper authorization to also carry firearms outside their residence; and
- c.) Individuals engaged in fishing and/or farming and other related livelihood can carry sharp objects provided that it will be used for their work.

15.3) Penalty. Any person who violates shall be punished with the following penalty:

- a) Offense with carrying of bolos, spears, and other kinds of bladed, pointed, round or blunt instruments, “chako”, brass knuckles, and other similar devices – One Thousand Pesos (P1,000.00);
- b) Offense in carrying of knives of whatever kind, swords of whatever kind – One Thousand Five Hundred Pesos (P1, 500.00); and
- c) Offense in carrying of Firearms of whatever kind or explosives – Two Thousand Five Hundred Pesos (P2, 500.00).

SECTION 16. AIR RIFLE OR IMPROVISED AIR-RIFLE LOCALLY KNOWN AS “LANTAKA”.

- a) No person, at any time is allowed to discharge an air-rifle or improvised air-rifle locally known as “lantaka” within 200 meters from public places, schools, places of worship, or populated places.
- b) Penalty. Any violator shall be punished by a fine of not more than One Thousand Pesos (P1,000.00).

SECTION 17. BUILDING CONSTRUCTION SAFETY.

- a) No commercial, institutional, industrial buildings shall be constructed without the approval of the Municipal Building Official. However, there shall be created a Municipal Building Permit Board who is tasked in reviewing permit applications, hearing complaints and grievances arising from said transactions, and facilitating prompt inspection and approval of said application. The Municipal Building Permit Board is comprised of the SB Chairman of the Committee on Public Works and Utilities, Municipal Building Official, Liga ng mga Barangay President, President/ representative of the business sector, Sanitary Inspector, MENRO and the MPDC. The term of service of the Board will be Three (3) years. The chairperson of said Board shall be appointed by the Municipal Mayor by way of an Executive Order.

- b) The Board shall convene on a bi-monthly basis, to act upon applications and hear complaints or objections of oppositors.
- c) Any objection to the construction of the aforementioned buildings, or any complaints related thereto shall be submitted to the Municipal Building Permit Board (MBPB), which shall promptly decide on the matter.
- d) The construction of any commercial, industrial and institutional building shall conform to the Zoning Code and Comprehensive Land Use Plan (CLUP), provided, it does not endanger or destroy the environment, jeopardize public safety, health, and public morals of the community.

SECTION 18. BUILDING OF RAINWATER COLLECTOR TANK.

18.1) All building permit and/or registration applicants costing at least five hundred thousand pesos (P500,000.00) in the Municipality of Loon are required to include rainwater collector tank(s) in their building plan for construction or installation of a ready-to-use water tank container.

18.2) Purposes. The purposes of this provision are the following:

- a) To encourage residents to engage in water conservation activities;
- b) To ensure the health, safety, and welfare of the community;
- c) To ensure the availability of water as an alternative water supply source especially that interest in water has grown by metes and bounds due to calamities and disasters, drought and water shortages.

18.3) Capacity. The rainwater collector tank(s) shall have a minimum capacity of fifty (50) gallons for residential building applicants and one hundred (100) gallons for commercial, industrial and institutional building applicants (M.O. 15- 001)

SECTION 19. BARANGAY VAW DESK

19.1) 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:

- a) 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;
- b) 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
- c) 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.

19.2) 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.

19.3) Establishment of VAW Desk in Every Barangay

- a) Setting up the VAW Desk - the Punong Barangay shall designate an area within the barangay hall for the VAW Desk and provides 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.
- b) 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.
- c) Functions of the Barangay VAW Desk - the VAW Desk shall perform the following tasks:
 1. Respond to gender-based violence cases brought to the barangay;
 2. Record the number of gender-based violence handled by the barangay and submit quarterly report on all cases of VAW to the DILG Municipal Field Office and the Municipal Social Welfare Development Office (MSWDO);
 3. Keep VAW case records confidential and secured; ensure that only authorized personnel can access it;
 4. Assist victims of VAW in securing Barangay Protection Order (BPO) and access necessary services;
 5. Develop the barangay's gender-responsive plan in addressing gender-based violence, including support services, capacity building and referral system;
 6. Coordinate with and refer cases to government agencies, non-government organization (NGO's), institutions, and other service providers as necessary;
 7. Address other forms of abuse committed against women, especially senior citizens, women with disabilities, and other marginalized groups;
 8. Lead advocacies on the elimination of VAW in the community; and
 9. Perform other related functions as may be assigned;

19.4) Role of Municipal Mayor – The Municipal Mayor shall ensure the establishment of a VAW Desk in every barangay of the municipality, and provide technical and financial assistance for its operations pursuant to Section 12 d paragraph 2 of the MCW IRR.

19.5) Protocol in Handling VAW Cases at the Barangay Level

The Anti-Violence Against Women and Their Children (VAWC) Act (RA 9262) mandates the Punong Barangay or in his/her absence the Barangay Kagawad concerned or on duty to take immediate action being informed of a violent incident and is mandated to issue a Barangay Protection Order (BPO) on the date of filing after ex parte determination of the merits of the case as applied for provided , that all forms of amicable settlement under the Katarungang Pambarangay such as mediation, settlement, conciliation, arbitration shall not apply to cases of

VAWC. The following protocols shall be observed by the Barangay VAW Desk person when responding to VAW situations:

19.6) VAWC (RA 9262) victim - survivor is accompanied by someone to the barangay or the victim herself goes to the barangay.

- a) Comfort the woman (and children, if applicable) in a safe and private room giving her water and other immediate needs, if any;
- b) 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;
- c) After the victim-survivor is comforted, 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;
- d) Inform her on her rights and the remedies available and the process involved particularly in relation to the BPC. Assist her file application, if she decides to have a BPO;
- e) Record the incident using the National VAW Documentation System barangay form;
- f) 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 to the MSWDO;
- g) 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 BPO, if the victim –survivor so desires or she applies directly for a TPO /PPO instead of a BPO;
- h) Report the incident within four (4) hours to the PNP and the MSWDO;
- i) A Victim – survivor of VAWC is reported by a community member;
- j) Verify the information and if needed, seek assistance from the PNP;
- k) 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;
- l) 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;
- m) Refer victim-survivor for medical care and temporary shelter and other needs when needed based on the assessment done;
- n) Record the incident using the National VAW Documentation System barangay form; and
- o) If not done earlier, report the incident within four (4) hours to the PNP and the MSWDO.

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 of the National Bureau of Investigation (NBI).

19.7) Monitoring and Reporting

The Municipal Committee on Anti - Trafficking – Violence Against Women and Their Children (MCAT-VAWC) shall do the monitoring of the implementation of this ordinance and to render report as based with the issuance of this Joint Memorandum Circular. (Ord. No.17-008)

SECTION 20. PROHIBITION IN THE PLACEMENT OF OBJECTS ALONG CANALS OF STREETS, ROADS, ALLEYS AND HIGHWAYS.

20.1) Prohibited Acts. No person shall place any objects along canals of streets, roads alleys and highways within the Municipality of Loon.

20.2) Definition of Terms as used in this Article.

- a) Objects – refers to materials such as stone, rocks, earth filling materials, sand, gravels, concrete slabs, logs, lumber and other objects including non-biodegradable.
- b) Roads, Alleys, Streets, Highways – refers to a public way or passage for travelling.

20.3) Penalty.

- a) First offense – Five Hundred Pesos (P 500.00) and immediate removal of the object;
- b) Second offense – One Thousand Five Hundred Pesos (P 1, 500.00); and
- c) Third and succeeding offense – Two Thousand Five Hundred Pesos (P 2, 500.00)

(Reference: Makilala, North Cotabato)

SECTION 21. NUDISM IN PUBLIC PLACES.

21.1) Regulated Acts. It is unlawful for any person to appear nude in any place open to the public within this municipality.

21.2) No operator of any showhouse, day or night club, bar or cocktail lounge shall allow or permit any person to perform nude in any kind of stage play, stage show, stage exhibition in this establishment.

21.3) Penalty. Any person who violates the provision shall be fined as follows:

- a) First offense – Five Hundred Pesos (P 500.00);
- b) Second offense – One Thousand Pesos (P 1, 000.00); and
- c) Third and succeeding offense – Two Thousand Five Hundred Pesos (P 2, 500.00)

(Reference: Makilala, North Cotabato)

ARTICLE IV

ANTI-DRUG ABUSE

SECTION 1. DEFINITION OF TERMS.

- a.) Drug Addiction – a chronic, often relapsing brain disease that causes compulsive drug seeking and use, despite harmful consequences to the drug addict and those around them. Drug addiction is a brain disease because the abuse of drugs leads to changes in the structure and function of the brain.
- b.) Drugs – a medicine or other substance which has a physiological effect when ingested or otherwise introduced into the body.
- c.) Drug Abuse – refers to the habitual use of drugs not needed for therapeutic purposes, solely to alter one’s mood, affect, or state of consciousness, or to affect a body function unnecessarily (as in laxative abuse); inappropriate, illegal, or excessive use of a drug.

SECTION 2. ILLEGAL DRUGS.

Drug-user or any violator of the Anti-Drugs Act and related ordinances shall be penalized accordingly.

SECTION 3. MUNICIPAL ANTI- DRUG ABUSE COUNCIL. Powers and Function of the MADAC Monitoring Team shall be the following:

- a. Visit the barangays, school campuses, and other offices to monitor and evaluate the enforcement and implementation of the Anti- Drug Abuse Program in the Municipality of Loon;
- b. Based on their evaluation, submits its findings and recommendation to the council; and
- c. Identify areas of concern that the Council or any other authority must give attention. (Sec. 8, MO 1997-06)

SECTION 4. MADAC SPECIAL TASK FORCE. The Special Task Force shall be responsible in visiting the drug dependents, their parents and institutions where drug and substance abuse are rampant. It shall also identify suspected drug pushers, drug dens, and officials or individuals possibly connected to drug abuse activities.

SECTION 5. CENTER FOR DRUG EDUCATION AND COUNSELING.

A Center shall provide assistance and support to drug victims and dependents. A pool of lawyers, doctors, psychologists and counselors shall be organized and appointed by the Chairperson to be volunteers “on call” for the CEDEC. All matters and transactions with drug dependents and victims shall be held confidential. (Sec. 10, MO 1997- 06)

The CEDEC shall be established under the supervision of the Local Municipal Social Welfare Development Officer and Municipal Health Officer.

ARTICLE V

HEALTH AND SANITATION MANAGEMENT

SECTION 1. SALE AND CATERING OF FOOD INSIDE THE PUBLIC MARKET.

- a) The sale and catering of food outside the designated food area identified by the Loon Market Council is strictly prohibited, except binago, bingka, suman, puto, "lagutmon"/ rootcrops, and the like (Sec. 1, MO 1960-13) during official market day.
- b) Penalty. Any violator shall be fined Two Hundred Pesos (P200.00) per violation.

SECTION 2. CLEANLINESS IN ALL PUBLIC MARKETS WITHIN THIS MUNICIPALITY.

- a) All vendors of any kind who occupy a definite place in the Public Markets are required to clean their own definite place they occupy. (Sec. 1, MO 1961-6)
- b) The said vendors must provide (4) prescribed/color-coded trashbins which segregate solid wastes with (1) broom and dustpan to be used for cleaning purposes. (Sec. 2, MO 1961-6)
- c) Vendors are obliged to clean regularly their respective *block tiendas*.
- d) Any person violator shall be administratively fined Two Hundred pesos (P200.00) per violation.

SECTION 3. SLAUGHTER OF CARABAOS, COWS AND OTHER ANIMALS.

- a) It is ordained that no person should slaughter carabaos, cows, pigs and other domesticated animals unless the same is done at the municipal slaughterhouse, except slaughtering animals for home consumption during fiesta or family occasions. (Sec. 1, MO 1963-8)
- b) Licensed meat vendors shall slaughter their carabaos, cows, pigs and other domesticated animals at the slaughterhouse.
- c) Penalty. Any violator shall be administratively fined Five Hundred Pesos (P500.00) for the first violation, One Thousand Pesos (P1,000.00) for the second violation and Two Thousand Five Hundred Pesos (P2,500.00) for the third and succeeding violations.

SECTION 4. BURNING OR BURYING THE CARCASS OF ANIMALS, FOWLS, AND OTHER LIVING CREATURES.

- a) It is unlawful for any person to dispose the carcass of any animal, or fowl, or any living creature other than the method of burning or burying in the following regulated depth, to wit:
 - (i) For cow, cattle, carabao, or horse to a depth of 2.5 meters;
 - (ii) For pig, goat, and dog to a depth of 1 meter; and
 - (iii) For fowls, cat, and other living creatures of the same size, to a depth of 0.5 meter. (Sec. 1, MO 1964-4)
- b) Any violator shall be fined Two Hundred pesos (P200.00).

SECTION 5. INSPECTION OF DOMESTIC ANIMALS ABOUT TO BE SLAUGHTERED.

- a) No person shall be allowed to slaughter or sell or use for human consumption any animal, unless the same has been inspected by the veterinarian or meat inspector of this municipality with corresponding certification as to whether or not said animal/s or their meat are fit for human consumption.(Sec. 1, MO 1964-7)

- b) The veterinarian or meat inspector of this municipality shall issue a certificate after inspection to the effect that these animals or their meat mentioned in the preceding paragraph are fit for human consumption; however, if it is found out that such animals or their respective meats are not fit for food, the veterinarian or meat inspector shall, instead of issuing a certificate of fitness, prohibit the persons who own or possess said animals or meat from selling or offering for sale the same to the public. Otherwise, the veterinarian or meat inspector shall subject said animals or meat to seizure and forfeiture for condemnation and to be incarcerated or burned in a proper place. (Sec. 2, MO 1964-7)
- c) Penalty. Any violator shall be fined: First Offense- Five Hundred Pesos (P 500.00), Second Offense- Seven Hundred Fifty Pesos (P 750.00), Third and Subsequent Offenses – (P 1,000.00). Violators who sell their meat to the public shall be fined double the penalty.

SECTION 6. EXHUMATION AND REBURIAL OF DEAD HUMAN BODY/CADAVER.

- a) It shall be unlawful for any person to exhume or disinter and re-bury any dead human body from its original burial ground within this municipality either to be transferred to other municipalities or to be re-buried within the same municipality without first securing an exhumation and re-burial permit from the Municipal Health Officer, Provided, that the provisions of Health and Sanitation Code on this municipality and the Sanitation Code of the Philippines is followed. The applicant must provide sufficient proof that he is the nearest relative of the deceased before issuance of exhumation permit. (Sec. 1, MO 1964-11)
- b) No person shall be issued an exhumation permit to disinter or exhume the body or remains of a dead person from the original burial ground without first paying to the Municipal Treasurer of this municipality the corresponding exhumation permit fee in the amount of Two Hundred Pesos (P 200.00) for each and every dead human body or remains to be exhumed. (Sec. 2, MO 1964-11)
- c) Penalty: Any violator shall be fined One Thousand Pesos (P1,000.00) per offense.

SECTION 7. DUMPING PIT FOR CHEMICAL WASTE DISPOSAL.

- a) For preventive measures and to minimize, if not avoid, poisoning of fish and destruction of their eggs and habitat, all fish/prawn pond operators and/or hatcheries or concessionaires of this municipality are required to construct a dump pit and water treatment facility for chemical waste disposal. (Sec. 2, MO 1989-04)
- b) Penalty: Any violator shall be fined One Thousand Pesos (P1,000.00) for the first offense, Two Thousand Pesos (P 2,000.00) for the second offense, and Two Thousand Five Hundred (P2,500.00) with revocation of mayor's permit for the third violation, on a monthly inspection basis.

SECTION 8. URINATING IN PUBLIC PLACES.

- a) It shall be unlawful for any person to urinate anywhere other than at the comfort room or toilets for sanitary purposes. (Sec. 1, MO 1990-04)
- b) Penalty: Any violator shall be fined: First Offense – Warning, Second Offense – One Hundred Pesos (P 100.00), Third Offense and Succeeding Offenses – One Hundred Fifty Pesos (P 150.00). (Sec. 2, MO 1990-04)

SECTION 9. GARBAGE RECEPTACLES AND DEPOSITORYES.

- a) Each stall in a private or public market shall be provided four (4) color-coded garbage receptacles by its owner, operator, lessee, or caretaker which shall at all times be kept clean and covered. The contents of this garbage depository shall be emptied to an appropriate garbage disposal location at least once a day or as soon as the garbage depository becomes full (Sec. 7, Art. III, MO 1995-03). The Solid Waste Management officer, in coordination with the market administrator shall ensure full compliance of this section.
- b) It shall be the duty of every household, every purok, every barangay, including all commercial, industrial establishments, schools, NGOs to provide their own prescribed 4 color-coded garbage receptacles of suitable size for daily use to be placed at the strategic areas within their premises (Sec. 2, MO 1996-06)
- c) Penalty: Any violator fined: First Offense – Warning, Second Offense – Three Hundred Pesos (P 300.00), Third and Succeeding Offenses – Five Hundred Pesos (P 500.00), on a monthly inspection basis.

SECTION 10. DRAINAGE AND SEWAGE DISPOSAL.

- a) All houses, markets, institutions, business establishments and other buildings shall provide adequate, clean and properly maintained drainage and sewage disposal system. (Sec. 9, Art. IV, MO 1995-03)
- b) Penalty: Any violator shall be fined: First Offense – Five Hundred Pesos (P 500.00), Second Offense – One Thousand Pesos (P 1,000.00), Third and Succeeding Offenses – Two Thousand Five Hundred Pesos (P 2,500.00) (Sec. 10, Art. IV, MO 1995-03), on a monthly inspection basis.

SECTION 11. SEPTIC TANKS.

- a) No pigpens around and within the compound or residential homes, institutions, business establishments, and similar buildings shall be allowed to operate without being provided with septic tanks for the disposal of the wastes of these animals. At all times these septic tanks shall be covered and kept clean. (Sec. 10, Art. V, MO 1995-03).
- b) Penalty. Any violator shall be punished with the following: First Offense –Five Hundred Pesos (P 500.00), Second offense One Thousand Pesos (P 1,000.00), Third and Succeeding Offenses –Two Thousand Five Hundred Pesos (P 2,500.00), on a monthly inspection basis.

SECTION 12. LITTERING IN PUBLIC PLACES.

- a) It shall be unlawful for any person to throw or deposit filth, refuse, garbage, offal and other offensive matter in any street, sidewalk, alley, park, public square and public market premises, or other matter which makes such places unwholesome or unsanitary of this municipality. (Sec. 1, MO 1960-22)
- b) It shall be unlawful for any person to throw cigarette butts, scatter any kind of waste materials, garbage, trash and the like in public view and eventually affect the health condition of the populace, except in receptacles provided for this purpose. (Sec. 1, MO 1997-02)
- c) Penalty: Any violator shall be fined One Hundred Pesos (P 100.00) per violation.

SECTION 13. THROWING OF GARBAGE AND WASTE MATTER IN LOON'S COASTLINE.

- a) It shall be unlawful for any person or persons natural or juridical to throw or dispose garbage and other waste matter in Loon's coastline and seawaters.(Sec. 3.1, MO 1997-10)

- b) The throwing or disposing of garbage and other materials by commercial cargo, passenger and fishing vessels especially in the vicinity of Catagbacan Port and in smaller wharves in the municipality of Loon, is strictly prohibited. (Sec. 3.2, MO 1997-10)
- c) Factories and business establishments operating in the municipality are only allowed to dispose of garbage in duly designated and controlled areas appropriated by the Sangguniang Bayan of Loon whenever waste water treatment facilities have been put in place and inspected and approved for operation by the same body in consultation with health and sanitation experts of the DOH.(Sec. 3.3, MO 1997-10)
- d) The International Coastal Clean-up every September shall also be complied by all sectors of society.
- e) Penalty: Any violator shall be fined: First Offense – Five Hundred Pesos (P500.00), Second Offense – One Thousand Pesos (P1,000.00), Third and succeeding Offenses – Two Thousand Five Hundred Pesos (P2,500.00) (Sec. 4, MO 1997 1998-06)

SECTION 14. DOGS REGULATION

14. 1) Anti-Rabies Vaccination and Impounding of Stray of Dogs.

- a) Every pet dog in the municipality shall be vaccinated with anti-rabies vaccines, after which an identification tag shall be worn around its neck as proof of its registry. (Sec. 1, MO 1998-06)
- b) Stray dogs shall be continuously monitored, then caught for impounding in the dog pound which is hereby created for this purpose.(Sec. 2, MO 1998-06)
- c) Impounded dogs not claimed within three days after its capture shall be humanely disposed. (Sec. 3, MO 1998-06)
- d) Penalty. A fine of Five Hundred Pesos (P500.00) per violation shall be imposed to owners who: a) fail to leash their pet dog, or b) fail to register their pet dog for vaccination.

14.2) Uncastrated Male Dogs. All male dogs in the barangay, except the chosen one shall be castrated. Any uncastrated male dogs, in excess of one in the barangay shall be governed with the following rules:

- a) Such uncastrated male dog shall be subject for annual registration fee of One Thousand (P 1,000.00) Pesos; and
- b) Mating of such uncastrated dog with any of the female dogs shall only be allowed upon favorable recommendation of the Task Force and upon issuance of barangay clearance by the punong barangay after having paid the “male reproduction” regulatory fee of Three Hundred (P 300.00) Pesos duly receipted by the barangay treasurer, and which shall form part of the barangay income, provided, it shall be allowed only once for every 2 years. (Sec. 6, M.O. 2006-07)

14.3) Dog Registration Fee. Dog owners are required to pay an annual registration fee of Fifty (P50.00) Pesos per head for female or castrated male dogs, and One Thousand Pesos

(P1,000.00) per head for uncastrated male dogs, in excess of the duly recognized one barangay uncastrated male dog. (Sec. 7, M.O. 2006-07)

14.4) Other Provisions.

14.4.1 Caring of Dogs – In addition to food and water supply, dogs must be regularly bathed and annually be vaccinated as provided for in Section 2.1 of Ordinance No. 6, series of 1998, and Section 15 hereof.

14.4.2 Control of Population of Dogs

- a) Castration of Dogs. All male dogs must be castrated. Those dogs which are not castrated because of its intention for reproduction will be required to have it registered with the barangay and pay P1000.00 as annual registration fee.
- b) Confinement of Dogs. Owned and registered dogs must be leashed/confined at the proper place. (Sec. 10, MO 07-006)

14.4.3 Responsibilities of Handling Dogs – Any liabilities and damages arising from dogs ownership/ possession shall be the responsibilities of the owner like medication of the bite victim and consequential damages for loss of income, (Sec. 2, M.O. 2003-003), except the trespasser or any criminal intruder, or intentional risk of the victim.

SECTION 15. WATER SOURCES.

- a) All water sources which are tapped as potable shall be chlorinated by their owners and operators according to scientific standards and periodically checked and examined by accredited agencies for health clearance. (Sec. 3.5, MO 1998-08)
- b) Penalty: Any violator shall be fined: First Offense – Seven Hundred Pesos (P700.00), Second Offense – One Thousand Pesos (P 1,000.00), Third Offense – Two Thousand Five Hundred Pesos (P2,500.00). (Sec. 5, MO 1998-08)

SECTION 16. DEEP OR SHALLOW WELLS.

- a) Deep or shallow wells shall be covered appropriately by their owners or operators to prevent the entry of dirt or exit and entry of disease carrying insects and rodents. (Sec. 3.4, MO 1988-08)
- b) Penalty: Any violation of this section shall be punished with the following: First Offense – Warning, Second Offense – Five Hundred Pesos (P 500.00), Third Offense – One Thousand Pesos (P 1,000.00).

SECTION 17. COCONUT HUSKS AND SHELLS.

- a) Copra gatherers are required to dispose of coconut husks and shells properly filed so that these husks and shells shall not contain stagnant water to avoid the breeding places of mosquitoes.
- b) Penalty: Any violation of this section shall be punished with the following: First Offense – Warning, Second Offense – Five Hundred Pesos (P 500.00), Third Offense – One Thousand Pesos (P 1,000.00).

SECTION 18. REGULATION ON TOILETS.

- a) Each house shall be required to have at least one serviceable toilet. (Sec. 3, Art. II, MO 1995-03)
- b) Each public or private market shall be provided with a number of toilet units which shall at all times be serviceable and properly maintained for use and in sufficient number to

- accommodate persons staying or transacting business thereat. (Sec. 4, Art. II, MO 1995-03)
- c) Institutions such as schools, hospitals, clinics, recreation centers, hotels, lodging houses, dormitories, gymnasiums, cockpits, beach resorts, parks, swimming pools and the like where large number of persons converge shall provide adequate units of serviceable toilets which shall be properly maintained and cleaned at all times. (Sec. 5, Art. II, MO 1995-03)
- d) Each building regularly used as business establishment such as grocery, bakery, hardware store, gasoline station, drugstore, cereal store, amusement parlor, restaurant, theater, funeral parlor, beauty parlor, sports clinic, service shop, booking station, communication station, independent sari-sari store of sufficient size, public utility office, rice mill, corn mill, bank, pawnshop, farm house, and other separate buildings of similar use where persons regularly stay, shall be provided a serviceable toilet which shall be properly maintained at all time. (Sec. 6, Art. II, MO 1995-03)
- e) Penalty. Persons found violating this section may be fined with: First Offense – Five Hundred Pesos (P500.00), Second Offense – One Thousand Pesos (P1,000.00), Third Offense – Two Thousand Five Hundred Pesos (P2,500.00), and closure of institutions and business establishments, non-renewal of their license and permits to operate, as the case maybe.

SECTION 19. DISPOSAL OF HUMAN WASTES.

It shall be unlawful for any person to dispose of waste or defecate anywhere other than inside toilets.

Penalty. Any violation of this section shall be punished with the following: First Offense – Five Hundred Pesos (P500.00), Second Offense – One Thousand Pesos (P1,000.00), Third Offense – One Thousand Five Hundred Pesos (P1,500.00) (MO 1998-08)

SECTION 20. USE OF IODIZED SALT

20.1) Policy – It is hereby declared a policy of the Local Government of Loon, Bohol to comply with the state policy to protect and promote the health of the people, to maintain an effective food regulatory system, and to provide the entire population especially women and children with proper nutrition vis-à-vis the use of iodized salt as mandated by Republic Act No. 8172 otherwise known as “An Act for Salt Iodization Nationwide (ASIS)”.

20.2) Prohibition – It shall be unlawful for any owner, proprietor and/or manager of business establishments to sell non-iodized salt, and food outlets such as, but not limited to restaurants, canteens, hotels, caterers and hospitals as well as food manufacturers or processors to use the same as ingredient in the preparation of food for human consumption. (MO 04-004)

20.3) Definition of Terms – For purposes of this section, the following terms shall be construed as follows:

Iodized Salt – refers to table salt fortified with iodine.

Business Establishments – refers to business entities engaged in the production, distribution, trading, supplying and retailing of salt.

Non-Iodized Salt – refers to table salt not fortified with iodine.

Manager – refers to the person who is in charge of the everyday affairs and operation of business.

Proprietor – refers to the owner of a business and holder of the proprietary rights of the business establishment.

Owner – refers to the person duly registered by law as owner of the business establishment concerned.

20.4) Coverage – The scope of the implementation of this section shall cover any owner, proprietor and/or manager of the business establishment and/or food outlet operating in this municipality.

20.5) Penalty – Any violator shall be fined Three Hundred Pesos (P300.00) for the First Offense, Five Hundred (P500.00) for the Second Offense, and One Thousand Pesos (P1,000.00) for the third and succeeding offenses, per inspection basis.

SECTION 21. PROHIBITED TIRES AND OTHER OBJECTS THAT STORE RAIN WATER IN THE OPEN FIELD.

21.1) Prohibited Acts. No person shall place used tires or any objects that tend to catch / store rain water in an open field.

21.2) Rationale. It is the policy of this LGU to prevent the occasion dengue diseases caused by an open watered container/object.

21.3) Definition of Terms as used in this Article.

- a) Used Tires – refers to discarded, used tires of any sizes make or brands.
- b) Objects that Catch/ Store Rain Water – refers to any objects such as used tires being used as decorative, flower pots etc., earthen or plastic, ceramics jars, steel, plastic drums, containers, plastic, glass bottles, concrete or steel storage tank.

21.4) Penalty Clause.

- a) First Offense – Five Hundred Pesos (P 500.00)
- b) Second Offense – One Thousand Five Hundred Pesos (P 1, 500.00)
- c) Third Offense – Two Thousand Five Hundred Pesos (P 2,500.00)

(Reference: Makilala, North Cotabato)

ARTICLE VI

LIQUEFIED PETROLEUM GAS “LPG” INDUSTRY RULES

SECTION 1. TITLE. This Code adopts the Department Circular known and cited as the “LPG Industry Rules”.

SECTION 2. COVERAGE. This Article shall apply to and be strictly complied with by all persons engaged or intending to engage in the business of importing, refining, refilling, marketing, distributing, hauling/ transporting, handling, storing, retailing, selling and/ or trading of LPG.

SECTION 3. DEFINITION OF TERMS. For purposes of this Circular, the following terms shall have the following meaning:

- a) “BFP” – shall refer to the Bureau of Fire Protection;

- b) "BPS" – shall refer to the Bureau of Product Standards;
- c) Brand Owner – shall refer to any person owning the brand, name, logo, color, mark, and/or other distinction appearing on the LPG cylinder;
- d) Bulk Supplier – shall refer to a refiner or importer who engages in the sale of LPG in large quantities or wholesale;
- e) Canister or Cartridge – shall refer to any portable pressure vessel or container designed or intended for LPG, with water capacity of less than that of a LPG cylinder;
- f) Consumer – shall refer to any person who purchases LPG from a marketer, dealer or retail outlet, either in cylinders, through a pipeline system or through other means of distribution for its own consumption;
- g) Cylinder or LPG Cylinder – shall refer to any portable pressure vessel or container for LPG with water capacity of one (1) liter to one hundred fifty (150) liters or as may be prescribed under Philippine National Standards (PNS) and designed for the sale, transportation, storage or household/ commercial/ industrial consumption of LPG;
- h) Dealer – shall refer to any person engaged in the business of selling or trading of LPG in cylinders to consumers or retail outlets;
- i) Defective Cylinder – shall refer to an uncertified, damaged, unsafe or dilapidated cylinder due to corrosion or pitting, dents, cuts, gorges, digs, bulges, leaks or other similar defects that render the cylinder unsafe, unfit or otherwise not allowed for distribution in accordance with the guidelines set by the DTI;
- j) "DENR" – shall refer to the Department of Environment and Natural Resources, created under Executive Order No. 192;
- k) "DILG" – shall refer to the Department of the Interior and Local Government, created under Republic Act No. 6975;
- l) "DOE" – shall refer to the Department of Energy, created under Republic Act No. 7638, as amended;
- m) "DTI" – shall refer to the Department of Trade and Industry, reorganized under Executive Order No. 292;
- n) Hauler – shall refer to any person involved in the transport and delivery of LPG in bulk or in cylinders from one place to another;
- o) Importer – refer to any person engaged in the importation of LPG whether for processing, sale or own use;
- p) Industry Participant – shall refer to any person engaged in any LPG Activity
- q) Industry Activity – shall refer to the business of importing, exporting, refining, refilling, marketing, distributing, hauling/transporting, handling, storing, retailing, selling and/or trading of LPG;
- r) "IPO" – shall refer to the Intellectual Property Office established under Republic Act No. 8293, otherwise known as the "Intellectual Property Code of the Philippines";
- s) "LGU" and "LGUs" – shall refer to local government unit or local government units, respectively;
- t) "LPG" – shall refer to liquefied petroleum gas, which consists of commercial propane gas or commercial butane gas or a mixture of the two gases, with properties conforming to the standards set forth under Philippine National Standards (PNS), distributed or sold to consumers either in LPG cylinders through a pipeline system, bulk storage tanks, or other means of distribution;
- u) "Marketer" shall refer to any person engaged in the business of selling or trading of LPG, whether in bulk or retail, under its own brand name. A marketer may or may not manufacture or process the products sold;
- v) "OIMB" – shall refer to the Oil Industry Management Bureau of the DOE;

- w) Pipeline System – shall refer to a network of pipes or similar conduits used for the conveyance of LPG from the piped LPG provider to consumers;
- x) “PNP” – shall refer to the Philippine National Police created under Republic Act No. 6975;
- y) “PNS” – shall refer to the Philippine National Standards;
- z) Qualified LPG Serviceman – shall refer to an individual who has been trained, qualified and certified by the DOE or any deputized agency thereof, or to an individual who has successfully completed an approved training course for LPG servicemen in a training school duly recognized and accredited by the Philippine Government;
- aa) Refiller – shall refer to any person who is engaged in the business of refilling LPG into cylinders;
- bb) Refilling Plant – shall refer to any installation that is used for refilling LPG into cylinders and has LPG bulk storage and refilling facilities;
- cc) Refiner – shall refer to any person who refines crude oil and other naturally occurring petroleum hydrocarbons through distillation, cracking, conversion and treatment;
- dd) Repair – shall refer to the removal and replacement of parts or attachments of LPG cylinders or the performance of any other necessary corrective measures to restore the fitness of LPG cylinders for refilling and distribution;
- ee) Repairer – shall refer to any person engaged in the business of repairing LPG cylinders;
- ff) Requalification – shall refer to the method or procedure by which a cylinder is subjected to inspection and testing in accordance with the specifications set forth in the PNS to determine its acceptability for distribution and continuous use and subsequent repair or scrappage where appropriate;
- gg) Re-qualifier – shall refer to any person engaged in the business of requalification of LPG cylinders;
- hh) Retail Outlet – shall refer to any person engaged in the business of selling or trading directly to consumers LPG in cylinders supplied by a dealer or marketer;
- ii) “SCC” – shall refer to Standards Compliance Certificate issued by the DOE to the Industry Participants;
- jj) Scrappage – shall refer to the destruction of defective LPG cylinders declared by a Requalifier/ Repairer or the DTI to be unfit for use;
- kk) Seal – shall refer to the protective cover placed in the gas outlet of an LPG cylinder of the type that must be broken or destroyed before the LPG can flow out of the cylinder;
- ll) Tare Weight – shall refer to the net weight of the LPG cylinder excluding its contents, as engraved in the collar and painted in the body thereof and shall be expressed in kilograms in accordance with the specifications as may be prescribed by the DOE and DTI;
- mm) Uncertified Cylinder – shall refer to a LPG cylinder that does not comply with Philippine National Standards;

SECTION 4. STANDARDS COMPLIANCE CERTIFICATE

4.1) Requirement to Secure a Standards Compliance Certificate (SCC). No person shall engage in any Industry Activity without a valid Standards Compliance Certificate.

The DOE through the Oil Industry Management Bureau (OIMB), shall issue a Standards Compliance Certificate (SCC) upon the complete submission of and full compliance with the requirements provided in Section 6 of the Circular. The OIMB shall have the authority to verify,

validate, authenticate and inspect all documents and information required from, given by or obtained from such person for compliance with all applicable laws, rules and regulations.

A provisional SCC may be issued to a new LPG Industry Participant solely for the purpose of obtaining a mayor's / business permit: *Provided*, That an authenticated copy of the mayor's/business permit is submitted to the OIMB within 30 days from issuance of the provisional SCC; otherwise , the latter shall be deemed automatically revoked.

4.2) Terms of the SCC. The following shall be the terms of each SCC:

- a) The SCC shall have a validity for a maximum period of three (3) calendar years from the date of its issuance and shall be renewed not later than the end of March of the third year;
- b) The SCC shall be posted at the site/ plant/ outlet; and
- c) A holder of a valid SCC shall transact business only with a LPG Industry Participant who is likewise the holder of a valid SCC.

4.3) Documentary Requirements. The following are documentary requirements:

a) Application. No person shall engage in any Industry Activity without first applying for and being issued by the OIMB with a SCC. Applications in the Visayas and Mindanao shall be filed with the appropriate field office of the DOE in these regions or in the DOE Central Office as the convenience of the applicant may dictate. The application shall be accomplished by the applicant under oath and shall contain the following information and the required supporting documents which shall be submitted in their original forms, or if not possible or warranted either in duly certified true copies by the issuing agencies.

1. The particular industry Activity/ies to be engaged in;
2. Business name, address, telephone/ fax number of the business office;
3. Location and complete address of LPG establishment/s;
4. Name of owner in case of single proprietorship, or partners in case of partnership or authorized representative in case of corporation; and
5. Such other requirements as may be required by the DOE.

b) Supporting documents. The following documents shall be submitted along with new/ first time applications. Only applications with complete and valid supporting documents shall be accepted and processed Mayor's permit from the LGU concerned and the Fire Safety Inspection Certificate shall be submitted annually not later than March 15th of each year and upon renewal of the SCC.

- 1) For refiners, importers and refillers:
 - a. Registration of Business from DTI or Securities and Exchange Commission;
 - b. Zoning / Locational Clearance from the LGU concerned;
 - c. Barangay Business Clearance from the barangay concerned;
 - d. Building Permit from the LGU concerned;
 - e. Environmental Compliance Certificate from the DENR;
 - f. Mayor's/ Business Permit;
 - g. Discharge permit from the Lagura Lake Development Authority if applicable;
 - h. Fire Safety Inspection Certificate;
 - i. Permit to Operate Unfired Pressure Vessel from the Department of Labor and Employment;
 - j. Product Liability Insurance Certificate;

- k. For refiners and importers: Reference standards/ codes and notarized compliant statement for design and operation;
 - l. For refillers: notarized Certification from a licensed registered engineer on compliance with the PNS for refilling plant;
 - m. Plan layout;
 - n. Supply contract/ agreement (for refillers);
 - o. List of vehicles (model, make, plate number and capacity); and
 - p. For refiners and importers: Permit to Import from Bureau of Customs/ Bureau of Internal Revenue;
 - q. Integrated Solid Waste Management Clearance
- 2) For marketers:
- a. Registration of Business from DTI or Securities and Exchange Commission;
 - b. Registration of Brand;
 - c. Barangay Business Clearance from the barangay concerned;
 - d. Building Permit from the LGU concerned; or lease agreement for building;
 - e. Mayor's/ Business Permit;
 - f. Fire Safety Inspection Certificate;
 - g. Product Liability Insurance Certificate; and
 - h. List (name and address) of authorized dealers/ retail outlets;
 - i. Supply Contract; and
 - j. List of vehicles (model, make, plate number and capacity);
 - k. Integrated Solid Waste Management Clearance.
- 3) For dealers:
- a. Registration of Business from DTI or Securities and Exchange Commission;
 - b. Barangay Business Clearance from the barangay concerned;
 - c. Building Permit from the LGU concerned; or lease agreement for building;
 - d. Mayor's/ Business Permit;
 - e. Fire Safety Inspection Certificate;
 - f. Supply agreement with or certification from brand-owner;
 - g. List (name and address) of authorized retail outlets;
 - h. List of vehicles (model, make, plate number and capacity);
 - i. Integrated Solid Waste Management Clearance.
- 4) For retail outlets:
- a. Registration of Business from DTI or Securities and Exchange Commission;
 - b. Barangay Business Clearance from the barangay concerned;
 - c. Building Permit from the LGU concerned; or lease agreement for building;
 - d. Mayor's/ Business Permit;
 - e. Fire Safety Inspection Certificate;
 - f. Supply agreement with or certification from dealer or marketer; and
 - g. List of vehicles (model, make, plate number and capacity);
 - h. Integrated Solid Waste Management Clearance.
- 5) For haulers:
- a. Registration of Business from DTI or Securities and Exchange Commission;

- b. Barangay Business Clearance from the barangay concerned;
- c. Mayor's/ Business Permit;
- d. Conveyance Permit from the BFP;
- e. Listing of tank truck/ lorries for the transport of bulk LPG- make /model, capacity and plate number;
- f. Listing of delivery trucks / vehicles for the transport of LPG in cylinders – make/ model, capacity and plate number; and
- g. Product liability Insurance Certificate;
- h. Integrated Solid Waste Management Clearance.

4.4) Reportorial Requirements. All Industry Participants shall submit the following reports or such other reports or documents as may be required by the OIMB at a time and format the latter shall specify and require respectively:

a) Annual Reports

- 1) List of facilities and capacities, including transport vehicles with plate numbers;
- 2) List of suppliers, customers and volumes;
- 3) List of supply contracts and refilling arrangements;
- 4) List of qualified personnel/attendant;
- 5) Inventory of LPG cylinders;
- 6) Schedule of LPG cylinder acquisition, requalification, repair, scrapping; and
- 7) Applicable permits for any new, additional, renovated or refurbished facilities and/ or changes in their respective operation;
- 8) Integrated Solid Waste Management Clearance

b) Monthly Reports

- 1) Supply;
- 2) Demand /sales/consumption/thru pat or refilling volume; and
- 3) Inventory.

4.5) Non-issuance, Non-Renewal or Revocation or Suspension of SCC. The OIMB shall have the right or authority to deny the issuance or renewal of an SCC or to revoke or suspend the same based on any of the following grounds:

- a) Failure to comply with the requirements under the Rule II;
- b) Refusal to allow inspection by OIMB and its Field Office inspectors;
- c) Failure to pay fines imposed by the DOE; or
- d) Transacting business with other Industry Participants who have no valid SCC.

4.6) Posting of SCC. The SCC shall be prominently displayed by the Industry Participant in a strategic and appropriate location within the business premises in order that it can easily be seen by its customers and the public. In the case of haulers, a copy of the SCC shall be carried at all times in the transport vehicle.

SECTION 5. MINIMUM STANDARDS AND REQUIREMENTS

5.1) Refilling. In addition to the pertinent provisions provided for in the Circular, any person engaged or intending to engage as a Refiller of LPG shall likewise strictly comply with the minimum standard requirements set by the DTI/ DOE and /or any subsequent issuance or amendment thereto.

In addition to the pertinent provisions provided for in this Circular, the following shall be the minimum standards and requirements in the transport of LPG.

- a) In Bulk. Any person engaged or intending to engage in the transport of LPG in bulk shall comply with the latest edition of the following minimum standards:
 - 1) Fire Code of the Philippines / National Fire Protection Association Pamphlet 58 (Liquefied Petroleum Gas Code);
 - 2) Philippine Liquefied Petroleum Gas Association Safety Code; and
 - 3) Applicable DOE issuances.
- b) In Cylinders. Any person engaged or intending to engage in the transport of LPG in cylinders shall comply with the pertinent DOE issuances on the subject.

5.2) Dispensing Auto-LPG. In addition to the pertinent provisions provided for in the Circular, any person engaged or intending to engage in the business of selling, supplying, hauling, storage, handing, marketing and distribution of LPG for automotive use shall comply with DOE DC No. 2007-02-0002 and its future amendments.

5.3) LPG Participants Engaged in Several Activities. LPG Participants simultaneously engaged in several activities covered by the Circular shall comply with all the requirements for each and every activity as provided for herein.

SECTION 6. QUALIFICATIONS, DUTIES AND RESPONSIBILITIES OF LPG INDUSTRY PARTICIPANTS

6.1) Qualifications of LPG Industry Participants. The following shall be the qualifications of LPG Industry Participants, to wit:

- a) Bulk Suppliers. This covers oil companies/ refiners, importers and marketers. A Bulk Supplier shall possess the following qualifications:
 - 1) Bulk LPG storage and loading facilities for tanker/ barge or tank truck trailer; and
 - 2) The necessary resources, including adequate, qualified and duly licensed personnel, equipment and fixed facilities (lease or owned) to effectively conduct operation of the business and to carry out the responsibility of rendering efficient service to its clientele.
- b) Refillers. A refiller shall possess at least the following qualifications:
 - 1) Refilling plant that conforms with the applicable PNS;
 - 2) Appropriate weighing devices duly inspected, calibrated and sealed;
 - 3) Trained and qualified personnel proportionate to the size of its operation;
 - 4) At least one b (1) licensed engineer with at least 3 years experienced with the primary function of ensuring safety of the operation and facilities; and
 - 5) Qualified serviceman.
- c) Marketers. A marketer shall possess personnel, facilities and equipment to effectively carry out its responsibility of rendering efficient service to its clientele, and must at least conform with the following:
 - 1) A fixed store space and storage facilities in conformity with the safety standards prescribed herein;
 - 2) Cylinders conforming with the PNS and permanently marked with its brand;
 - 3) Appropriate weighing devices duly inspected, calibrated and sealed by the authorized government agency;
 - 4) Qualified serviceman in its employ;
 - 5) Delivery vehicles used for its LPG business that conform with the appropriate DOE Circular

d) Dealers. A dealer shall possess personnel, facilities and equipment to effectively carry out its responsibility of rendering efficient service to his clientele, and at least possess and conform with the following:

- 1) A fixed store space and storage facilities in conformity with the safety standards prescribed herein;
- 2) Cylinders conforming with the PNS and permanently marked with its brand;
- 3) Appropriate weighing devices duly inspected, calibrated and sealed by the authorized government agency;
- 4) Qualified servicemen in its employ; and
- 5) Delivery vehicles used for its LPG business that conform with the appropriate DOE Circular.

e) Retail Outlets. A retail outlet shall at least possess and conform with the following:

- 1) A fixed store space and storage facilities in conformity with the safety standards prescribed herein;
- 2) Appropriate weighing devices duly inspected, calibrated and sealed by the authorized government agency; and
- 3) Delivery vehicles used for its LPG business that conforms with the appropriate DOE Circular (if applicable)

6.2) Responsibilities of LPG Industry Participants. The following shall be the responsibilities of LPG Industry Participants, to wit:

a) Bulk Suppliers. This covers oil companies/ refiners, importers and marketers. Bulk Suppliers shall have the following responsibilities:

- 1) Ensure adequate and stable supply of LPG in bulk; and
- 2) Ensure that production, storage, receiving and loading equipment and facilities are in safe operating conditions at all times.

b) Refillers. A refiller shall have the following responsibilities:

- 1) Fill LPG cylinders accurately as to the required exact net content of the LPG cylinders as prescribed herein. Test weigh and conduct leak test every cylinder before each one leaves the refilling plant premises;
- 2) Ensure that all cylinders are properly sealed before leaving the refilling plant premises to guarantee correctness of product content;
- 3) Refill only cylinders that comply with the PNS;
- 4) Not to refill single-trip and/ or tin canister and cartridge;
- 5) Fill cylinders under their own brand and/ or other brands, provided, that the latter is done with prior written authorization from or agreement with the brand owners; and
- 6) Conform to safe LPG handling practices as prescribed by this Circular.

c) Marketers. A marketer/ brand owner shall have the following responsibilities:

- 1) Carry its own brand of LPG;
- 2) Ensure adequate and timely supply of LPG for its dealer or consumer;
- 3) Ensure the correct weight of LPG filled cylinders delivered to its dealers and retail outlets;
- 4) Procure new LPG cylinders only from reputable and duly licensed cylinder manufacturers and use only LPG cylinders with appropriate markings prescribed by the Bureau of Product Standards i.e. Globe Checkmarks

- for locally procured cylinders, or the Import Commodity Clearance (ICC) for imported cylinders;
- 5) Have all new cylinders embossed with its registered brand name;
 - 6) Register with the OIMB and exclusively use a distinguishing color and marking scheme for all its cylinders;
 - 7) Register its seal and seal manufacturer/ supplier with the OIMB;
 - 8) Maintain and repair all LPG cylinders under its own brand name through accredited Re-qualifiers and Repairers, in conformity with the PNS;
 - 9) Provide servicing, delivery and technical assistance for its dealers;
 - 10) Conform with safe LPG handling practices as prescribed by this Circular;
 - 11) Register with OIMB all vehicles used for the transport of LPG;
 - 12) Notify the OIMB of any adjustment in the price of LPG at least twenty-four (24) hours, before its effectivity, even through text message to the Director and Chief of the Oil Industry Competition Monitoring Division, and in writing on the first working day after its effectivity; and
 - 13) Issue official receipts for every transaction, sale or delivery of LPG.
- d) Dealers. A dealer shall have the following responsibilities:
- 1) Have a contract or agreement with either the brand owner or marketer;
 - 2) Carry only the brand of LPG of its refiller or marketer;
 - 3) Sell only LPG in cylinders with DOE-registered seals of its refiller or marketer;
 - 4) Have appropriate weighing devices which shall accurately measure LPG cylinders up to one-tenth (0.1) of one kilogram duly calibrated and sealed by the authorized government agency;
 - 5) Ensure the correct weight of LPG filled cylinders delivered to its retail outlets and consumers;
 - 6) Put up display and storage facilities within its area of operations;
 - 7) Provide servicing, delivery and technical assistance for its clientele;
 - 8) Conform with safe LPG handling practices as prescribed under provisions on safety herein;
 - 9) Register with OIMB all vehicles used for the transport of LPG;
 - 10) Issue official receipt after every transaction, sale or delivery of LPG;
 - 11) Ensure that an official receipt is issued by its supplier after every transaction, sale or delivery of LPG;
 - 12) Ensure that each LPG filled cylinder conforms with the minimum standards prior to acceptance from its suppliers.
- e) Retail Outlets. A Retail Outlet shall have the following responsibilities:
- 1) Sell the brands of LPG filled, cylinders it is authorized to carry by virtue of its agreement with the appointing dealers;
 - 2) Sell only LPG in cylinders with DOE registered seals of refillers and marketers;
 - 3) Have weighing devices which shall accurately measure LPG cylinders up to one-tenth (0.1) of one kilogram duly calibrated and sealed by the authorized government agency;
 - 4) Request the dealer for a qualified LPG Serviceman to render services to its end-users;
 - 5) Install and provide in its respective establishment fire extinguishers, printed materials / posters showing procedures on how to prevent and react to LPG – related accidents;
 - 6) Conform with safe LPG handling practices as prescribed under provisions on safety herein;
 - 7) Issue official receipt for every transaction, sale, or delivery of LPG;

- 8) Ensure that an official receipt is issued by its supplier after every transaction, sale, or delivery of LPG; and
- 9) Ensure that each LPG filled cylinder conforms with the minimum standards prior to acceptance from its suppliers.

6.3) Other Responsibilities of LPG Industry Participants.

- a) Checking by Refillers, Marketers and Dealers. All refillers, marketers and dealers shall periodically check the LPG sold by their respective dealers and/ or retail outlets to verify compliance with the LPG content requirement at least once every ninety (90) days. They shall likewise check whether dealers and / or retail outlets weighing devices are calibrated and sealed in accordance with this Circular. The result of such test shall be recorded and be made available to the DOE inspectors upon demand.
- b) Issuance of Receipts.

- 1) Transactions in Bulk. All transactions involving the sale or transfer of LPG in bulk must be covered by an official receipt bearing in addition to other requirements under applicable laws, the following information.

- a) Registered name of the seller;
- b) Address of the seller;
- c) Date of the transaction;
- d) Quantity or volume of the product;
- e) Plate number of transporting trucks or registered name of transporting barge;
- f) Total price of the transaction; and
- g) Such other information as may be prescribed by the DOE.

- 2) Transactions in Cylinders. All transactions involving the sale or transfer of LPG in cylinders to consumers must be covered by an official receipt bearing in addition to other requirements under applicable laws, the following information:

- a) Registered name of the seller;
- b) Address of the seller;
- c) Date of the transaction;
- d) Brand of LPG;
- e) Cylinder serial number;
- f) Net weigh or weight of the LPG contained in the cylinder;
- g) Unit price per cylinder;
- h) Total price of the transaction; and
- i) Such other information as may be required by the DOE.

- 3) All other transactions involving the sale or transfer of possession or ownership of LPG from one Industry Participant to another must likewise be covered by an official receipt or other written instrument with the above information, as applicable. Duplicate copies of official receipts shall be made available for verification by OIMB inspections.

SECTION 7. DUTY OF CYLINDER OWNERS

7.1) Cylinder Ownership. The brand owner whose permanent mark appears on the LPG cylinder shall be presumed the owner thereof, irrespective of the party in custody or possession of the cylinder and regardless of whether such cylinder is or continues to be properly marked, stamped or identified to contain its LPG brand or whether such cylinder is in compliance or

continues to comply with any other product or quality standard prescribed under law or by the DTI pursuant to this Circular, absent any unequivocal proof.

The brand owner/ cylinder owner shall have the obligation to ensure that its cylinders comply with all required quality and safety standards and specifications before the cylinders are released for sale and distribution: *Provided*, that receipt by the DOE of a verified notice or report from the cylinder owner regarding any lost, stolen or missing LPG cylinders shall serve as prima facie evidence to relieve the cylinder owner of the obligation to ensure the quality and safety of such LPG cylinders: *Provided further*, that such report may be rebutted by contrary evidence.

7.2) Cylinder Maintenance. All LPG cylinder owners/ brand owners shall keep their own cylinders in safe, clean and serviceable condition and shall maintain them in a manner consistent with the provisions of the safety codes adopted in the industry. All LPG cylinders shall conform with PNS 03.

7.3) Product Liability Insurance. All brand owners shall carry a product liability insurance from insurance companies duly licensed and authorized by the Insurance Commission to answer for whatever damage or liability that may result from an unsafe condition of LPG cylinders.

7.4) Cylinder Return. The LPG brand owner shall through its authorized dealer or retail outlet, replace or refund returned cylinders pursuant to guidelines that may be set by DOE in coordination with the DTI.

SECTION 8. MONITORING AND INSPECTION

8.1) Compliance Monitoring. The OIMB and DOE Field Office inspectors shall monitor and inspect on a regular basis LPG Industry Participants to among others ensure their compliance with existing and applicable DOE rules and regulations.

8.2) Assistance of Other Government Agencies. The OIMB and DOE Field Offices may, in the course of monitoring and inspection, take custody or impound for purposes of public welfare and evidence, LPG cylinders which are found to be in violation of applicable DOE laws, rules and regulations until such time that their disposition is finally determined in accordance with the law or through the applicable administrative, civil, and / or criminal proceedings.

The conduct of monitoring and inspections operations by the OIMB and DOE Field Offices may be done with the assistance of other concerned government agencies such as the Philippine National Police, National Bureau of Investigation or any other similar enforcement agencies to ensure and provide security to life and property during the conduct thereof but not limited to during the confiscation of cylinders found to be in violation of the provisions of DOE laws, rules, and regulations and during the transport of the confiscated cylinders to the impounding area.

SECTION 9. CONSUMER SAFETY AND INFORMATIONAL SIGNS

9.1) Posting of Safety and Informational Signs. For the awareness and information of the buying public the following signs shall be prominently displayed by the owner and/or operator of the LPG establishments/ outlets in strategic and appropriate locations within the premises of the said establishment/outlet:

- a) Price Display Board with updated prices for each LPG brand and cylinder size being sold or offered for sale pursuant to this Circular. It shall have numeric entries of at least six (6) inches in height;

- b) "No Smoking" signs;
- c) "No open flame within three (3) meters radius" signs; and
- d) Other safety signs as may be required by the DOE other government agencies and relevant LGUs.

SECTION 10. PROHIBITED ACTS.

10.1) Illegal Trading. The following shall constitute Illegal Trading:

- a) Engaging in Business without SCC, where an LPG Industry Participant engages in business without securing a SCC from the DOE;
- b) Failure to Post SCC, where an LPG Industry Participant fails or refuses to post its SCC in its LPG establishments;
- c) Transacting Business with other LPG Industry Participants without a valid SCC, where a LPG Industry Participants sells or distributes LPG to persons or entities without SCC or whose SCC has expired or is suspended or revoked;
- d) Refusal/Obstruction of Inspection, where an LPG Industry Participants refuses, prevents or obstructs the inspection of its premises and records;
- e) Sale of LPG in cylinders that do not conform with the PNS on manufacture, requalification and repair of LPG cylinders, such as:
 - 1) Without required markings;
 - 2) Cylinders considered substandard as defined by the PNS;
 - 3) Cylinders stamped with wrong or misleading information such as the tare weight; and
 - 4) PLG in inappropriate containers
- f) Failure to Comply with Standards, where an LPG Industry Participant, by act or omission, fails to comply with standards required by the DOE with respect to its specific activity including non-compliance with DOE mandatory requirements on safety designs for refilling plants, equipment, depots, centralized LPG distribution systems and similar facilities;
- g) Failure to Comply with Weighing Device Requirements, where an LPG Industry Participant fails to comply with the requirements pertaining to weighing devices;
- h) Illegal Possession of and/or Use of Unregistered and/or Inappropriate LPG Cylinder Seal, where a person other than the brand owner and its authorized refiller/s possess and/or installs LPG cylinder seals;
- i) Illegal Possession of LPG Cylinders Seal, where a person is found in possession of LPG cylinder seals including the seals already used in the LPG cylinders without authority form the LPG cylinder owner or its authorized refiller;
- j) Sale or Distribution of LPG-filled Cylinders without Seals, Tampered Seals or Inappropriate seals, where the provisions of this Circular notwithstanding any person, brand owner, its authorized refiller, dealer or retail outlet who sells or distributes LPG filled cylinders without seal with tampered or broken seals or with seal not belonging to the brand owner;
- k) Sale of LPG in single-trip (non-refillable container/canister which has been previously filled with butane or not designed or intended for refilling of LPG due to non-compliance with PNS or not certified or allowed by the DTI;
- l) Illegal Storage, where an LPG Industry Participant stores LPG in bulk without obtaining a SCC;
- m) Pilferage of LPG, where a person pilfers LPG;
- n) Tampering of LPG Cylinders and Similar Acts, where an LPG Industry Participant other than the LPG cylinder owner, destroys, tampers, alters, modifies or stamps

or labels wrong or misleading information or marks on LPG cylinders through any means such as but not limited to changing the LPG cylinder valve, repainting and re-labeling;

- o) Overloading, where a hauler or transporter loads and transports, or permits the loading and transportation of LPG cylinders quantities greater than the rated capacity of the capacity of the vehicle or in such a manner that endangers the life and safety of its passengers or the public.
- p) Hoarding, where an LPG Industry Participant before a price increase or in times of light supply, unduly accumulates LPG products beyond its normal inventory levels and unreasonably limits or refuses to dispose of, sell or distribute LPG products to the general public even if the buyer or consumer has the ability to pay in cash for the LPG products.
- q) The determination of said Participant's usual inventory shall be reckoned from the third (3rd) month immediately preceding the discovery of the stocks in case said participant has been engaged in the business for at least three (3) months, otherwise, it shall be reckoned from the time he started his business.

The following shall be considered as *prima facie* evidence of hoarding:

- 1) Said Participant has stocks of LPG products fifty percent (50%) higher than his usual inventory; and
- 2) Said Participant unreasonably limits, refuses or fails to sell the same to the general public at the time of discovery of the stocks.

10.2) Illegal Refilling, which is committed under any of the following circumstances:

- a) Refilling of LPG cylinder by a person or entity other than the brand owner thereof, unless an expressed permission is granted by the owner for such refilling as evidenced by a written contract or similar instrument;
- b) Refilling of LPG cylinder with a brand, trademark, trade name or registered business name other than that of the brand owner indicated on the LPG cylinder tank, otherwise called "pirate filling" or "cross filling";
- c) Refilling of LPG cylinder without the embossed markings or other indication of the brand or trade name thereof or bearing defaced, tampered or illegible markings contrary to the mandatory labeling and stamping requirements under this Act;
- d) Refilling of LPG cylinder which is due for repair, re-qualification or scrappage as provided in this Act, or is subject to the recall or prohibition order of the DOE;
- e) Filling of LPG cylinder directly from LPG tank trucks without the use of approved filling machines;
- f) Refilling LPG from one LPG cylinder to another without using the prescribed equipment;
- g) "Backyard refilling" or the refilling of LPG cylinders other than in properly designed LPG refilling plants;
- h) Filling LPG cylinder with products or substances other than LPG in an effort to achieve the correct net weight;
- i) Refilling of LPG cylinders for household or commercial use by Auto-LPG Dispensing Stations;
- j) Refilling of LPG into single-trip and/or tin canister or cartridge not designed or intended for LPG or not in compliance with existing PNS or in the absence of a PNS without the express consent/approval/conformity of the DTI;
- k) Any other refilling of LPG cylinders in violation of the mandatory requirements or prescribed standards; and
- l) Unauthorized loading of bulk LPG tanks in industrial accounts.

- 10.3) Underfilling, where the net quantity of LPG contained in LPG cylinders offered for sale, sold, transferred, delivered or filled by refillers is less than the LPG cylinder content required by the DOE and/or the net content marked in the cylinder.

The following shall be considered as *prima facie* evidence of underfilling:

- a) A broken, tampered, absent or removed seal; or
- b) An LPG cylinder containing less than the required LPG quantity which is not so identified and set apart or taken out from the sales area by dealers or retail outlets is presumed to be for sale.

For purpose of the Rules, the net LPG content sold in LPG cylinders with water capacity of twenty-one (21) liters to twenty nine (29) liters shall not be less than 11.0 kilograms when measured at the refilling plants. The net quantity contained when sold to the consumer shall not be more than three tenths (0.3) of one kilogram less than 11.0 kilograms. A shortage of more than three tenths (0.3) of one kilogram per cylinder shall constitute an act of underfilling. Moreover, the allowable deviation in the contents of other cylinder sizes shall not exceed three tenths (0.3) of one kilogram from the indicated net weight.

10.4) Adulteration, where LPG is found to be mixed with another finished or unfinished petroleum product or stock with any non-petroleum substance or material that will result in product quality change or in the failure of the LPG to meet the required product specifications of the DOE.

10.5) Other Prohibited Acts. To ensure compliance with the provisions of this Circular, the refusal or failure to comply with any of the following shall likewise be prohibited;

- a) Submission of any reportorial requirements where an LPG Industry Participant fails to submit periodic reports as may be required by the DOE, within the period and in the manner prescribed by the DOE;
- b) Use of clean and safe (environment and worker-benign) technologies;
- c) Compliance with issuance of the DOE pertaining to the transport of LPG in cylinders
- d) Any order or instruction of the DOE Secretary issued in the exercise of his enforcement powers under Section 15 of RA 8479 including the maintenance of minimum inventory.

10.6) Presumption of Liability for Prohibited Acts. LPG-filled cylinders with seals, whether these are authorized or unauthorized or inappropriate are presumed to be for delivery and /or sale. In the case of dealers or retail outlets, LPG-filled cylinders displayed in their establishments are presumed to be for sale. Any LPG Industry Participant found to be in possession of LPG filled cylinders containing or with violations described as prohibited acts, shall be presumed liable for such acts. LPG-filled cylinders found, intercepted or apprehended with violations described as prohibited acts shall be presumed to be for sale, delivery or distribution and the liability is on the owner of such LPG product in cylinders.

SECTION 11. ADMINISTRATIVE FINES AND SANCTIONS

11.1) Fines/ Sanctions Against Prohibited Acts.

Without prejudice to the filing of appropriate charges pursuant to the Circular, any violator shall be fined Two Thousand Five Hundred Pesos (P2,500.0) per violation.

11.2) Initiation of Administrative Proceedings. The DOE may *motu proprio* or upon complaint of any person, natural or juridical, initiate administrative proceedings against persons committing any of the prohibited acts defined or provided in the Circular.

11.3) Initiation of Criminal Action. The initiation of an administrative action and/or the imposition of any fine against any person who violates or does not comply with the Circular shall be without prejudice to the filing of any criminal action against such person pursuant to B.P. 33 as amended and/or R.A. 8479 and their respective Implementing Rules and Regulations, as amended.

ARTICLE VII

BUSINESS RETAILING OF LIQUID PETROLEUM PRODUCTS

SECTION 1. TITLE. This shall be known and cited as “The Rules and Regulations Governing the Business of Relating Liquid Petroleum Products” or “Retail Rules.”

SECTION 2. COVERAGE. These Retail Rules shall apply to all persons engaged or intending to engage in the business of Retailing Liquid Petroleum Products.

SECTION 3. DEFINITION OF TERMS

Except as provided below, the used in these Retail Rules shall have the same meaning as the terms used in Department Circular No. 98-03-004, as amended (Implementing Rules and Regulations of the Downstream Oil Industry Deregulation Act of 1998):

- a. API – shall refer to the American Petroleum Institute;
- b. BFP- shall refer to the Bureau of Fire Protection ;
- c. Bote-bote – shall refer to the manner of Retailing Liquid Petroleum Products in soda bottles, plastic containers, jugs and other similar portable containers not intended or suited for sorting, handling and dispensing Liquid Petroleum Products;
- d. DOST-ITDI- shall refer to the Department of Science and Technology -Industrial Technology Development Institute;
- e. Liquid Petroleum Products – shall refer to Petroleum Products that are flammable liquid such as gasoline, kerosene and diesel and combustible liquid products formed in the course of refining crude petroleum through distillation, cracking, solvent refining and chemical treatment coming out as primary stocks refinery and sold through Retail Outlets; provided, that Liquid Petroleum Products shall refer to class I flammable liquids with a flash point below thirty seven and eight tenths (37.8°C) degrees Celsius, and class II flammable liquids with a flash point at or above thirty seven eight tenths(37.8°C) degrees Celsius, and below sixty (60°C) degrees Celsius. Combustible Liquid Petroleum Products have flash points at or above sixty (60°C) degrees Celsius;
- f. LGU – shall refer to Local Government Units;
- g. OIMB –shall refer to the Oil Industry Management Bureau of the DOE;
- h. Portable Tank – shall refer to any closed vessel holding liquids but not intended for fixed installation;
- i. Retail Outlet – shall refer to a gasoline station, outlet, facility or business establishment which sells or dispense Liquid Petroleum Products directly to individual end user/s or to the public;
- j. Retailing – shall refer to the act of selling and/or dispensing Liquid Petroleum Products directly to individual end users pr to the public;

- k. Tank Truck –shall refer to any single self- propelled motor vehicle with or without a trailer, equipped with a cargo tank mounted thereon or built as an integral part thereof, and used for the transportation of Liquid Petroleum Products.

SECTION 4. MINIMUM STANDARDS AND REQUIRMENTS.

4.1) Retailing. Any Person engaged or intending to engage in the Retailing of Liquid Petroleum Products shall comply with the following minimum standards;

- a. The Retailing of Liquid Petroleum shall be conducted in duly approved premises with an initial minimum lot area of 100 square meters and where vehicles being serviced shall at all times be inside the duly approved business premises.
- b. The Retailing of Liquid Petroleum Products shall only be carried out through fixed and permanent dispensing pumps duly approved by the DOE and further subject to the following:
 - (i) The dispensing pump clearly indicates on its face the type of Liquid Petroleum Products being dispensed and its brand name, if any;
 - (ii) The dispensing pump accurately displays both the volume of Liquid petroleum Products dispensed (in liters) and the corresponding amount (in Pesos) up to the 1/100th part;
 - (iii) The dispensing pump for gasoline displays the Octane Rating of the product as required under Department Circular No. 2001 -09-003;
 - (iv) All dispensing pumps and storage tanks of Liquid Petroleum Products are distinct and labeled to ensure that there shall be no product contamination or inadvertent mixing or misfueling of the different Petroleum Products; and
 - (v) Dispensing pumps are properly calibrated and sealed in accordance with Section 12 of these Retail Rules.
- c. The owner and/or operator of the Retail Outlet must possess valid permits, licenses and certifications for the Retailing, storage, handling, transfer and/or dispensing of Liquid Petroleum Products from the LGU concerned, the BFP, the DENR, DOE and other relevant government authorities.
- d. The construction and operation of the Retail Outlet must comply with all applicable laws, rules, regulations and LGU ordinances.
- e. The operation of service bays shall be subject to and fully comply with the criteria and/or guidelines set by the DENR-EMB for such facilities and/or operations. Generated waste oil or petroleum from Retail Outlets shall be properly collected, stored and disposed of in accordance with the requirement of DENR DAO 92-29, as amended.
- f. The Prior Notice requirement provided for in Section these Retail Rules shall be fully complied with.

4.2) Fuel Storage, Handling, Transfer and/or Dispensing

The storage, handling, transfer and/or dispensing of Liquid Petroleum Products shall be subject to the following:

- a. Liquid Petroleum Products shall be transferred only from underground tanks by means of mixed pumps designed and equipped to allow the control of the flow and prevent leakage or accidental discharge;

- b. Liquid Petroleum Products shall not be dispensed from above-ground tanks, portable tanks, tank vehicles, drums, barrels, or similar e.g. bote -bote, into the fuel tanks of motor vehicles, containers;
- c. The product suction lines of storage tanks shall be elevated at least four (4) inches from the bottom of the tank to avoid water draw-off with the product;
- d. The discharge of Liquid Petroleum Products into or upon any street, highway, drainage canal or ditch, storm drain or flood control channel, lake or tidal waterway, or upon the ground shall be strictly prohibited.

4.3) Prior Notice. No Person may engage in the business of Retailing Petroleum Products without previously notifying the OIMB in writing of its intention to engage in such activity, such notification shall contain the following information:

- a. Business name, address, telephone/fax number of the business office;
- b. Location and complete address of Retail Outlet/s;
- c. Project or business plan indicating the scope of operation/activity;
- d. List of facilities and proof availability of such facilities to support the proposed business;
- e. Such other requirement as may be imposed by the OIMB from time to time.

4.4) Documentary Requirements .In addition to the prior notice requirement of Section 6 of these Retail Rules, the following documents shall also be submitted to the OIMB:

- a. Before commencement of construction
 - (i) Barangay Clearance (Barangay concerned)
 - (ii) Department of Trade Industry / Securities and Exchange Commission Registration
 - (iii) Zoning/Location Clearance (LGU concerned)
 - (iv) Environment Compliance Certificate (DENR)
 - (v) Building Permit (LGU concerned)
 - (vi) Discharge Permit, if applicable (Laguna Lake Development Authority)
- b. Before commencement of Operation
 - (i) Fire Safety Inspection Certificate (BFP)
 - (ii) Reference Standards/Codes and complaint statement for Facility Design & Operation
 - (iii) Mayors Permit (LGU concerned)
 - (iv) List of dispensing pumps, storage tanks and Tank Trucks, with corresponding capacities
 - (v) Lay-out plan and latest photograph of the Retail Outlet

The documents enumerated in this Section 7 must be accompanied by original copies thereof for authentication purposes.

4.5) Consumer Safety and Informational Signs

The following signs shall be prominently displayed by the owner and/or operator of the Retail Outlet in strategic and appropriate locations within the premises of the said outlet for the awareness and information of the buying public and service station personnel:

- a. Price Display Board with updated prices for each Liquid Petroleum Product sold in the Retail Outlet pursuant to Rule V. Section 18 a (1) of Department Circular No. 98-03-004;

- b. Signs which require the switching –off of cellular phones while filling pursuant to Department Circular No. 2002-05-002;
- c. No Smoking signs;
- d. Switch off engine while filling signs; and
- e. Other safety signs as may be required by the DOE, other government agencies and relevant LGUs.

4.6) Certificate of Compliance. The DOE, through the OIMB, shall issue a Certificate of Compliance upon the complete submission of and full compliance by the Retail Outlet owner and/or operator with the requirements provided in the foregoing Sections of this Rule No. Retail Outlet shall operate until a Certificate of Compliance is so secured from the DOE.

The owner and/or operator shall be deemed to be engaged in the illegal trading of Liquid Petroleum Products if he/she operates without the certificate of Compliance and/or violates any of the foregoing Sections, except for Section 8 hereof.

4.7) Issuance of Receipts. All transactions involving the Retail of Liquid Petroleum must be evidenced by an official receipt bearing the registered name and address of the seller and detailing the quality, price and type of Liquid Petroleum Product sold, the date of the transaction and such other information required under Republic Act No.8424, otherwise known as” An Act Amending the National Internal Revenue Code” and Section 237 of the National Internal Revenue Tax Code. Duplicate copies of official receipts shall be made available for verification by OIMB inspectors.

4.8) Hoarding. For purpose of these Retail Rules, the following shall constitute prima facie evidence of HOARDING.

- a. The refusal of these Retail Outlets to sell Liquid Petroleum Products shortly before a price increase or in times of tight supply, and in both instances if the buyer or consumer has the ability to pay in cash of the product; or
- b. The undue accumulation of Retail Outlets of Liquid Petroleum Products in times of tight supply or shortly before a price increase. Undue accumulation shall mean the keeping or stocking of quantities of Liquid Petroleum Products beyond the normal inventory levels maintained by Retail Outlets for thirty (30) days immediately preceding the period of tight supply or price increase.

SECTION 5. PUMP CALIBRATION, TESTING, SEALING, AND PRODUCT SAMPLING

5.1) Calibration and Sealing of Dispensing Pumps. All dispensing pumps used in Retail Outlets must be properly calibrated once every sixty (60) days and sealed by a duly authorized calibrating entity immediately after calibration. A dispensing pump that is not calibrated and sealed or goes off-calibration shall be marked with an “out of order” sign and shall not be used until the said pump is recalibrated and resealed.

For the purpose of these Retail Rules, the authorized calibrating entities are the Municipal or City Treasurer of an LGU or, in their absence or incapacity, duly authorized representatives of the DOST-ITDI or, in their absence or incapacity, duly authorized representatives of any other government agency authorized thereof or, in their absence or incapacity, duly authorized representatives of the oil company.

In locations where the Municipal or City Treasurer are capable of calibrating dispensing pumps, the calibration by the other authorized entities shall be provisional only and subject to final calibration by the Treasurer. The authority performing the calibration shall install a seal after calibration to guard against the unauthorized adjustment of the dispensing pump meter which seal may not be broken or removed until the next calibration by an authorized entity.

All calibration shall be duly documented and signed by the mechanic performing the calibration and countersigned by the Retail Outlet owner and/or operator or the shift supervisor

of the Retail Outlet. A copy of these calibration documents shall be kept on a file at the Retail Outlet.

After calibration, a sticker provided by the oil company having dimension of the least one-half (1/2) inch by two (2) inches and bearing the date of the calibration and the signature of the mechanic who calibrated the pumps shall be posted on the face of the pump calibrated.

For independently owned Retail Outlets with its own Liquid Petroleum Product brand name, the owner and/or operator of the Retail Outlet shall be responsible for complying with Section 12.

Failure of the Retail Outlet owner and/or operator to have his/her dispensing pumps calibrated and sealed shall constitute illegal trading.

5.2) Calibration, Registration and Sealing of Petroleum Product Transport Containers

The capacity of all Tank Trucks used to transport measured amounts of Liquid Petroleum Products in bulk must be certified, calibrated and sealed by the DOST-ITDI.

Tank Trucks transporting Liquid Petroleum Products shall have all valves, hatches and other openings sealed shut by the Marketer before leaving the source depot. Such seal may be

removed, tampered with or broken by the buyer or his representative, or by the supplier, and only at their places of business or location designated by the buyer.

A broken or tampered valve or hatch seal, or the absence of one on a loaded compartment, shall give rise to the presumption that the Tank Truck is UNDERDELIVERING or that the product contained is adulterated and the shipment may be refused by the buyer.

5.3) Calibration and Testing of Dispensing Pumps Using a Properly Sealed Calibrating Bucket

Owners and/or operators of Retail Outlet/s shall maintain in their Retail Outlets a DOST-ITDI calibrated and sealed calibrating bucket available for use pursuant to Section 12 hereof. The Retail Outlet's calibrating bucket/s must be recalibrated and resealed once every (12) months.

All dispensing pump meters of Retail Outlets shall be tested daily not later 9:00 A.M. for accuracy in delivering Liquid Petroleum Products using said calibrating bucket. Any dispensing pump not delivering correct quantity shall be marked by the owner and/or operator with an "out of order" sign and padlocked and shall not be used until said pump is recalibrated and resealed by the proper authority.

The calibrating bucket and a written record or logbook of the daily testing thereof shall be maintained at all times in the Retail Outlet premise, and presented to OIMB inspectors and to the public upon demand thereof.

Failure to provide the written record or logbook and the properly sealed calibrating bucket shall give rise to the presumption that the dispensing pump is UNDERDELIVERING.

5.4) Sample Taking and Testing of Dispensing Pumps

Duly authorized inspectors from the OIMB shall undertake random and unannounced inspections in the presence of the owner and/or operator of the Retail Outlet or his designated shift supervisor to test for, among others, the sample taking and calibration of dispensing

pumps. Owners and/or operators of the Retail Outlets, or their shift supervisors in their absence, shall allow said inspectors to inspect their Retail Outlets and cooperate with them fully.

Retail Outlets shall provide duly authorized OIMB inspectors samples of Liquid Petroleum Products which they are offering for sale, in volumes required by current DOE issuance and circulars on sample taking and as reflected in the Special Assignment covering the said inspection, for product testing on-site or quality tests at the DOE laboratory.

Retail Outlets shall retain a duplicate set of the samples obtained by the OIMB inspectors during their inspection and product quality verification as provided in Memorandum Circular No. 2001-02-001, Refusal to allow entry of the authorized OIMB inspectors to the Retail Outlet and/or to conduct the inspection and sampling shall constitute prima facie evidence of illegal trading.

5.5) Under-delivering in Dispensing Pumps

The quality of Liquid Petroleum products delivered by dispensing pumps as Retail Outlets are measured by the dispensing pump meter shall not be less than the actual quantity by more than fifty (50) milliliters for every ten (10) liters as measured by a calibrating bucket certified and sealed by the DOST-ITDI.

The calibrating bucket shall be filled to the ten (10) liter mark three (3) times at low, medium and fast flow rates and the average quantity as measured by the pump meter shall constitute the quantity to be compared with the actual quantity of ten (10) liters. Dispensing pumps delivering less than the tolerable minimum quantity shall be deemed to be UNDERDELIVERING. The absence of an 11 "out-of-order" sign or padlock locking the dispensing pump shall be deemed an actual use of the pump for the conduct of Retailing. A dispensing pump found with a broken or no seal shall constitute a prime facie evidence of UNDERDELIVERING.

SECTION 6. PETROLEUM PRODUCT STANDARDS

6.1) Product Quality. Only Liquid Petroleum Products complying with the Philippine National Standards (PNS), including the prescribed color coding scheme for the same shall be dispensed at Retail Outlets.

The possession of Liquid petroleum Products which do not meet the prescribed PNS shall constitute prima facie of ADULTERATION and the sale, distribution, transportation, exchange or barter of adulterated products shall constitute ILLEGAL TRADING.

6.2) Testing and Retention of Samples of Petroleum Products By Dealer/Operator
In order to protect against the delivery of adulterated products, Retail Outlets may do either of the following:

- a. The owner and/or shall take one (1) liter samples of each Liquid Petroleum Product delivered to his Retail Outlets. The samples shall be placed in an OIMB-specified container and sealed in the presence of the Tank Truck driver who shall verify the taking of the sample by signing on the invoice. The sample shall be kept by the owner and/or operator for at least one (1) month or until the third delivery thereafter, whichever is shorter.
- b. By using a hydrometer, the owner and/or operator shall take American Petroleum Institute (API) gravity or density and obtain the corrected API gravity at 60 degrees Fahrenheit or specific gravity at 15 degrees Celsius and compare this against the API gravity at 60 degrees Fahrenheit or density at 15 degrees Celsius as indicated in the product invoice. For this purpose, oil companies shall indicate the API gravity at 60 degrees Fahrenheit or density at 15 degrees Celsius of all deliveries Liquid Petroleum Products in the corresponding invoice. A Retail Outlet owner/operator may refuse to

accept the shipment if the API gravity difference exceeds by 0.6 Degrees API or the density difference exceeds by 0.0024. Both the oil company's and Retail Outlet owner's and/or operators specific gravity or density readings should be recorded in a logbook specifically kept for this purpose.

Retail Outlet owners and/or operators may require their perspective oil company suppliers to perform verification quality test on products received.

SECTION 7. MISCELLANEOUS PROVISIONS

7.1) Reportorial Requirements

In addition to the obligations of the owners and/or operators of Retail Outlets provided under these Retail Rules, all owners and/or operators of Retail Outlets shall;

- a. File a notice to the OIMB of their official start of business at least five (5) days prior to the start of actual operations.
- b. Submit applicable permits for any new, additional, renovated or refurbished facilities and their respective operation five (5) days prior to commissioning.
- c. Report to the OIMB any decommissioning, removal from service or abandonment of storage tank/s or of the entire Retail Outlet not later than five (5) days prior to the proposed activity.
- d. Submit to the OIMB, not later than ninety (90) days from the effectivity of these retail Rules, a list of all its Retail Outlets, their corresponding locations, names of dealers and operators, number and type of storage tanks (e.g. UGT,AGT) and respective capacities, number of dispensing pumps, types of products sold and a layout of their Retail Outlets. This list shall be updated on an annual basis by the submission of a report not later than the thirtieth (30th) day of January each year. The updating report shall contain, among others change in dealership; expansions, additions or closure of previously reported outlets; and such other information that the OIMB may require from time to time.

7.2) Penalties and Sanctions By LGUs

The DOE recognizes and respects the of the appropriate LGU to refuse issuing the necessary business permits, revoke business permits and/or impose fines and/or penalties in the event of a violation of ordinances enacted by them consistent with this Retail Rules. Likewise, the DOE may recommend to the concerned LGU the suspension, revocation or termination of the business permits of Persons found to be in violation of this Department Circular as provided in Section 15.e. of R.A. 8479.

SECTION 8. ADMINISTRATIVE FINES AND SANCTIONS

8.1) Fines/Sanctions Against Prohibited Acts

Any Person engaged in the business of Retailing Liquid Petroleum Products who commits any of the prohibited acts defined or provided in this Department Circular such as illegal trading, adulteration, underdelivery and hoaring shall be imposed, for the first offense, a fine of Two Thousand Five Hundred Pesos (P2,500.00) for every prohibited act. A fine of Two Thousand Five Hundred Pesos (P2, 500.00) shall be imposed against such Person in the event the latter is found to have committed the same prohibited act a second time. In the event such Person is found to have committed the same offense a third time, the DOE shall recommend to

the proper government agency the suspension or revocation of the business permit of the offender.

Any Person who does not comply with the consumer safety and informational signs required under Section 8 of these Retail Rules shall be issued a warning for the first offense. In the event such Person is found to have committed the same violation a second time, the DOE may recommend to the proper government agency the suspension or revocation of the business permit of the offender.

ARTICLE VIII

GAMES AND AMUSEMENT

SECTION 1. REGULATIONS OF MAHJONG DEN.

- a) No person natural or juridical is allowed to operate mahjong without securing a permit from the Municipal Mayor and paying the corresponding fee imposed under the Municipal Revenue Code.
- b) Rules and Regulations. Persons permitted or licensed to operate mahjong den shall allow mahjong sessions only from 9:00 o'clock in the morning until 10:00 in the evening during weekdays from Monday to Friday. The time for Saturdays, Sundays, and official holidays shall be extended up to the 11:00 o'clock curfew hour.

The limitation of time shall not apply during wakes provided it is done at the concerned area.

- c) Minors under 18 years old shall not be allowed to participate either as direct participant or as audience thereon.
- d) Mahjong Operators are presumed guilty under this section if the Operators have tolerated the presence of minors within the place or venue where the mahjong sessions are being conducted. The playing of Mahjong games are prohibited within the distance of fifty (50) lineal meters from any public buildings, parks, plaza, hospitals, schools or other institutions for learning and the likes, Provided however, that the prohibited distance shall not be applied during wakes and provided further, that the prior rights of the operators will not be prejudiced or impaired.
- e) Any person, corporation, partnership or association who induces any minor to enter or participate in any legalized game is presumed guilty under this section.
- f) Penalty: Any violation of this section shall be punished with the following: First Offense – Five Hundred Pesos (P500.00); Second Offense – Seven Hundred Fifty Pesos (P 750.00); Third Offense – One Thousand Pesos (P 1,000.00) and revocation of permit.

SECTION 2. REGULATIONS OF BILLIARD ESTABLISHMENTS AND BINGO GAMES

- a) No person is allowed to operate any billiard establishment or bingo games without first securing a permit and license from the municipal mayor and paying the corresponding fees imposed under the Municipal Revenue Code.

- b) Rules and Regulations. Establishment mentioned in this section shall not be established/erected within a radius of fifty lineal meters (50) from any public building such as schools, hospitals, markets, churches, and the like, provided, that existing rights shall not be prejudiced.
- c) No person below eighteen (18) years old shall be allowed to play or watch billiard or bingo games when regular classes are being held. Operators and minors are jointly liable in whatever violation on this section.
- d) Playing of Billiards and Bingo games shall be allowed from 9:00 AM to 10:00 PM except during wakes. The same shall be extended up to 11:00 o'clock curfew hour during official holidays, Saturdays and Sundays.
- e) Penalty: Any violation of this section shall be punished with the following: First Offense – Five Hundred Pesos (P 500.00), Second Offense – One Thousand Pesos (P 1,000.00), Third and subsequent offenses – One Thousand Five Hundred Pesos (P 1,500.00).

SECTION 3. REGULATIONS ON CARD GAMES AND HANTAK.

3.1) Prohibitions.

- a) No person shall play, operate conduct or cause to be played, operated or conducted within this municipality all kinds of card games and *hantak*.

3.2. Exception. This provision shall not apply during wakes and private entertainment purposes. (Sec. 1, MO 1987-03), provided, no person is allowed to play cards or *hantak* during prayer time).

3.3. Penalty. Any violator shall be fined; First Offense – Two Hundred Fifty Pesos (P 250.00), Second Offense – Five Hundred Pesos (P 500.00), Third and succeeding offenses – Two Thousand Pesos (P 2,000.00).

SECTION 4. KTV AND KARAOKE/VIDEOKE OPERATIONS POLICY.

4.1. Definitions of Terms. In connection with this ordinance the following terms shall mean as follows:

- a) Sing-along/KTV/Video Karaoke bar – any place or establishment usually a place for drinking by serving liquors, beverages, foods and equipped with sing-along/KTV/Video Karaoke system, offering its services to general public for a fee or as an inducement for continued patronage.
- b) Business coverage- all persons engaged in the business of KTV/Video Karaoke bars within this municipality;
- c) Tolerable level of noise – the maximum operation of the sing-along /KTV/Video Karaoke System up to the tolerable level of noise accepted by the community as not disturbing their peace and tranquil atmosphere.
- d) Business clearance – fee for the issuance of barangay clearance for any business or activity located or conducted within the territorial jurisdiction of the barangay before the municipality may issue a license or permit to said business or activity. The barangay captain shall issue such barangay clearance upon favorable action/endorsement of the Sangguniang Barangay after paying the corresponding fees thereof; (Sec. 1, MO 05-002)

4.2) Operation of sing-along /KTV/Video Karaoke shall be subject to the following regulations:

- a) No commercial sing-along/KTV/Video Karaoke systems shall be operated during schooldays and office hours within one hundred (100) meters radius from the edge of any public building such as public market, hospital, municipal hall, school or institution for learning, barangay hall ,church or chapel towards the video karaoke establishment where the machine is operated, Provided however, that the prohibited distance shall not be applied during non-office hours, off-classes or absence of any religious activities; Provided further , that other provisions of this ordinance be followed.
- b) Extension baffles/speakers of the KTV/Video Karaoke or sing-along placed outside the establishments is not allowed and strictly prohibited.
- c) Time limit of operation is 6:00 P.M except Fridays and Saturdays with a closure time of 10:00 PM. However, any closed/sound-proof videoke shop shall be allowed to operate until 10:00 PM any day. Any establishment engaged in KTV/Video Karaoke or sing-along, open and operating beyond 6:00 in the evening for open videoke and 10:00 in the evening for closed/sound-proof videoke shall be deemed violators.
- d) Starting 9:00 P.M. until closure time at 10:00 in the evening the operator is required to reduce the volume to prevent disturbance to the constituents.
- e) Students are prohibited to enter KTV/Video Karaoke or Sing-along places during school hours.
- f) Barangay authorities, through the punong barangay are authorized to require the KTV/Video Karaoke operation to reduce the volume or even stop the operation in case of barangay activities, mourning and the like when the volume of the KTV/Video Karaoke would cause interference, disturbance and distract the attention of the people as determined by the barangay authorities, within the 100-meter radius.
- g) Owner and user of video karaoke/KTV or Video CD systems inside private residence may use the same at a tolerable level of noise provided that they shall not disturb the neighboring households.
- h) In case of any complaint against such establishment, the same shall be resolved by the Sangguniang Barangay concerned whether or not to enjoin the operation of said Video Karaoke/KTV Systems, provided that, occasional happenings such as birthdays, anniversaries, holidays and the like shall be a cause for complaints under this section. (Sec. 2, MO 05-002)

4.3) The following persons are hereby authorized to enforce this section: PNP, Barangay Officials and Barangay Tanods. The implementation of this section is suspended during the following occasions: December 24, December 25, December 31, January 1, Fiesta Vesper (town or barangay), Fiesta Night (town or barangay) (MO No. 04-002), and Private entertainments such as birthdays, weddings, anniversaries, thanksgivings, and the like.

4.4) Penalty: Any violation of this section shall be punished with the following: First Offense – Three Hundred Pesos (P300.00), Second Offense – Five Hundred Pesos (P500.00), Third Offense and succeeding offenses – a fine of One Thousand Pesos (P 1,000.00) and cancellation of business permit. (MO No. 04-002)

SECTION 5. REGULATIONS OF COMPUTER PLAYING STATION.

b) No person is allowed to operate any video game set popularly known Computer Playing Station establishment without first securing a permit and license from the Municipal Mayor and paying the corresponding fees imposed under the Municipal Revenue Code.

c) *Rules And Regulations.* Operators of Computer Playing Station shall not allow minors below Eighteen (18) years old to play or watch video games during school days.

Computer Playing Station business is prohibited within the distance of one hundred (100) lineal meters from any school campus. Operators and minors are jointly liable in whatever violation on this section.

d) *Penalty:* Any violation of this section shall be punished with the following: First offense – Two Hundred Pesos (P200.00), Second offense – Three Hundred Pesos (P 300.00), Third Offense and subsequent offenses – Five Hundred Pesos (P 500.00).

SECTION 6. REGULATIONS ON INTERNET CAFÉ.

6.1 No person shall operate an internet café in the Municipality of Loon without first securing a permit and license from the Municipal Mayor and paying the corresponding fees imposed under the Municipal Revenue Code.

6.2 Rules and Regulations:

a) *Prohibition.* Elementary and high school students are not allowed to enter the internet café during school days from Monday to Friday or Saturday special classes from 6:00 o'clock in the morning until 5:00 o'clock in the evening and 6:00 o'clock in the morning until 7:00 o'clock in the evening for Senior High Schools.

b) *Exemption.* Exceptions to the rules are students who are required by their subject as certified to by their respective teachers to do research.

- 1) Students are allowed to enter the internet café only after class hours, during weekends, holidays and vacation.
- 2) Business hours for internet cafes for minors shall be from 6:00 in the morning until 8:00 in the evening.
- 3) Only adults shall be allowed to enter and/or use the computer facilities of the herein referred establishments from 8:00 PM to 10:00 in the evening.
- 4) The operators or owners shall be held jointly liable with the computer technicians or watchers for whatever violation of this section.(Sec. 3, MO 2002-02)
- 5) Operators of internet café are required to display inside and outside their establishment the rules and regulations prescribed above. (Sec. 4, MO 2002-02)

c) *Penalty:* Any violation of this section shall be punished with the following:

OFFENSE	INTERNET OPERATOR VIOLATOR	CUSTOMER VIOLATOR
1 st offense	Five Hundred Pesos (P500.00) per violation	One Hundred Pesos (P100.00)
2 nd offense	Seven Hundred Fifty Pesos (P750) per	Three Hundred Pesos

	violation	(P300.00)
3 rd and succeeding offenses	One Thousand Pesos (P1,000) and revocation of business permit	One Thousand Pesos (P1,000.00)

SECTION 7. BUSINESS WITHOUT PERMIT.

No person shall operate any business in the Municipality of Loon without first securing a permit and license from the Municipal Mayor and paying the corresponding fees imposed under the Municipal Revenue Code.

Any violation of this section shall be punished by a fine of Two Thousand Five Hundred Pesos (P2,500.00).

**ARTICLE IX
 COCKFIGHTING RULES**

SECTION 1. DEFINITION OF TERMS.

- a) Cockpit – includes any place, compound, building or portion thereof, where cockfights are held, whether or not money bets are made on the results of such cockfights. It also refers to “sabungan” or “bulangan” two local terms for cockpit, which may consist of an enclosed or fenced premises or consist of an enclosed or fenced premises or compound provided with one or more gates or doors for definite points of entrance and exit and duly licensed in accordance herewith for the holding of regular cockfights, cockfighting derby, pintakasi, tupada, or its equivalent terms in different Philippine localities.
- b) Bet taker or promoter – is a person who calls and takes care of bets from owners of both gamecocks and those of other bettors before he orders commencement of the cockfight and thereafter distributes won bets to the winners after deducting a certain commission.
- c) Gaffter (Mananari) – is a person who is knowledgeable in the technique or art of arming fighting cocks with gaff or gaffs on either or both legs.
- d) Referee (Sentenciador/Koyme) – refers to a person who watches and oversees the proper gaffing of fighting cocks; determines the physical condition of fighting cocks while cockfighting is in progress, the injuries sustained by the cocks and their capability to continue fighting and decides and makes known his decision by word or gesture the result of the cockfight by announcing the winner or declaring a draw or no-contest game.
- e) Cockfighting – is the sport pitting or evenly matching gamecocks to engage in actual fight or physical combat where bets on either side are laid. Cockfighting may also be termed as “cockfighting derby”, “pintakasi” or “tupada”, or its equivalent in different Philippine localities.
- f) Local derby – is an invitational cockfight participated in by game cockers or cockfighting aficionados in the Philippines with pot money awarded to the proclaimed winning entry.
- g) Regional derby – means a cockfighting promotion with participation from a particular region.
- h) National derby – means a cockfighting promotion with nationwide participation.
- i) International derby – refers to the invitational cockfights participated in by local and foreign game cockers or cockfighting aficionados with pot money awarded to the proclaimed winning entry.

- j) Gamecock – refers to domesticated fowls, whether imported or locally bred, as well as the native fighting cocks indigenous to the country, specially bred, trained or conditioned for actual fighting or for propagation and breeding purposes for eventual use in cockfighting.
- k) Handler– locally known as “soltador”, is a person who personally takes physical custody and control inside the arena of a pitted gamecock and who actually releases the same for actual fight and combat in a cockfight.
- l) Bet manager (Masiador/Kasador) – is a person who announces the difference of the money bet and offers the same to whoever is interested to bet against the difference.
- m) Regular cockfight – means a cockfight held in a duly licensed cockpit on Sundays and/or other days authorized under the law.
- n) Special cockfight – means a cockfight held under a special permit issued by the mayor upon authority of the Sangguniang Bayan and held on days other than Sundays and other days allowed under the law.
- o) Cocker – locally known as “aficionado”, is a person who participates and bets in cockfighting as a sport, amusement, recreation or form of relaxation.
- p) Bettor– is a person who participates in cockfights and with the use of money or other things of value, bets with other bettors or through the bet taker or promoter and wins or loses his bet depending upon the result of the cockfight as announced by the referee or sentenciador. He may be the owner of the fighting cock.
- q) Cashier (Tenedor) – is a person to whom money bets of both owners of gamecocks in a certain match are deposited, and then withdrawn after the decision of a certain match is made final by the referee.

SECTION 2. PERSONS WHO CAN OPERATE. The following persons or entities may establish, own operate, maintain and manage cockpits in the Municipality, provided, that existing rights should not be prejudiced:

- 1) Filipino citizens not otherwise prohibited by law or ordinance; and
- 2) Cooperatives or corporations, the capitalization of which is one hundred percent (100%) Filipino owned.

SECTION 3. NUMBER OF COCKPITS ALLOWED. Only one (1) cockpit shall be allowed to be established and operated in the Municipality; Provided, however, That in case the population of the town would increase to more than one hundred thousand (100,000) inhabitants, two cockpits may be established, operated and maintain. The distance of the cockpit shall be five (5) kilometers away from the existing cockpit.

SECTION 4. SITE AND CONSTRUCTION OF COCKPITS. Cockpits shall be constructed and operated within the appropriate areas as prescribed in the existing municipal zoning ordinance, provided, no cockpit shall be established, operated and/or maintained within a radius of five hundred (500) meters from any existing residential or commercial area, hospitals, schools buildings, churches or other public buildings. Cockpits may also be established within and/or as an adjunct of resorts and sports stadiums, subject to the limitation of the number of cockpits allowable within the Municipality.

SECTION 5. LICENSING OF COCKPITS. Subject to the rules and regulations herein prescribed, the municipal mayor, with the concurrence of the Sangguniang Bayan, may issue a license to establish and/operate and maintain a cockpit in the Municipality.

SECTION 6. CONDUCT OF PUBLIC BIDDING; ITS FREQUENCY. The Municipality shall hold and conduct a public bidding every twenty-five (25) years to determine who should be granted the license to establish, operate and maintain a cockpit in this town. For subsequent operations, the public bidding shall be conducted within the last quarter of the 25th year and every 25 years thereafter.

SECTION 7. AUTHORITY TO PROMULGATE PUBLIC BIDDING RULES AND REGULATIONS. The Sangguniang Bayan reserves the authority to promulgate rules and regulations in the conduct of the public bidding.

SECTION 8. AMOUNT OF THE STARTING BID; NON-REFUNDABLE ENTRY FEE. The amount of the starting bid shall be Three Hundred Thousand Pesos (P 300,000.00). The full amount of the winning bid shall be paid in cash to the office of the municipal treasurer. The participating bidder shall include a non-refundable entry fee of One Thousand Pesos (P 1,000.00) cash in bid envelope.

SECTION 9. AUTHORITY TO CONDUCT A NEGOTIATED BID IN CASE OF FAILED BID. The Sangguniang Bayan may authorize the bidding committee through a resolution to enter into a negotiated bid in case of failure of bidding; Provided, that the negotiated bid shall not be less than the starting bid of Three Hundred Thousand Pesos (P 300,000.00); Provided Further, that payment shall be full and in cash; Provided Finally, that the bidder shall pay the non-refundable entry fee of One Thousand Pesos (P 1,000.00).

SECTION 10. PERIOD OF VALIDITY OF LICENSE. The license issued shall be valid for a period of twenty-five (25) years from its date of issue.

SECTION 11. ANNUAL MAYOR'S PERMIT. The cockpit operator, notwithstanding his possession of a license to operate, shall secure every year a mayor's permit from the office of the mayor and pay the fee prescribed therefore.

SECTION 12. REQUIREMENTS FOR THE LICENSING OF COCKPITS. The following requirements must be fully complied with before the issuance of a license to establish and/or operate and maintain a cockpit:

- 1) New License – Every application for a new license to establish and/or operate and maintain a new cockpit shall be subject to the submission of the following requirements:
 - 1) Proof of being awarded the winning bid earned in a public bidding conducted earlier by the Municipality.
 - 2) Location and vicinity plan of the cockpit.
 - 3) The cockpit building plan/design as approved by the municipal engineer, and a certification by him to the effect that the cockpit is to be constructed in accordance with such approved plan/design in the area allowed under the zoning ordinance.
 - 4) A certification of the municipal engineer to the effect that location/site of the cockpit is not within the reglamentary radius of five hundred (500) meters from any existing residential or commercial area, hospitals, school buildings, churches and other public buildings.

- 5) Required fees and other levies prescribed in the existing approved revenue code.
 - 6) Health certificate.
 - 7) Garbage disposal bins
- 2) Annual Renewal – Every application for the annual renewal of a Mayor's Permit to operate and maintain a cockpit shall be submitted to the Municipal Mayor not later than December 31 of each year, and shall be accompanied with the following:
- a.) Official receipts showing payment of municipal taxes, fees and other levies as prescribed in the existing approved revenue code; and
 - b.) In case the cockpit was constructed more than ten (10) years before the date of renewal of the application, a certificate of the municipal engineer to the effect that the cockpit is free from materials, structural or physical hazards.

SECTION 13. CREATION OF A BIDDING COMMITTEE. A bidding committee is hereby created to be composed of the following:

- a) The Municipal Mayor, as Chairperson;
- b) The MPDC, Member;
- c) The Municipal Engineer, Member;
- d) The Chairperson, SB Committee on Games and Amusements Member;
- e) The Chairperson, SB Committee on Public Works and Utilities, Member;
- f) The Municipal Treasurer, Member;
- g) The Municipal Assessor, Member;
- h) The Chief of Police, Member.

SECTION 14. REGISTRATION OF COCKPITS. No cockpit shall be allowed to operate in the Municipality without the proper certificate of registration which shall be issued annually by the mayor and secured by the applicant not later than January 20 of each year.

In order to secure the registration certificate, the applicant shall submit the following documents:

- a) An applicant stating therein the name of the cockpit, the name of the operator/manager, including their partners and/or stockholders and the mailing address of the above-named persons;
- b) A copy of the location and vicinity plan of the cockpit;
- c) A copy of cockpit building plan;
- d) A certified copy of the municipal license;
- e) A copy of the health certificate;
- f) A copy of the Mayor's Permit;
- g) Two (2) perspective photographs of the cockpit;
- h) A list of all duly licensed personnel and copies of their respective licenses; and
- i) ISWM Clearance.

SECTION 15. COCKFIGHTING OFFICIALS. The following cockfighting officials are required to register with the Municipality: Bet manager (masiador, kasador), bet taker (bilog), gaffer (mananari), bet manager, promoters/hosts, cashier (tenedor, monton), derby matchmaker, referee (sentenciador).

The above-named cockfighting officials shall not officiate as such in any cockpit herein authorized without first securing an annual certificate of registration from the municipal

government. The mayor may revoke such registration certificate together with the corresponding license.

SECTION 16. PLACE AND TIME OF HOLDING COCKFIGHTS.

- a) Regular cockfights shall be held in licensed cockpits only.
- b) Special cockfights may be held outside of licensed cockpits, like for example, a gymnasium or cultural center, play grounds or parks upon a resolution of the Sangguniang Bayan for entertainment of foreign dignitaries, tourists, balikbayans, or for charitable fund raising campaigns, provided, this privilege shall be extended for only one (1) time for a period not exceeding three (3) days.
- c) Regular cockfights shall be held on Sundays and legal holidays and during local fiestas for not more than three (3) days, provided, no cockfighting shall be held on the following days: (1) Holy Thursday, (2) Good Friday, (3) Philippine Independence Day – June 12, (4) All Saints Day – November 1, (5) National Heroes Day – November 30, (6) Election/Referendum Day, (7) Registration day for such election/referendum, (8) Rizal Day – December 30; and (9) on the occasion of the holding of agricultural, commercial or industrial fair, carnival or exposition within the week of the municipal fiesta.

SECTION 17. PERMIT REQUIRED FOR SPECIAL COCKFIGHTS.

- a) No special cockfights shall be allowed unless authorized by the Sangguniang Bayan and a special permit duly issued by the Mayor.
- b) Application for such permit shall be filed with the office of the Mayor at least fifteen (15) days before the event.
- c) Every application for such permit shall be signed by the owner/operator or licensee of the cockpit where such special cockfights are to be held, and countersigned by the promoter or a representative of the beneficiary, to be supported with the necessary documents as follows:
 - 1) A copy of the proclamation authorizing the fund raising campaign;
 - 2) A letter request of the beneficiary to the cockpit owner, operator or licensee to stage special cockfights in the said cockpit; and
 - 3) Recommendation, endorsement, or referral by the municipal mayor, to the municipal council, with the resolution of concurrence of the municipal council.
- d) No international cockpit derby shall be held without a permit or license from the Sangguniang Bayan. The Sangguniang Bayan may authorize the promotion of not more than ten (10) international derbies every year in support of national fund raising campaigns as may be authorized by the office of the president, upon application of duly qualified promoters and countersigned by the owner/operator or licensee of the cockpit. Such application shall be filed at least sixty (60) days before the scheduled international cockfight derby.

SECTION 18. COMPLAINTS AND PROTESTS. The Sangguniang Bayan shall take cognizance of complaints and protests related to the operation and management of cockpits or the conduct of cockfighting; violation of P. D. No. 1602; and of these rules and regulations, which complaints or protest must be in writing and under oath. The Sangguniang Bayan shall prescribe the rules and procedures governing the disposition of such cases.

SECTION 19. OTHER GAMBLING GAMES PROHIBITED. No other gambling of any kind shall be permitted in the premises of the cockpit during cockfights, or at any other time. The owner, manager, licensee or lessee of such cockpit and the violators of this injunction shall be criminally liable under the provisions of Section 8, Presidential Decree No. 449, and Presidential Decree No. 1602.

SECTION 20. PROHIBITION AGAINST MINORS. No person less than eighteen (18) years of age shall be allowed inside the premises of the cockpit for whatever reason during cockfights. The operator, manager, or licensee of the cockpit shall be responsible for the strict compliance of this rule.

SECTION 21. ANTI-FRAUD MEASURES. Consonant with the Filipino trait of honesty and tradition of fair play, the Sangguniang Bayan shall adopt measures as to obviate the use of fraudulent means or manipulations in all aspects of cockfighting. Persons caught employing fraudulent means or manipulations in all aspects of cockfighting shall be meted a penalty in accordance with the penal clause herein prescribed and other applicable laws as the circumstances may warrant.

SECTION 22. BOOKS OF ACCOUNT AND RECORDS. All cockpits shall be required to keep the proper books of account and records in connection with their operation. The office of the municipal treasurer or its duly authorized representative shall have the power to inspect at all times said books of account and records.

SECTION 23. FINANCIAL STATEMENT OF PROCEEDS FROM COCKFIGHTS FOR CHARITABLE PURPOSES. For cockfights in support of national fundraising campaigns and for charitable purposes, the owner, operator or licensee shall enter in a daily financial report the receipts from gate or entrance and ringside tickets and the total commission (plazada) of the day.

SECTION 24. TURNOVER OF AMOUNT TO RECIPIENT BENEFICIARY. At the close of the cockfights for charitable purposes, the owner, operator or licensee of the cockpit or the promoter shall turn over to the authorized representative of the recipient charitable beneficiary the amount not less than Ten Thousand Pesos (P 10,000.00) or ten percent (10%) of the net income or proceeds, whichever is higher after deducting all the necessary expenses.

SECTION 25. SUBMISSION OF ANNUAL FINANCIAL REPORT. The owner, operator or licensee of the cockpit shall submit within ten (10) days after the New Year to the office of the municipal treasurer or its authorized representative copies of the annual financial report and the financial summary thereof.

SECTION 26. PENALTY. Any person who violates the provisions of this Section not herein otherwise covered be a specific penalty, or of the rules and regulations promulgated under authority of this Section, shall be punished by a fine of first offense –One Thousand pesos (1,000), 2nd offense- One Thousand Five Hundred Pesos (P 1,500.00) and 3rd and succeeding offenses - Two Thousand Five Hundred Pesos (P 2,500.00)

ARTICLE X

YOUTH AND SPORTS DEVELOPMENT

SECTION 1. GAMES. The Commission shall introduce, and if possible, to specialize the following sports/games: chess, boxing, basketball, softball, volleyball, football, tennis,

badminton, ping-pong, billiard, judo, weightlifting, swimming, cycling, high jump, 100-meter dash, taekwondo, sepak-takraw, bowling, dart, other sports/games or activities which the Commission deems necessary.

SECTION 2. CATEGORY. The kinds of sports/games shall be divided into three categories:

- 1) Elementary Division – students aging 7-12 years old.
- 2) High School Division – students or out of school youths aging 13-16 years old.
- 3) College Division – students or out of school youths aging 17-21 years old.

SECTION 3. SPORTS LEVELS. There shall be two levels in the municipal sports promotion system:

- 1) Barangay level – to be conducted every third week of October and every Christmas Vacation;
- 2) Municipal level – to be conducted every month of May.

SECTION 4. BUDGET ALLOCATIONS. The budget allocations shall be apportioned as follows:

- a) The Barangay level sports activity – shall be shouldered by the barangay SK funds.
- b) Municipal and Championship level – shall be shouldered by the municipality.

The Commission shall meet once every quarter. The Commission shall submit to the Budget Officer the Budget Proposal for the succeeding year activity for the inclusion in the executive budget on July 16 in every calendar year the budget proposal for the succeeding year activity.

ARTICLE XI

COMMUNICATIONS

SECTION 1. CELLPHONE RULES.

Prohibited acts. The following are the prohibited acts:

- 1.) Any of the violations of the Anti-Distracted Driving Act, (RA 10913) – those prohibited acts made while driving which include but not limited to:
 - a) making calls,
 - b) receiving call,
 - c) writing or texting,
 - d) sending text communication,
 - e) reading text-based communications,
 - f) playing games,
 - g) watching movies or videos,
 - h) performing calculations,
 - i) reading e-books,
 - j) composing messages,
 - k) surfing or browsing the internet, and
 - l) taking selfie photo or video,

Exceptions:

- a) making emergency calls or texts to authorities in case of crimes, threats, calamities, etc;
 - b) using hands-free devices such as microphones or earphones only when making or receiving calls, not listening to music.
- 2.) Texting while walking at the highway;
 - 3.) Delivering through texting or forwarding immoral, indecent, defamatory, degrading, judgmental or incriminating text messages;
 - 4.) Using other cellphone without the consent of the owner;
 - 5.) Reading text messages on any cellphone without the consent of the owner; and
 - 6.) Confiscating, stealing, or concealing cellphones even at the pretense of humor.

SECTION 2. TELEPHONE RULES.

The following are the prohibited acts:

- a) Communicating without due respect to the caller or party called; and
- b) Improper and unethical manner of communication.

SECTION 3. HANDHELD RADIO RULES.

3.1. Handheld radios used by government or private personnel should be properly used and code names must be observed.

3.2. Prohibited acts:

- a) No person shall use a handheld radio other than what is intended; and
- b) It shall not be used for making prank calls.

SECTION 4. ANTI-PRANK CALLS.

4.1) Policy. It is hereby declared the policy of this municipality to accelerate the use of Emergency Hotline Numbers that provide quick response to emergency situations, by providing unhampered accessibility to these emergency numbers. (Sec. 2, MO 04-005)

4.2) Definition of Terms. As used in this section.

- a) Emergency Hotline Numbers – shall refer to, but not limited to the following: TARSIER 117; ALAGAD Hotline; PNP Hotline; BFP Hotline; National/Regional/Local Disaster Coordinating Council Hotline; NBI Hotline; Hospitals; and such other government and/or private hotlines whose entities provide quick response to emergency situations as hereinafter defined;
- b) Emergency Situations – shall refer to incidents of fire, flood, earthquake, conflagration, civil disturbances, war, acts against national security and similar public disorders, traffic accidents, incidents that require immediate medical assistance, and such other incidents that involve the loss of life or property, and reporting of commission of a crime;

- c) Prank Calls – shall refer to telephone calls or text messages made or sent by any person to the emergency numbers as herein defined, which do not involve a report of an emergency responding units;
- d) Service Providers – shall refer to both landline mobile phone and hand-held radio operators, including all forms of telecommunications equipment; and
- e) Person – shall refer to any individual who makes a call to any number designated as emergency hotline number. (Sec. 3, MO 04-005)

4.3) Prohibited Acts – It shall be prohibited for any person to:

1. Make a prank call/text message through any Service Provider to any emergency number;
2. Make a call/text message to said emergency numbers for the purpose of reporting a false emergency situation;
3. To call/text an emergency number and leave said line hanging for the purpose of paralyzing the emergency line so called;
4. Making lewd calls or sending lewd text messages to emergency numbers; and
5. Calling/texting said emergency numbers to mock, ridicule, insult or otherwise hurt invectives at the phone operator, or otherwise, utter derogatory remarks against any individual other than said operator. (Sec. 4, MO 04-005)

Section 5. PENALTIES. Any violator shall be fined: First Offense – Three Hundred Pesos (P300.00), Second Offense – Five Hundred Pesos (P500.00), third and succeeding offenses – One Thousand Pesos (P1,000.00).

ARTICLE XII

FINAL PROVISIONS

SECTION 1. GENERAL WELFARE ENACTMENTS. The General Welfare Clause provision as provided for under Section 16 of RA 7160 shall henceforth be expanded through the enactment of ordinances to form part of this Code, through the proactive legislative measures of the corresponding Sanggunian committees, viz:

General Welfare Tenets (Section 16, RA 7160)	Committee Functions
Preservation and enrichment of culture	Committee on Culture, Heritage, Educ, Arts, Talents, Sciences & Skills (C-HEARTSS)
Promotion of health and safety	Committee on Health & Sanitation Committee on Family and Gender & Development
Balanced ecology	Committee on Environment Committee on Housing and Land Use

	Committee on Agriculture & Fisheries
Scientific and technological capabilities	Committee on Public Works & Utilities, Transportation & Communications Committee on Tourism Committee on Civil Society Organizations & Cooperatives
Public morals	Committee on Good Govt, Public Ethics & Accountability
Economic prosperity and social justice	Committee on Finance, Budget & Appropriations Committee on LGU Economic Enterprises Committee on Investment, Commerce, Trade & Industry Committee on Livelihood and Business Enterprises
Promotion of full Employment	Committee on Employment and Labor Management
Maintenance of peace and order	Committee on Moral Values, Peace & Order and Public Safety Committee on Human Rights, Achievements & Recognitions
Comfort and convenience of inhabitants	Committee on Barangay Affairs Committee on Codification, Rules & Legal Matters Committee on Socio-Cultural Affairs, Sports, Games & Amusement

SECTION 2. PENALTY FOR ANY VIOLATION.

2.1. Compromise Penalty. The specific fines imposed herein shall serve as a compromise penalty, without need of filing appropriate cases before the Lupon of the Barangay to which this Code is violated, with corresponding receipt issued by the barangay treasurer, or at the office of the Municipal Treasurer, as the case may be, viz:

GENERAL WELFARE CODE LIST OF VIOLATIONS AND FINES

SUBJECT	VIOLATIONS	FINES/SANCTIONS	ARTICLE/SECTION
Issuance of Permits and Exemptions	Failure to secure permit to hold or sponsor the celebration.	- First Offense - P500.00 - Second Violation - P1,000.00 - Third and succeeding violations, per individual liability - P2,500.00	Article III, Section 2.1
Sanitation and Hygiene Equipment	Failure to provide the sanitation and hygiene equipment.	-First Offense - P500.00 -Second Violation - P1,000.00 -Third and succeeding violations, per individual liability - P2,500.00	Article III, Section 2.2
Road Safety	Disobeying the road safety precautions during celebration.	-First Offense - P500.00 -Second Violation - P1,000.00 -Third and succeeding violations, per individual liability - P2,500.00	Art. III, Section 2.5
Sea and River Safety	Neglecting the prohibitions provided during sea and river activities/celebration.	-First Offense - P500.00 -Second Violation - P1,000.00 -Third and succeeding violations, per individual liability - P2,500.00	Article III, Section 2.6
Safety of Floats, Platforms,	Failure to follow the requirements of the	-First Offense - P500.00 -Second Violation - P1,000.00	Article III, Section 2.7

Towers, Stages, Pagodas and Other Structures	National Building Code and loading capacity.	-Third and succeeding violations, per individual liability - P2,500.00	
Safety in Lighting and Sound System Electrical Installations	Failure to conform with the safety provisions of the Philippine Electrical Code	-First Offense - P500.00 -Second Violation - P1,000.00 -Third and succeeding violations, per individual liability - P2,500.00	Article III, Section 2.8
Handling of Firecrackers and Other Pyrotechnic Devices	Unauthorized selling or disposing firecrackers and all forms of pyrotechnic devices	-First Offense - P500.00 -Second Violation - P1,000.00 -Third and succeeding violations, per individual liability - P2,500.00	Article III, Section 2.9
Holding Of Rallies, Demonstrations And Other Assemblies	Failure to obtain a permit from the Mayor and paying the corresponding fee	Not more than P2,500.00	Article III, Section 3
Regulations On The Sale And Use Of Firecrackers And Pyrotechnics	* Violation of regulated firecrackers and pyrotechnics * Violation of absolutely prohibited fireworks and pyrotechnics	- Violation of regulated firecrackers and pyrotechnics a) First offense: Php 1,000.00 and confiscation of all firecrackers and pyrotechnics sold, stored or subject for selling b) Second offense: Php 1,500.00 and confiscation of all firecrackers and pyrotechnics sold, stored or subject for selling c) Third and succeeding offenses: Php 2,500.00 and confiscation of all firecrackers and pyrotechnics sold, stored or subject for selling - Violation of absolutely prohibited fireworks and pyrotechnics – Php 2,500.00 and confiscation of all firecrackers and pyrotechnics sold, stored or subject for selling for every offense/violation.	Article III, Section 4
Loitering	Spending time idly, walking aimlessly	First Offense - P150.00 or 1 day community service, Second Offense P300.00 or 2 days community service, Third and succeeding offenses P500.00 or 3 days community services	Article III, Section 5
Curfew Hours	Violation of curfew hour	a.) First Offense – warning 1.) The violator shall execute a promissory note to the apprehending officer, assuring that he will no longer go out or roam around outside their places after eleven (11:00) o'clock in the evening and before four (4:00) o'clock the following morning, or ten o'clock in the evening (10:00 PM) to	Article III, Section 6

		<p>five in the morning (5:00 AM) for minors.</p> <p>b.) Second Offense:</p> <p>1.) Adult violators - Shall be fined P 300.00 or Four hours community service.</p> <p>2.) Minor violators - Minor's parent, guardian or in their absence, a brother/sister exercising parental authority over said minor shall be required to undergo a Parenting Course together with the minor concerned, to be conducted by the PNP in coordination with the MSWDO and the parents will have a counseling with four hours community service</p> <p>c.) Third Offense:</p> <p>1.) Adult violators - Shall be fined P 500.00 or six hours community service.</p> <p>2.) Minor violators – Minor's parents/ guardian shall be fined P300.00 or four hours community service</p> <p>d.) Subsequent violations:</p> <p>1.) Adult violators- Shall be fined of P 1,000.00 or 8 hours community service</p> <p>2.) Minor violators – Minor's parents/ guardian shall be fined Five Hundred Pesos (P500.00) or (Six) 6 hours community service</p>	
Drunkness In Public Places	Drunkness in public places	-First Offense - P150.00 -Second Offense - P300.00 -Third & succeeding Offenses- P500.00	Article III, Section 7
Sale Of Liquor, Tuba And Other Alcoholic Drinks	Selling alcoholic drinks without Mayor's permit	a) For the Vendors: First Offense –P 100.00, Second Offense –P 200.00 Third Offense – P1,000.00 and cancellation/revocation of business permit b) For the Minors: First Offense – P100.00 Second Offense – P200.00 Third Offense – P300.00.	Article III, Section 8
Bar/ Cocktail longue	-operation of bar/cocktail longue within (200) meters from any religious, educational or public institutions. -serving any intoxicating drinks or	a) for new business-appropriate charge b) for existing business-appropriate charge plus revocation or mayor's permit or non-renewal of	Art XII, Sec 2.2 Art III, Section 9

	beverages to persons who are below eighteen (18) years old.	permit	
Drinking Liquor Along Highway And Street	Drinking of any intoxicating liquors along the streets.	-First Offense – P150.00 -Second Offense – (P300.00) -Third and succeeding offenses – P500.00	Article III, Section 10
Bringing Of Hard Liquor Within School Premises	Bringing of alcoholic drink within school premises	- First Offense – P300.00 -Second Offense – P500.00 -Third & succeeding Offenses- P1,000.00	Article III, Section 11
Smoke Free Policy	Smoking in public places	First Offense – warning and 1 hour community service Second Offense – P200.00 administrative fine, or four (4) hours community service Third and subsequent offenses – P500.00 or 1-day community service cancellation of the establishment's business permit.	Article III, Section 12
Employment Of Lifeguards In Beach Resorts	Failure to employ a professional and certified lifeguards	First offense P500.00, Second Offense – P1,000.00, third and succeeding offenses P2,500.00 and cancellation of business permit	Article III, Section 13
Parking Space For Service Facilities.	Failure to provide and maintain their own parking space for vehicles under repair	First offense - P500.00, Second Offense P1,000.00, Third and succeeding offenses - P2,500.00	Article III, Section 14
Possession Or Carrying Of Deadly Weapons	Possession or carrying of deadly weapons	a) Offense with carrying of bolos, spears, and other kinds of bladed, pointed, round or blunt instruments , "chako", brass knuckles, and other similar devices - P1,000.00; b) Offense in carrying of knives of whatever kind, swords of whatever kind - P1, 500.00, c) Offense in carrying of Firearms of whatever kind or explosives - P2, 500.00.	Article III, Section15
Air-Rifle Or Improvised Air-Rifle Locally Known As "Lantaka	Unlawful discharge of Air-Rifle	Not more than P1,000.00	Article III, Section 16
Prohibition in the Placement of Objects Along Canals of Streets, Roads, Alleys and Highways	Placement of any objects along canals of streets, roads, alleys and highways of Loon	a) First Offense – P 500.00 and immediate removal of the object. b) Second offense – P 1, 500.00 c) Third and succeeding offense – P 2, 500.00	Article III, Section 20
Nudism in Public Places	Nudity in any place open to the public	a) First Offense - P 500.00 b)Second Offense – P 1, 000.00 c)Third and succeeding offense – P 2, 500.00	Article III, Section 21
Sale And Catering Of Food Inside The Public Market	Sale and catering of food outside the designated food area in Loon Public Markets	P200.00 per violation	Article V, Section 1
Cleanliness In All	Failure to clean and	P200.00 per violation.	Article V, Section 2

Public Markets Within This Municipality	provide (4) prescribed/color-coded trashcans		
Slaughter Of Carabaos, Cows And Other Animals	Slaughtering of carabaos, cows, pigs and other domesticated animals outside the municipal slaughterhouse	- First violation - P500.00 Second violation - P1,000.00 Third and succeeding violations - P2,500.00	Article V, Section 3
Burning Or Burying The Carcass Of Animals, Fowls, And Other Living Creatures.	Disposing carcass of any animal, or fowl, or any living creature other than the method of burning or burying	Any violator shall be fined P200.00	Article V, Section 4
Inspection Of Domestic Animals About To Be Slaughtered	Slaughtering, selling or using for human consumption any domesticated animals without certificate of inspection by the veterinarian or meat inspector Violators who sell their meat to the public	-First Offense- P 500.00 -Second Offense- P 750.00 -Third and Subsequent Offenses – P 1,000.00 - shall be fined double the penalty	Article V, Section 5 Art. V, Sec 5c
Exhumation And Reburial Of Dead Human Body/Cadaver	exhuming or disintering and reburial of any dead human body without first securing an exhumation permit from the Municipal Health Officer and paying its corresponding fee	P1,000 per offense	Article V, Section 6
Dumping Pit For Chemical Waste Disposal	failure to construct a dumping pit for chemical waste disposal	-First Offense - P 1,000.00 -Second Offense - P 2,000.00 -Third violation - P2,500.00 with revocation of mayor's permit, on a monthly inspection basis	Article V, Section 7
Urinating In Public Places	Urinating anywhere other than at the comfort room or toilets	- First Offense – Warning -Second Offense – P 100.00 -Third Offense and Succeeding Offenses – P 150.00	Article V, Section 8
Garbage Receptacles And Depositories	Failure of very household, every purok, every barangay, including all commercial, industrial establishments and schools to provide garbage receptacles and depositories	-First Offense – Warning -Second Offense – P 300.00 -Third and Succeeding Offenses – P 500.00, on a monthly inspection basis.	Article V, Section 9
Drainage And Sewage Disposal	Failure to provide adequate, clean and properly maintained drainage and sewage disposal system	-First Offense – P 500.00 -Second Offense – P 1,000.00 -Third and Succeeding Offenses –P 2,500.00, on a monthly inspection basis.	Article V, Section 10
Septic Tanks for	failure to provide	-First Offense – P 500.00	Article V, Section 11

Pigpens	septic tanks for the disposal of the wastes of pigpens	-Second offense - P 1,000.00 -Third and Succeeding Offenses – P 2,500.00, on a monthly inspection basis.	
Littering In Public Places	Throwing or depositing any kind of waste materials making places unwholesome or unsanitary	-P 100.00 per violation.	Article V, Section 12
Throwing Of Garbage And Waste Matter In Loon's Coastline	throwing or disposing of garbage and other waste matter in Loon's coastline and seawaters	-First Offense – P500.00 -Second Offense – P1,000.00 -Third and succeeding Offenses – P2,500.00	Article V, Section 13
Dogs Regulation	failure to vaccinate and castrate dogs	A fine of P500.00 per violation shall be imposed to owners who : a) fail to leash their pet dog b) fail to register their pet dog for vaccination	Article V, Section 14
Water Sources	Failure to chlorinate potable water	-First Offense – P 700.00 -Second Offense – P 1,000.00 -Third Offense – P2,500.00	Article V, Section 15
Deep Or Shallow Wells	Failure to cover deep or shallow wells	-First Offense – Warning -Second Offense – P 500.00 -Third Offense – P 1,000.00	Article V, Section 16
Coconut Husks And Shells	Failure to dispose coconut husks and shells	-First Offense – Warning -Second Offense – P 500.00 -Third Offense – P 1,000.00	Article V, Section 17
Regulation on Toilets	Failure to provide serviceable toilets	First offense – P500, Second Offense - P1,000.00 , 4 th Offense - P2,500.00, and closure of institutions and business establishments, non-renewal of their license and permits to operate, as the case maybe	Article V, Section 18
Disposal Of Human Wastes	defecating anywhere other than inside toilets	-First Offense – P500.00 -Second Offense –P1,000.00 -Third Offense –P1,500.00	Article V, Section 19
Use Of Iodized Salt	Selling of non-iodized salt	Any violator shall be fined P300.00 for the first offense, P500.00 for the Second Offense, and P1,000.00 for the third and succeeding offenses, per inspection basis	Article V, Section 20
Prohibition on the Placement of used Tires and Other Objects that Catch/ Store Rain Water in the Open Field.	No person shall place used tires or any objects that tend to catch / store rain water in an open field	a) First Offense – P 500.00 b) Second Offense – P 1, 500.00 c) Third Offense – P 2,500.00	Article V, Section 21
Regulations Of Mahjong Den	Operating mahjong without Mayor's permit	-First Offense – P500.00 -Second Offense – P 750.00 -Third Offense – P 1,000.00 and revocation of permit	Article VIII, Section 1
Regulations Of Billiard	Violation of billiard/ bingo games rules	First Offense – P 500.00, Second Offense – P 1,000.00, Third and	Article VIII, Section 2

Establishments And Bingo Games		subsequent offenses – P 1, 500.00.	
Regulations On Card Games And Hantak	Playing, operating or conducting card games and <i>hantak</i>	-First Offense – P 200.00 -Second Offense – P 500.00 -Third Offense – P 2,000.00	Article VIII, Section 3
Ktv And Karaoke/Videoke Operations Policy.	Operating videoke in violation of its rules	-First Offense – P300.00 -Second Offense – P500.00 -Third Offense and succeeding offenses – a fine of P 1,000.00 and cancellation of business permit.	Article VIII, Section 4
Regulations of Computer Playing Station	Operating a computer playing station in violation of its rules and regulations	First offense – P 200.00, Second offense – P 300.00, Third offense and subsequent offenses – P 500.00.	Article VIII, Section 5
Regulations On Internet Café.	Operating internet café in violation of its rules and regulations	For Internet Operator: -First Offense – P 500.00 -Second Offense – P 750.00 -Third Offense- P 1,000.00 and the cancellation/revocation of business permit. For Customer Violator: First Offense – P 100.00 -Second Offense – P 300.00 -Third Offense- P 1,000.00	Article VIII, Section 6
Operating Business Without Permit	operating business without permit	P2,500.00	Article VIII, Section 7
Cockfighting Rules	Failure to observe cockfighting rules	First offense – 1,000.00, 2nd offense - P 1,500.00 and 3rd offense and succeeding offenses -P 2,500.00	Article IX
Anti-Prank Calls	Making prank call/text message, reporting a false emergency situation, lewd calls or sending lewd text messages and the like	-First offense – P300.00 -Second offense - P500.00 -Third and succeeding offenses P1,000.00.	Article XI, Section 4

2.2. General Penalty. In the absence of any specific penalty herein defined, any violation of the provisions of this Code shall be penalized by a fine of One Hundred Pesos (P100.00) for the first offense, Three Hundred Pesos (P300.00) for the second offense, One Thousand Pesos (P1,000.00) for the third offense, and Two Thousand Five Hundred Pesos (P2,500.00) for the succeeding offenses.

2.3. Judicial Penalty. If the violator refuses to avail of the compromise penalty, or if the Lupon has failed to settle the case, the same shall be forwarded to the Municipal Trial Court for judicial hearing, to which the violator shall pay the specific fines imposed plus one to two days (1-2) imprisonment for the first offense, three to five (3-5) days imprisonment for the second offense, and six-ten (6-10) days imprisonment for the third and succeeding offenses, at the discretion of the court.

SECTION 3. MANDATORY REVIEW OF THE CODE. This Code shall be reviewed every three (3) years.

SECTION 4. CREATION OF OVERSIGHT COMMITTEE.

- a) There shall be created an oversight committee to conduct information and dissemination on the contents of this Code and to evaluate its impact on the quality of life of the people.

The Committee shall be headed by the Municipal Vice-Mayor as Chairperson, Committee on Rules and Codification as Vice Chairperson, and members of the Committee on Rules as Members.

- b) The oversight committee shall have the following duties and responsibilities:
- 1) To disseminate the Code to all concerned;
 - 2) To evaluate its implementation;
 - 3) To monitor and gather feedback on the Code;
 - 4) To formulate and recommend necessary amendments and new legislation.
- c) There shall be an appropriated funding requirement for the effective performance of functions of the Oversight Committee.

SECTION 5. FUTURE ORDINANCES.

Future regulatory/ general ordinances shall be treated as amendments to this Code, either by addition, insertion, or deletion of some provisions.

SECTION 6. ARCHIVING OF ORDINANCES. Repealed and obsolete ordinances shall be archived at the Municipal Library.

SECTION 7. REPEALING CLAUSE. Any ordinance inconsistent with this Code is hereby deemed repealed or modified accordingly.

SECTION 8. SEPARABILITY CLAUSE. Should any part of this Code be declared null and void by a Court of competent jurisdiction, the remaining parts not so affected thereby, shall remain in full force and effect.

SECTION 9. EFFECTIVITY. This Code shall take effect upon its approval and after due publication in three consecutive weeks in a newspaper of general circulation pursuant to Section 511, a, of RA 7160.

UNANIMOUSLY APPROVED.

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I hereby certify to the correctness of the above-quoted ordinance.

FIDELINO P. CORITICO, LLB
Secretary to the Sanggunian

ATTESTED:

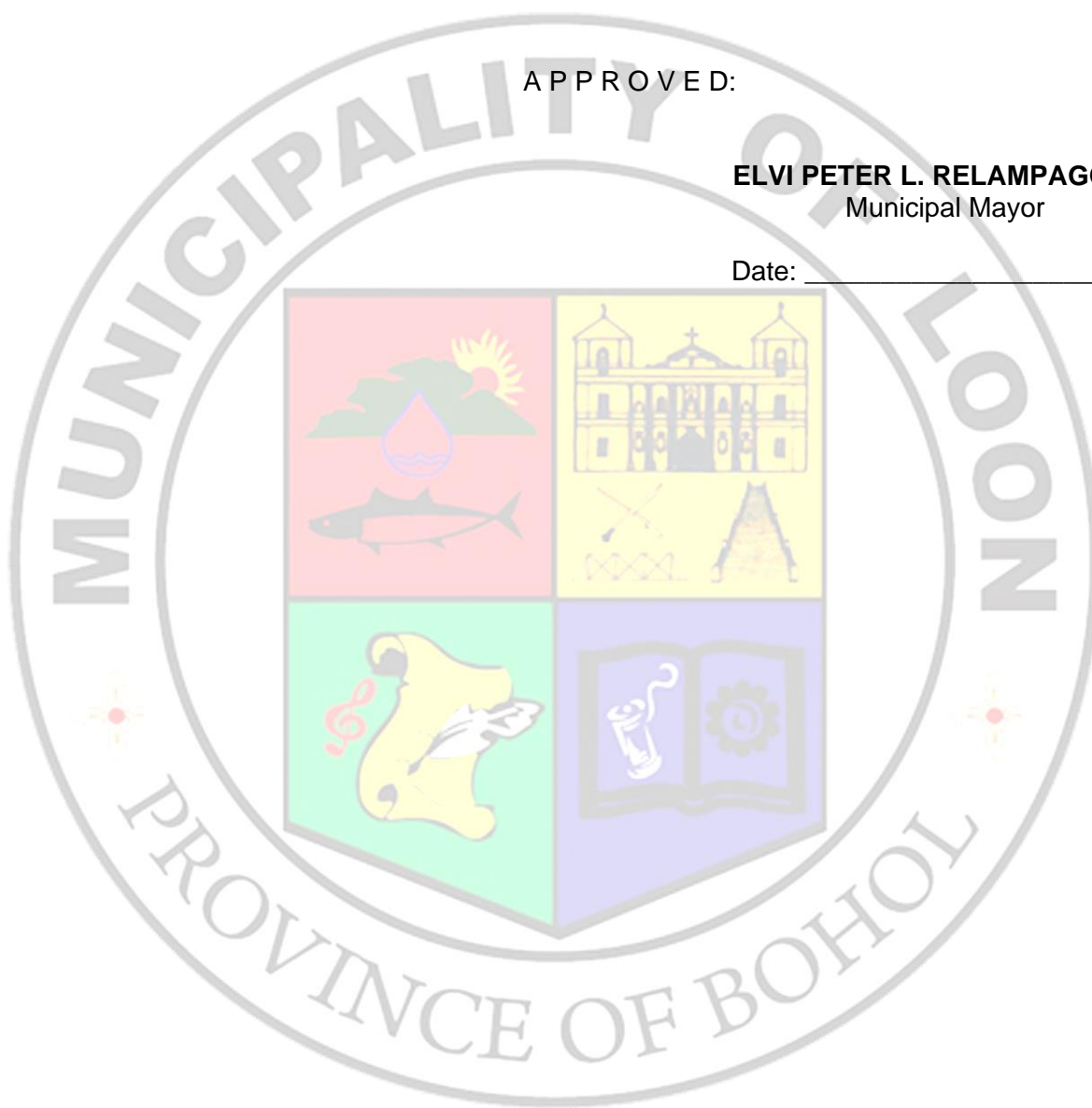
LLOYD PETER M. LOPEZ, M.D.
Vice Mayor
Presiding Officer

Date: _____

APPROVED:

ELVI PETER L. RELAMPAGOS
Municipal Mayor

Date: _____



- c) There shall be an appropriated funding requirement for the effective performance of functions of the Oversight Committee.

SECTION 5. FUTURE ORDINANCES.

Future regulatory/ general ordinances shall be treated as amendments to this Code, either by addition, insertion, or deletion of some provisions.

SECTION 6. ARCHIVING OF ORDINANCES. Repealed and obsolete ordinances shall be archived at the Municipal Library.

SECTION 7. REPEALING CLAUSE. Any ordinance inconsistent with this Code is hereby deemed repealed or modified accordingly.

SECTION 8. SEPARABILITY CLAUSE. Should any part of this Code be declared null and void by a Court of competent jurisdiction, the remaining parts not so affected thereby, shall remain in full force and effect.

SECTION 9. EFFECTIVITY. This Code shall take effect upon its approval and after due publication in three consecutive weeks in a newspaper of general circulation pursuant to Section 511, a, of RA 7160.

UNANIMOUSLY APPROVED.

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I hereby certify to the correctness of the above-quoted ordinance.

FIDELINO P. CORITICO, LLB
Secretary to the Sanggunian

ATTESTED:

LLOYD PETER M. LOPEZ, M.D.

Vice Mayor
Presiding Officer

Date: August 08, 2019

APPROVED:

ELVI PETER L. RELAMPAGOS
Municipal Mayor

Date: 08/14/19