

TITLE 16
HEALTH AND SANITATION

Chapter I
Smoking Ban in Public Places¹

Section 1. This act shall be known as the Anti-Smoking Ordinance of 1992.

Section 2. It is hereby made a policy of the city to ensure and maintain a healthful community by banning smoking in designated non-smoking areas as defined herein to protect the public from the dreadful effects of smoking particularly the non-smokers and children.

Section 3. For purposes of this Ordinance, the following terms are defined, thus:

- a.) PUBLIC PLACE Refers to enclosed or confined areas of all hospitals, medical clinics, schools, public transportation terminals and offices, and buildings such as private and public offices, recreational places, shopping malls, movie houses, hotels, restaurants, and the like.
- b.) SMOKING Refers to the act of carrying a lighted cigarette or other tobacco products, whether or not it is being inhaled or smoked.
- c.) HOSPITAL Any institution or clinic designed primarily to provide or render medical, dental, optical or health care and services.
- d.) MOVIE HOUSE Any theater or house where motion pictures are shown and/or exhibited or where stage and dramatic plays are played or cultural and theatrical presentations are presented.
- e.) ASSEMBLY HALL Any auditorium, stadium, session hall, coliseum, gymnasium, convention center, show room or any other place where people stay or gather either for political, sports, social, religious, educational, cultural or entertainment functions.
- f.) ENCLOSED OR AIR-CONDITIONED PUBLIC ESTABLISHMENTS
All spaces enclosed on all sides by walls, windows from floor to ceiling partitions under a controlled temperature like bank, library, laboratory, conference rooms, funeral parlors, galleries, museums and other similar spaces but not limited to:
 - 1.) Restaurant – means coffee shop, beer/pub house, cafeteria, luncheonette, sandwich stand, soda fountain, canteen, or any establishment which serves food or drinks to the public.

¹[Ordinance No. 09, Series of 1992](#), as amended by [Ordinance No. 05, Series of 1998](#), and [Ordinance No. 06, Series of 2004](#).

2.) Shopping Mall or Department Store – means enclosed or air-conditioned establishment designed for selling, retailing, catering or marketing of goods and services.

g.) PUBLIC UTILITY CONVEYANCES

Refer to modes of transportation servicing the general population, such as, but not limited to, elevators, airplanes, buses, taxicabs, ships, jeepneys, light rail transits, tricycles, and similar vehicles.

h.) GOVERNMENT OFFICE OR BUILDING

Any office or building where governmental functions are being performed.

i.) SCHOOL

Any institution of learning for pre-school, primary, elementary, secondary, tertiary, vocational or training, whether privately or government owned.

j.) ENFORCEMENT OFFICER²

Shall include officers and members of the PNP, Teachers, Barangay Captains and their Kagawads, Barangay Tanods, CVOs, members of the Civil Security Unit, Land Transportation Office Blue Boys or Traffic Enforcers, members of the Citizen Crimewatch, and heads of National Government Agencies.

k.) SMOKING AREA

Any portion/part or section of any building, office, structure or edifice particularly designated by appropriate sign as intended for or in which a person is allowed to smoke; an area which is not prohibited by an order, law or ordinance for smoking, which is equipped with a ventilating system if enclosed.

Section 4. Smoking shall be absolutely prohibited in the following public places:

- A. Centers of youth activity such as playschools, preparatory schools, elementary schools, high schools, colleges and universities, youth hostels and recreational facilities for persons under eighteen (18) years old, which shall include but are not limited to, playgrounds;
- B. Elevators and stairwells;
- C. Locations in which fire hazards are present, including gas stations and storage areas for flammable liquids, gas, explosives or combustible materials;
- D. Within the buildings and premises of public and private hospitals, medical, dental, and optical clinics, health centers, nursing homes, dispensaries and laboratories;
- E. Public conveyances and public facilities including airport and ship terminals and train and bus stations, restaurants and conference halls, except for separate smoking areas;
- F. Food preparation areas, which shall include areas where food or beverage is actually being manufactured or prepared; and all public plazas of the city such as Plaza Heneral Santos and Children's Park, except particular portion of Carlos P. Garcia Freedom Park

²Section 1 of [Ordinance No. 05, Series of 1998](#).

and Queen Tuna Park where smoking may be allowed on the occasion and during the entire duration of actual holding of trade, fair or festival.

Section 5. Smoking is likewise prohibited in the following public places except in designated smoking areas to be identified by the administrator, owner, operator or manager of said public place and which shall have adequate ventilation and exhaust fans: *Provided, however,* That there are no fire hazards, flammable liquids or gases in such areas:

- (a.) All government offices or buildings;
- (b.) Assembly halls;
- (c.) Movie houses;
- (d.) Restaurants, bars, cocktail lounges;
- (e.) Shopping malls or department stores;
- (f.) Dance halls, disco houses, day and night clubs;
- (g.) Markets, supermarkets, groceries and bakeshops;
- (h.) Factories and plants;
- (i.) Enclosed and air-conditioned public establishments;
- (j.) Warehouses, bodegas, storerooms and stock rooms;
- (k.) Public comfort rooms;

Section 6. In all enclosed places that are open to the general public, private workplaces and other places not covered under the preceding section, where smoking may expose a person other than the smoker to tobacco smoke, the owner, proprietor, operator, possessor, manager or administrator of such places shall establish smoking and non-smoking areas. Such areas may include a designated smoking area within the building, which may be in an open space or separate area with proper ventilation, but shall not be located within the same room that has been designated as a non-smoking area: provided, that the following standards shall be observed:

1. The designated smoking area other than in an open space shall be completely enclosed or physically separated from the rest of the premises and equipped with adequate ventilation in conformity with the provisions of PD 1096, otherwise known as the "National Building Code" and the Philippine Society of Mechanical Engineers Code.
2. Separation of the designated smoking area other than in an open space shall be effected through any of the following means:
 - a. The designated area must be fully separated from smoke-free area by continuous floor-to-ceiling or floor-to-floor solid partitions which are interrupted only by doors equipped with door closers, and which must be constantly closed except when a person is entering or exiting the area; or
 - b. The designated smoking area must be set apart, enclosed or confined by means other than those prescribed above: provided, that said means enable compliance to air quality standards set forth in the National Building Code and the Philippine Society of Mechanical Engineers Code.

All designated smoking areas shall have at least one (1) legible and visible sign posted, namely "smoking area" for the information and guidance of all concerned. In addition, the sign or notice posted shall include a warning about the health effects of direct or secondhand exposure

to tobacco smoke. Non-smoking areas shall likewise have at least one (1) legible and visible sign, namely: “non-smoking area” or “no smoking.”

Nothing in this ordinance shall be construed to permit smoking in the absence of any provision hereto, or to preclude owners, managers or employers of any establishment not covered within the provision of this ordinance from prohibiting smoking within their respective establishment or office.

Section 7. Violation of this Ordinance particularly Sections 4 and 5 hereof, shall subject the offender(s) to a fine of Two Thousand Pesos (₱2,000.00) and/or health seminar. In case of insolvency, the penalty shall be one (1) day community service to be determined by the committee/task force to be established.³

Section 8. Violation of Section 6 hereof shall be punished with a fine of Five Thousand Pesos (₱5,000.00) and/or health seminar. In case of insolvency, the penalty shall be one (1) day community service to be determined by the committee/task force to be established.

Section 9. Any public official or employee who, by reason of his/her office, with or without consideration, conspires in the commission or knowingly conceals violations of any of the provisions of this Ordinance shall likewise be principally responsible for the violation and shall suffer additional penalty of one (1) day suspension.

Section 10. Enforcement Officers shall gather evidence such as cigarette butts, cigars, pipes or any form of subject device which contain tobacco or other similar chemical compound, when apprehending violators. The violator shall be brought to the police station or its nearest sub-station in the city for investigation and appropriate filing of charges before the Office of the City Prosecutor/Court.

Where the violator of this Ordinance does not contest his/her apprehension and elect to pay the fine imposed by this Ordinance, the enforcement officer shall forthwith issue a citation ticket to the person apprehended without resort to the court. The citation ticket shall state or contain (a.) the name, signature, age and address of the person apprehended, (b.) the material facts obtaining in the commission or omission of the crime defined and penalized under the provisions of this Ordinance, (c.) the amount of fine which is payable in favor of the City Government of General Santos, and (d.) notice requiring the person apprehended for extrajudicial settlement of his offense by paying the prescribed fine at the Office of the City Treasurer within ten (10) working days from issuance thereof, otherwise, appropriate charge shall be filed before the court of law.⁴

Section 11. Owners, Administrators, Operators and/or managers of the covered public places and drivers/operators of public conveyances shall report to concerned authorities any violation of this ordinance.

Section 12. The City Government shall device ways and means as part of its public information campaign, to educate the public in order to effectively enforce this ordinance, with the cooperation and coordination of the Department of Education (DepED), Department of Health (DOH), Barangay Officials, Media, the CVOs and management of movie houses.

³Section 2 of [Ordinance No. 05, Series of 1998](#), and Section 2 of [Ordinance No. 06, Series of 2004](#), as amended.

⁴Section 3 of [Ordinance No. 05, Series of 1998](#).

Section 13. Upon approval of this ordinance, the Office of the City Mayor shall formulate rules and regulations for the effective implementation of this ordinance.

Chapter II Institutionalizing the Integrated Solid Waste Management Program⁵

Section 1. There is hereby institutionalized the Integrated Solid Waste Management Program (ISWMP) of the City of General Santos as basic and distinct agenda of the City Government.

Section 2. The Integrated Solid Waste Management Division of the City Environment and Natural Resources Office (CENRO) is hereby charged the duty to implement the said program.

Chapter III Pissing in Public Places⁶

Section 1. It is hereby declared unlawful for any person to piss, pee or urinate in public places within the City of General Santos.

Section 2. As used in this Ordinance, the following terms shall mean:

1. Piss or Pee - refers to the natural act of person of discharging through his/her urinary organ of liquid or semi-solid waste that is produced in the kidney.
2. Public Places – refer to places which include roads, streets, alleys, lanes, pathways, parks, plazas, sidewalks and parts or part of buildings, walls, or fences, and such other similar places not otherwise designated or properly used as restroom, toilet or lavatory which are open to people for public use or comfort.

Section 3. Any person found guilty violating this Ordinance shall suffer the penalty of fine of Five Hundred Pesos (₱500.00) or imprisonment of one (1) day, or both such fine and imprisonment at the discretion of the Court.

Where the violator of this Ordinance does not contest his/her apprehension and elect to pay the fine imposed by this Ordinance, the enforcement officer shall forthwith issue a citation ticket to the person apprehended without resort to the Court. The citation ticket shall state or contain (a) the name, signature, age and address of the person apprehended, (b) the material facts obtaining in the commission or omission of the crime defined and penalized under this Ordinance, (c) the amount of fine which is payable in favor of the City Government of General Santos, and (d) notice requiring the person apprehended for extrajudicial settlement of his/her violation by paying the prescribed fine at the Office of the City Treasurer within ten (10) working days from issuance thereof, otherwise, appropriate complaint be filed against him/her with the appropriate government agency, such as the City Prosecution Office, for the filing of appropriate charge against him/her with the Court of law.⁷

⁵[Ordinance No. 04, Series of 1998.](#)

⁶[Ordinance No. 05, Series of 2000](#), as amended by [Ordinance No. 11, Series of 2002](#).

⁷Section 1 of [Ordinance No. 11, Series of 2002](#).

Chapter IV
Control and Eradication of Sexually Transmitted Diseases
Among Workers and Patrons of Entertainment Industry⁸

Article I
Title, Policy, Principles and Definition of Terms

Section 1. This Ordinance shall be known as “An Ordinance Providing Mechanism to Control and Eradicate the Proliferation of Sexually Transmitted Diseases (STDs) Among Workers of the Entertainment Industry within General Santos City.”

Section 2. General Santos City hereby declares war against Sexually Transmitted Diseases (STDs). As such, it is the policy of the City Government to prevent and control the rising incidence of these diseases by providing a mechanism thereto.

Section 3. DEFINITION OF TERMS:

- a) Sexually Transmitted Diseases (STDs) are diseases acquired from sexual contact, such as but not limited to gonorrhea, syphilis, trichomoniasis, chlamydia, genital herpes, genital warts, candidiasis, hepatitis B, bacterial vaginosis, scabies, pubic lice and HIV/AIDS;
- b) HIV refers to human immuno-deficiency virus that causes AIDS;
- c) Entertainment Industry refers to night clubs, sauna, massage clinics, discotheques, videoke/karaoke bars, cocktail lounges, beer gardens, pub houses and other establishments wherein the services of hired entertainers are employed, and patrons are entertained;
- d) Worker refers to male or female entertainer whose services are hired by the entertainment establishment operator for the purpose of entertaining its patrons, guests or customers allowing said worker to dance, converse, talk, chat, sing with them usually for a “tip” at the discretion of the latter;
- e) Patron refers to any person seeking enjoyment from an entertainment establishment worker for a fee.
- f) Prophylactic is a device (as a condom) for preventing venereal infection.

Article II
Administrative and General Powers

Section 4. There is hereby created the “General Santos Entertainment Operators Association (GSEOA).”

Section 5. The General Santos Entertainment Operators Association shall have the following powers and functions:

- (a) Formulate the rules and regulations for the purpose of controlling the proliferation of STDs among the entertainment industry workers within the city;
- (b) Assist the City Government in policing the entertainment industry with the end in view of achieving an "STD-Free City";

⁸[Ordinance No. 09, Series of 2000.](#)

- (c) Recommend to the City Government the closure of entertainment establishments found to be violating this Ordinance;
- (d) Monitor compliance with this Ordinance and recommend the imposition of penalties imposable hereof;
- (e) In all cases, be represented in the conduct of inspections by the City Government of any entertainment establishments.

Section 6. Only business establishments which are duly authorized to do business in the City may be a member of the General Santos Entertainment Operators Association. It shall be represented by its owner, manager, or duly authorized representative.

Article III Compulsory STD/HIV Education

Section 7. It shall be a pre-requisite for the issuance/renewal of business permits to the operators by the Office of the City Mayor and the health certificate to the workers by the Office of the City Health that they should attend seminars conducted by accredited NGOs.

Section 8. The City of General Santos in partnership with accredited NGOs, shall be responsible of sourcing the financial requirements of seminars and workshops.

Article IV Consistent Prophylactic Use

Section 9. Prophylactic Materials should be available in all entertainment establishments.

Article V Regular Medical Examination

Section 10. Workers must undergo weekly examination at the Social Hygiene Clinic (SHC) under the Office of the City Health and secure a health certificate before reporting for work.

Section 11. Entertainment establishment operators shall not allow workers to report without first presenting the health certificate as required in the foregoing section.

Article VI Reproductive Health Care

Section 12. The City Government of General Santos shall strengthen the SHC through provision of sufficient equipment, reagents and supplies and adequate personnel.

Section 13. Operators of entertainment establishments shall develop and maintain a written Action Plan to address the reproductive health needs of all their workers.

Article VII Non-Hiring of Minors

Section 14. No minor shall be employed as a worker by any entertainment establishment operator.

Article VIII Penalties

Section 15. Any act or omission committed in violation of any provision of this Ordinance shall subject the violator to the following sanctions:

- (a) **FIRST OFFENSE:** Undergo another seminar as provided under Section 7 hereof;
- (b) **SECOND OFFENSE:** Undergo another seminar as provided under Section 7 hereof and a fine of ₱3,000.00;
- (c) **THIRD OFFENSE:** Closure of the establishment plus a fine of Five Thousand Pesos (₱5,000.00).

Section 16. Any entertainment establishment caught employing a minor shall be immediately closed and be fined an amount of Five Thousand Pesos (₱5,000.00) and/or the operator be imprisoned for twelve (12) months or both such fine and imprisonment at the discretion of the court and without prejudice for being prosecuted under RA 7610, otherwise known as "Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act", and other applicable laws.

Article IX Trust Fund

Section 17. All moneys collected by the City Treasurer's Office pursuant to the penalty clause hereof shall be deposited in a Trust Fund.

Section 18. The Trust Fund shall be exclusively used for providing medical and social assistance to the entertainment establishment workers. It is hereby understood that the City Government shall defray the expenses for a duly registered entertainment establishment worker within the city only up to the extent of 50% of the medical expenses; the remaining shall be borne by the operator of the establishment.

Chapter V Salt Iodization⁹

Section 1. The City's Health Officer and Nutritionist-Dietitian, through their Sanitary Inspectors, are hereby required to regularly check/monitor the quality of all food-grade salt being sold in General Santos City to ascertain that such comply with the standards set forth under the Implementing Rules and Regulation of RA 8172, otherwise known as "An Act Promoting the Salt Iodization Nationwide and for Related Purposes".

Section 2. Any and all acts found to have been committed by salt producers/manufacturers, importers/traders, merchants, vendors, and other persons engaged in the selling of salt in the City in violation of the provisions of the same Implementing Rules of RA 8172 shall be strictly dealt with in accordance to Rule VIII thereof.

⁹[Ordinance No. 05, Series of 2002.](#)

Chapter VI

Sight for a Child Week¹⁰

Section 1. This Ordinance shall be known and cited as “Sight For a Child Week for all Elementary School age Children in the City of General Santos”.

Section 2. Unless otherwise expressly provided, the following terms shall be understood to mean:

- a. City - refers to the City of General Santos.
- b. Association – refers to the Optometric Association of the Philippines.
- c. Optometrist in good standing – a person who has been certified by the Board of Optometry and registered with the Professional Regulation Commission (PRC) who is authorized to practice the profession in the Philippines by virtue of a valid Certificate of Registration and a valid Professional License issued by the PRC for that purpose.
- d. Elementary School Teacher – refers to the one whose business or occupation is to impart knowledge by means of lessons or who gives academic instructions and to teach others whether in public or private elementary educational institution.

Section 3. The objectives of this Ordinance are as follows:

- a. conduct a vision screening, comprehensive eye and vision examination in all elementary school age children who may have or potentially have problems that could interfere with their school performance;
- b. provide necessary preventive, curative and corrective measures in order to create awareness on sight preservation of elementary school age children; and
- c. provide a data base of the clinical findings to guide the city making an effective eye health policy in the future.

Section 4. The Sight for a Child Week for all elementary school age children in the city shall be held during the last week of June of every year.

Section 5. This ordinance shall be applicable to all duly enrolled elementary school age children in the City, whether in the private or public educational institutions during the current school year.

Section 6. The Association hereby undertakes to train, teach, educate and guide the elementary school teachers in the conduct and carrying out of eye screening among elementary school children to detect potential eye and vision problems, PROVIDED, that the actual conduct of comprehensive and vision examination on those children identified by the elementary school teachers shall be administered by a duly licensed Optometrist in good standing to be chosen and designated by the Association.

Chapter VII

Avian Influenza Prevention and Control¹¹

¹⁰[Ordinance No. 13, Series of 2003.](#)

¹¹[Ordinance No. 03, Series 2006.](#)

Section 1. This Ordinance shall be known as the “General Santos City Avian Influenza Prevention and Control Ordinance”.

Section 2. This Ordinance serves to prevent and control possible entry/outbreak of Avian Influenza in the City of General Santos.

Section 3. This Ordinance is enacted with the following objectives:

- (a) To prevent the entry of Avian Influenza, thus ensuring public safety;
- (b) To protect the local poultry and other related industries from the effects caused by the outbreak of Avian Influenza; and
- (c) To promote and protect the health, safety and general welfare of the residents.

Section 4. This Ordinance shall be enforced within the territorial jurisdiction of General Santos City.

Section 5. As used in this Ordinance, the following terms and phrases shall apply:

- (a) Avian Influenza or Bird Flu – is an infectious disease in chickens, ducks, and other birds caused by different subtypes and influenza A virus.
- (b) Fowl/Poultry – includes marketable broilers, culls, day old chicks, pullets, game fowls, native chickens, ducks, hobby birds of any kind.
- (c) Foreign exotic bird – any bird specie or sub-specie that does not naturally occur in the Philippines.
- (d) Poultry holding facilities – include commercial farms, backyard units, hatcheries, processing plants, slaughterhouses, aviaries, feed mills, cockpits and public markets.
- (e) Endemic Avian Wildlife Specie – any exotic bird specie or sub-specie that may be found only in the wildlife of a particular place.

Section 6. The Avian Influenza Prevention and Control Task Force is hereby formed with the main authority to oversee the implementation of the provisions of this Ordinance and other related activities as maybe provided by rules and regulations promulgated by higher authority or mandated by the National Laws on Avian Influenza. It shall be composed, but not limited to the following:

Chairman	:	City Mayor
Vice-Chairman	:	City Vice Mayor
Members	:	City Administrator
		City Veterinarian
		City Health Officer
		City Agriculturist
		City Police Director
		City Public Information Officer
		Chairman, Sangguniang Panlungsod Committee on Agriculture
		NGO Representative
		Representative of Poultry Raisers Association
		Department of Agriculture (DA) Representative
		City Disaster Coordinating Council Officer
		Department of Environment and Natural Resources (DENR) Representative

Other agencies/entities/individuals not mentioned above can be designated by the City Mayor as additional members of the Avian Influenza Prevention and Control Taskforce.

Section 7. The City Mayor is also empowered to create the following five teams to assist and support the Avian Influenza Prevention and Control Taskforce:

- (a) Rapid Action Team – shall be composed of members who will carry out immediate diagnosis of suspected premises and initiation of appropriate measures as deem necessary.
- (b) Surveillance Team – shall be composed of members who will conduct regular surveillance and profiling of poultry farms including its diseases in the city.
- (c) Quarantine Team – shall be composed of members who shall ensure the implementation of the prescribed biosecurity measures in case of an outbreak occurrence including prohibition of animal movement.
- (d) Census Team – shall be composed of members who shall conduct periodic identification, consolidation of data on poultry, population, kinds, facilities, operators/owners, location, disease profile, biosecurity practices, vaccination programs and veterinarians in-charge.
- (e) Information, Education and Campaign Team – shall be composed of members who will ensure adequate awareness of the public on matters and updates pertaining to Avian Influenza.

Every team must be headed by a member of the Avian Influenza Prevention and Control Taskforce. The members of the said taskforce may also be members of any of the teams.

Section 8. The following acts are prohibited by this Ordinance:

- (a) It shall be unlawful for any person to offer for sale and/or buy or barter any avian specie from other country;
- (b) It shall be unlawful for any person to possess or own or keep endemic avian wildlife species if the same are not registered with City Environment and Natural Resources Office;
- (c) It shall be unlawful for any person to sell, barter, buy meat of chicken or live chicken coming from other affected countries or affected places in the Philippines while there is still a threat of Avian Influenza as determined by the Department of Agriculture even if no outbreak yet of Avian Flu prevails in General Santos City;
- (d) It shall be unlawful for any person to sell, barter, buy in General Santos City any specie of bird whether coming from other affected countries or other places in the Philippines affected with bird flu while an outbreak of Avian Flu is still prevalent in General Santos City;
- (e) It shall be unlawful for any person to place chickens, ducks and pigs together in the same area, cage or pen when there is already threat of Avian Flu as determined by the Department of Agriculture;
- (f) It shall be unlawful for any person to allow his/her chickens to roam freely outside the premises of his/her property when there is already an outbreak of Avian Flu as determined by appropriate government agency.

Section 9. In violation of Section 8 hereof, the offender shall suffer an imprisonment of one (1) year or pay a fine of ₱5,000.00 or both at the discretion of the court. If the violator is a partnership, the managing partner is liable under this Ordinance. If the violator is a corporation,

the person responsible in the management of the business is liable.

Section 10. Smuggling of fowl shall be reported to the Philippine Coast Guard (PCG) or the Philippine National Police (PNP) and Department of Environment and Natural Resources (DENR).

Section 11. The City Veterinary Office (CVO) shall regularly submit a Monitoring Report on the condition of General Santos City insofar as Avian Influenza is concerned to the Department of Agriculture – Regional Field Unit (DA-RFU).

Section 12. The City Government shall assist the national/regional surveillance group in the conduct of sero-surveillance (avian blood collection) in the City. It shall help in the identification of poultry holding facility and encourage participation of the facility owners/operators in surveillance and reporting. Surveillance reports shall be recorded and submitted to the National Avian Influenza Task Force Center at the Bureau of Animal Industry. Sero-surveillance must be conducted twice a year in the backyard/commercial farms and other susceptible fowls. The City Government shall likewise assist Bureau of Animal Industry in enforcing requirements covering the local transport of animals, including poultry and poultry by-products. This activity shall be enforced in coordination with Philippine National Police.

Section 13. The City Veterinary Office in coordination with City Public Information Office shall conduct regular information campaigns, which include recommended biosecurity and other Avian Influenza preventive measures. Those who will participate in the campaigns shall be trained by the National/Regional Task Force.

Section 14. Actions to be Taken in Case of Suspected Occurrence of Avian Influenza in the City. -

- (a) Reporting. - The farm veterinarian or farm owner shall immediately report to Bureau of Animal Industry, Regional Field Unit-Department of Agriculture or City Veterinary Office any occurrence of mortality of 3% (based on house population) in just a day in commercial farms or any unexplained mortality of poultry in two or more households within a barangay or purok in a span of 2 days in the case of backyard farms. Investigation/blood collection shall be conducted by the City Veterinary Office and the Regional Disease Diagnostic Laboratory technician within twenty four (24) hours.
- (b) Movement Control. - The Philippine National Police personnel in General Santos City upon notice from the City Mayor or from the Avian Influenza Prevention and Control Taskforce, shall enforce movement control of persons in special cases such as farm personnel are not allowed to leave the suspected premises unless with approval from the head of Avian Influenza Task Force. Likewise, poultry, poultry by-products, and by-products, farm equipment and feeds shall not be allowed to leave the suspected premises and instead shall be quarantined for seven (7) days.
- (c) Vaccination. The City Health Office shall assist in immunizing Veterinarians, laboratory staff, medical health workers and poultry farm personnel. The technicians of the City Veterinary Office shall assist in the conduct of poultry vaccination in the areas identified by the Avian Influenza Prevention and Control Task Force.

Section 15. To maximize efforts at the grassroots level, the organized City Disaster Risk Reduction Management Council and Barangay Disaster Risk Reduction Management Council shall be mobilized to provide assistance in the implementation of the City Avian Influenza Prevention Program.

Chapter VIII
Community Clean Up Day¹²

Section 1. This ordinance shall be known as Barangay Community Clean-up Day Ordinance of General Santos City.

Section 2. The following shall be the schedule of the Community Clean-up Day of the different barangays of the city:

1. APOPONG	-	Every last Friday of the month
2. BALUAN	-	Every last Saturday of the month
3. BATOMELONG	-	Every first Saturday of the month
4. BUAYAN	-	Every second Saturday of the month
5. BULA	-	Every third Saturday of the month
6. CALUMPANG	-	Every third Friday of the month
7. CITY HIGHTS	-	Every third Friday of the month
8. CONEL	-	Every third Friday of the month
9. DADIANGAS EAST	-	Every second Saturday of the month
10. DADIANGAS NORTH	-	Every last Friday of the month
11. DADIANGAS SOUTH	-	Every third Saturday of the month
12. DADIANGAS WEST	-	Every second Saturday of the month
13. FATIMA	-	Every last Sunday of the month
14. KATANGAWAN	-	Every fourth Sunday of the month
15. LABANGAL	-	Every Saturday starting October 7, 2006
16. LAGAO	-	Every 13 th day of the month
17. LIGAYA	-	Every last Thursday of the month
18. MABUHAY	-	Every first Monday of the month
19. OLYMPOG	-	Every first Sunday of the month
20. SAN ISIDRO	-	Every first Saturday of the month
21. SAN JOSE	-	Every First Monday of the month
22. SIGUEL	-	Every first Tuesday of the month
23. SINAWAL	-	Every third Sunday of the month
24. TAMPLER	-	Every second Sunday of the month
25. TINAGACAN	-	Every first Saturday of the month
26. UPPER LABAY	-	Every 25 th day of the month

Section 3. The Following consideration shall be given emphasis during the clean-up activity;

A. Physical condition of Built-up Areas

General Cleanliness

1. Absence of Eyesores
 - uncollected garbage and litter

¹²[Ordinance No. 02, Series of 2007.](#)

- unsightly posters and streamers, graffiti, delimited and unsightly structures (of whatever form, shape, or use) abandoned junks, unattended idle lands and open spaces, etc.

2. Well-maintained facilities

- Satellite and food terminal
- Public toilets, transportation terminal, gasoline stations
- health center, day/care center and barangay hall

3. Presence of healthful and environment friendly practices:

- waste Segregation of source (HP level)
- 4Rs (reuse/recycle/recover/residual)
- Efficient and effective garbage collection and disposal system
- MRF (composting of warehouse bodega)
- Clean and properly maintained covered drainage system or free flowing

canals

- Sufficient water supply
- Functional segregated trash receptacles with cover in public places and

trash

- receptacles in public utilities (color coded)
- Individual household sanitary toilet
- Absence of astray animals on streets and other public places
- Access to safe drinking water
- Bayanihan coastal clean-up Activities
- Bayanihan Linis Barangay Activities

Well maintained "green areas"

- Mangrove area
- Greenbelt areas (cluster or cluster of ornamental plants)
- Tree-lined thoroughfares/street islands/rotunda planted with ornamental plants and tree trimmed not affect power lines and public safety
- Parks, playground, historical/cultural landmarks and other public places planted with trees, shrubs and ornamental plants
- Gulayan sa barangay/bakuran/paaralan projects including herbal/medical plants
- Functional barangay and school plant nurseries
- Landscaped government buildings/facilities

B. Support system (as evidence by applicable local ordinance and resolution official record, equipment list, annual accomplishment, etc.)

- Support systems provided by the barangay government on programs and projects on cleanliness, greening, solid waste management, health and sanitation program and other related efforts specifically on:
 - a. dumptruck/compactor
 - b. functional structure
 - c. budgetary requirements
 - d. monitoring and enforcement mechanisms
 - e. access of color coded garbage bins properly used
- Community mobilization and civil society's participation in the environmental protection and management (inter-purok contests of cleanliness, greening and beautification)

Chapter IX
Prevention and Control of STI/HIV and AIDS¹³

ARTICLE I
TITLE OF THE ORDINANCE

Section 1. Short Title. - This Ordinance shall be known as the “General Santos City STI/HIV and AIDS Ordinance of 2008.”

ARTICLE II
DECLARATION OF POLICY

Section 2. Declaration of Policy. - Acquired Immuno-Deficiency Syndrome (AIDS) is a disease that recognizes no territorial, social, political and economic boundaries for which there is no known cure. The gravity of the AIDS threat demands strong local government action today, thus:

(a) The City Government shall promote public awareness about the causes, modes of transmission, consequences, means of prevention and control of STI, HIV and AIDS through a comprehensive city-wide educational and information campaign organized and conducted by the City. Such campaigns shall promote value formation and employ scientifically proven approaches, focus on the family as a basic social unit, and be carried out in all schools and training centers, workplaces, and communities. This program shall involve affected and infected individuals and groups, including people living with HIV/AIDS.

(b) The City Government shall extend to every person suspected or known to be infected with HIV and AIDS full protection of his/her human rights and civil liberties. Towards this end, compulsory HIV testing shall be considered unlawful unless otherwise provided by national law; the right to privacy of individual with HIV shall be guaranteed; discrimination, in all its forms subtleties, against individual with HIV or person perceived or suspected of having HIV shall be considered inimical to individual and national interest, and provision of basic health and social services for individual with HIV shall be assured.

(c) The City Government shall promote utmost safety and universal precautions in practices and procedures that carry the risk of HIV transmission.

(d) The City Government shall positively address and seek to eradicate conditions that aggravate the spread of HIV infection, including but not limited to, poverty, gender inequality, prostitution, marginalization, drug and ignorance.

ARTICLE III
DEFINITION OF TERMS

¹³[Ordinance No. 01, Series of 2008.](#)

Section 3. Definition of Terms. - As used in this Ordinance, the following terms are defined as follows:

(a) Acquired Immune Deficiency Syndrome (AIDS) - a condition characterized by a combination of signs and symptoms, caused by HIV contracted from another persons and which attacks and weakens the body's immune system, making the afflicted individual susceptible to other life-threatening infections.

(b) Anonymous Testing - refers to an HIV testing procedure whereby the individual being tested does not reveal his/her true identify. An identifying number or symbol is used to substitute for the name and allows the laboratory conducting the test and person on whom the test is conducted to match the test results with the identifying number or symbol.

(c) Compulsory HIV Testing - refers to HIV testing imposed upon a person attended or characterized by the lack of consent, use of physical force, intimidation or any form of compulsion.

(d) Contact Tracing - refers to the method of finding and counseling the sexual partner(s) of a person who has been diagnosed as having sexually transmitted infection.

(e) Human Immunodeficiency Virus (HIV) - refers to the virus which causes AIDS.

(f) HIV/AIDS Monitoring - refers to the documentation and analysis of the number of HIV/AIDS infection and the pattern of its spread.

(g) HIV/AIDS Prevention and Control - refers to the measures aimed at protecting non-infected persons from contracting HIV and minimizing the impact of the condition of persons living with HIV and AIDS.

(h) HIV-positive - refers to the presence of HIV infection as documented by the presence of HIV or HIV antibodies in the sample being tested.

(i) HIV negative - denotes the absence of HIV or HIV antibodies upon HIV testing.

(j) HIV Transmission - refers to the transfer of HIV from the infected person to an uninfected individual, most commonly through sexual intercourse, blood transfusion, sharing of intravenous needles and mother to child during pregnancy.

(k) High Risk Behavior - refers to a person's frequent involvement in certain activities which increase the risk of transmitting or acquiring STI and HIV.

(l) Informed Consent - refers to the voluntary agreement of a person to undergo or be subjected to a procedure based on full information, whether such permission is written, and/or conveyed verbally.

(m) Confidentiality - refers to the relationship of trust and confidence created or existing between a patient or a person with HIV and his attending physician, consulting medical specialist, nurse, medical technologist and all other health workers or personnel involved in any

counseling, testing or professional care. It also applies to any person who in any official capacity has acquired or may have acquired such confidential information.

(n) Person with HIV - refers to an individual whose HIV test indicates HIV infection or who has personally confessed infection with HIV.

(o) Pre-Test Counseling - refers to the process of providing an individual information on all aspects of STI/HIV and AIDS and emotional support to any psychological implications of undergoing HIV testing and importance of knowing the test result.

(p) Post-Test Counseling - refers to the process of providing risk-reduction information and emotional support to a person who submitted to HIV testing at the time that the test result is released.

(q) Prophylactic - refers to any agent or device used to prevent the transmission of a disease.

(r) Sexually Transmitted Infection - refers to any disease that may be acquired or passed through sexual contact.

(s) Voluntary HIV Testing - refers to HIV testing done on an individual who, after having undergone pre-test counseling, willingly submits to such test.

(t) Window Period - refers to the period of time, usually lasting from two weeks to six months during which an infected individual will test "negative" upon HIV testing but can actually transmit the infection.

(u) Workers - refer to male or female entertainer whose services are hired by the entertainment establishment operator for the purpose of entertaining its patrons, guests or customers allowing said worker to dance, converse, talk, chat, sing with them usually for a "tip" at the discretion of the latter.

(v) Regular Members – refer to the members of the STI/HIV and AIDS Committee (SHAC) who attend all meetings called for and perform all the functions of the Committee as provided for in this Ordinance.

(w) Ex-Officio Members – refer to members of the STI/HIV and AIDS Committee (SHAC) who are called for to attend meetings whenever their input or expertise is needed by the Committee and they may or may not perform the functions of the Committee as provided for in this Ordinance.

(x) Minors – refer to any person who is below eighteen (18) years old.

(y) Clients – refer to any person or group of persons who seek and/or receive information and services related to the program.

ARTICLE IV EDUCATION AND INFORMATION

Section 4. Comprehensive STI, HIV and AIDS Education. - Comprehensive education and information strategies shall be designed, integrated and adopted in various levels geared towards the purpose of providing substantial information/knowledge, improving attitudes and skills in the prevention and control of STI, HIV and AIDS, in both public and private sectors.

Section 5. STI, HIV and AIDS in School. - The City Government, Department of Education (DepEd), the Technical Education and Skills Development Authority (TESDA) and Commission on Higher Education (CHED) shall take the lead in information dissemination and popularization on the nature of STI, HIV and AIDS and its prevention, utilizing standardized information provided by the Department of Health in all schools, colleges and universities and other indigenous learning system including non-formal system of education.

All teachers and instructors of the said STI, HIV and AIDS courses shall be required to undergo seminars or training on STI, HIV and AIDS prevention and control to be supervised by the Department of Education, Commission on Higher Education and Technical Skills and Development Authority or any accredited institution/organization, in coordination with the Department of Health, before they are allowed to teach on the subject.

Section 6. HIV/AIDS Information as a Health Service. – STI/HIV and AIDS education and information dissemination shall form part of the delivery of health services by health practitioners, workers and personnel. The knowledge and capabilities of all public health workers shall be enhanced to include skills for proper information dissemination and education on STI, HIV and AIDS as a component of Reproductive Health. It shall likewise be considered a civic duty of health providers in the private sectors to make available to the public such information necessary to control the spread of STI, HIV and AIDS and to correct common misconceptions about these diseases. The training of health workers shall include discussions on HIV-related ethical issues such as confidentiality, informed consent and the duty to private treatment.

Section 7. STI, HIV and AIDS Education in the Workplace. - All government and private employees, workers, managers, and supervisors, shall be provided with standardized basic information and instruction on STI, HIV and AIDS which shall include topics on confidentiality in the workplace and attitude towards infected employees and workers. The General Santos City STI/HIV and AIDS Committee (SHAC) shall oversee, in collaboration with the Department of Labor and Employment (DOLE), City Health Office (CHO) and/or City Population Management Office (CPMO), the STI/HIV and AIDS prevention campaign in all national and local government agencies, government-controlled corporations and private companies to include but not limited to fishing companies, entertainment establishments, and business firms.

The conduct of STI/HIV and AIDS education campaign shall be undertaken by any of the following offices: City Health Office (CHO) and/or City Population Management Office (CPMO) or duly accredited and qualified NGOs or individuals working directly on STI/HIV and AIDS prevention and operating in the city. The SHAC shall certify the competency of such NGOs to

conduct STI/HIV and AIDS education without prejudice to the payment of professional fees that may be charged by the resource persons or NGOs concerned.

Companies with established Family Welfare Programs may conduct their own STI/HIV and AIDS education provided that they have competent personnel trained and qualified by the SHAC.

Section 8. HIV/AIDS Education for Filipinos Going Abroad. – The City Government of General Santos shall coordinate with the Department of Labor and Employment in the implementation of STI, HIV and AIDS education among Filipinos going abroad. Pursuant to section 7 of R.A. 8504, otherwise known as the Philippine AIDS Prevention and Control Act of 1998, STI, HIV/AIDS education seminar shall be part of the Pre-Departure Orientation Seminar among Overseas Filipino workers.

Section 9. Information Campaign for Tourist and Transients. - Informational AIDS or materials on the cause, modes of transmission, prevention, and consequences of HIV infection shall be adequately provided at all ports of entry or exit, restaurants, hotels and entertainment establishments in the city.

The informational STI/HIV and AIDS materials shall be developed and reproduced by the Local Government through the SHAC without prejudice to materials donated by the National Government and other entities.

Section 10. Compulsory STI/HIV and AIDS Education. – It shall be compulsory for all owners and/or managers of entertainment establishments, beauty parlors, barber shops, massage parlors, hotels, motels, lodging houses, dormitories, hospitals, doctor's clinics, dentist's clinics, midwife clinics, nursing homes, funeral homes and other establishments as may be deemed necessary, to attend seminar on STI/HIV and AIDS prevention conducted by any of the City Health Office, City Population Management Office and accredited and qualified NGOs as basis for issuance or renewal of Permit to Operate. A certificate of attendance shall form part of the requirements for the issuance or renewal of the Health Certificate or Permit to Operate.

Section 11. Regular Medical Examination. - Workers in all entertainment establishments shall be required to undergo weekly examination at the City Social Hygiene Clinic under the City Health Office and secure a health certificate before reporting for work. Operators of the entertainment establishment shall not allow workers to report without first presenting the health certificate.

Section 12. STI/HIV and AIDS Education in the Communities. - The City Government through the STI/HIV and AIDS Committee (SHAC) shall ensure that all barangays shall conduct an education and information campaign on STI/HIV and AIDS prevention in coordination with the City Health Office and/or City Population Management Office, or accredited and qualified

non-government organizations at the community level for but not limited to the informal sector, out of school youth and registered sex workers or freelance sex workers, male dominated workplace, women groups, religious groups and other groups as maybe deemed necessary.

Section 13. STI, HIV AND AIDS Gender Sensitive IEC Materials and Education Module. - The SHAC shall design information, education and communication (IEC) materials appropriate to the needs and culture of groups being targeted in the campaign. Literature on STI, HIV and AIDS shall preferably utilize the local dialect to encourage and facilitate easy understanding of terms and concepts.

Section 14. Peer Education Required. - All establishments shall have at least one (1) peer educator trained by the CHO and/or CPMO or accredited and qualified Non-Government Organization or individuals to sustain STI/HIV and AIDS prevention campaign among workers.

Section 15. Media Campaign on STI, HIV and AIDS Prevention. - In partnership with the City Public Information Office, Philippine Information Agency and the various media organizations, the SHAC shall prepare a media and communication plan for a regular information dissemination campaign and advocacy.

Section 16. Information on Prophylactics. - Appropriate information shall be attached to every prophylactic materials offered for sale or given as a donation by any agency. Such information shall be legibly printed in English and/or Filipino, and contain literature on the proper use of the prophylactic materials and, its efficacy against STI/HIV and AIDS.

Section 17. Penalties for Misleading Information. - Misinformation on STI/HIV and AIDS prevention and control through false and misleading advertisements and claims purporting to be a cure or a fail-safe prophylactic by any media, or other groups or persons is hereby prohibited.

In violation of this provision, the offender(s) shall be penalized with the following:

- a. Group of Persons or Entity – imprisonment of two (2) months to one (1) year, or fine of Five Thousand Pesos (₱5,000.00) or both upon the discretion of the court without prejudice to the imposition of administrative sanctions such as fine and suspension or revocation of professional or business income.
- b. Individual Violator – imprisonment of two (2) months to one (1) year or fine of Two Thousand Pesos (₱2,000.00) or both upon the discretion of the court without prejudice to the imposition of administrative sanctions such as fine and suspension or revocation of professional or business license.

ARTICLE V COMPOSITION AND FUNCTIONS OF THE GENERAL SANTOS CITY STI/HIV AND AIDS COMMITTEE

Section 18. Composition of the General Santos City STI/HIV and AIDS Committee. - General Santos City STI/HIV and AIDS Committee shall be composed of the following from the City Government and private sector:

Regular Members:

City Mayor

- Chairperson

Accredited and qualified local Non-Government Organization (NGO) working on STI/HIV and AIDS Prevention	-	Vice-Chair for NGO
City Health Office	-	Vice-Chair for Government Organization
General Santos City Hospital Head	-	Member
SP Chair, Committee on Health	-	Member
General Santos City Congressional Office	-	Member
City Social Welfare and Development Office	-	Member
City Population Management Office	-	Member
Department of Education	-	Member
Department of Health	-	Member
2 accredited and qualified local NGOs working on STI/HIV and AIDS Prevention	-	Member
NGO Representative of the Local Health Board	-	Member

Ex-Officio Members:

SP Chair, Committee on Women and Family Welfare	-	Member
City Legal Officer	-	Member
Philippine Information Agency	-	Member
City Planning and Development Office	-	Member
President, <i>Liga ng mga Barangay</i>	-	Member
Department of Labor and Employment	-	Member
<i>Sangguniang Kabataan</i> Federation President	-	Member

The Committee may, from time to time expand its membership as the need arises.

Section 19. Functions of the Committee. - The General Santos City STI/HIV and AIDS committee shall have the following functions:

- a. Advisory Group to the Sangguniang Panlungsod and the Executive Branch on policy formulation/development, program conceptualization, planning and monitoring toward the prevention and control of STI, HIV and AIDS;
- b. Coordinative Body in establishing, mobilizing and strengthening linkages with the local, national and international agencies, Local Health Board and other stakeholders involved in or can participate in the STI/HIV and AIDS prevention and control program;
- c. Facilitator in undertaking information, education and communication campaigns on STI/HIV and AIDS prevention and control;
- d. Monitoring Body in the implementation of RA 8504, this Ordinance and other policies approved by the General Santos City SHAC;
- e. Mobilize resources and/or function as conduit through its accredited and qualified NGO member of aid, donations, contributions, bequests or gifts for exclusive use in implementing and/or sustaining the STI/HIV and AIDS programs and projects with the City Government.

Section 20. Secretariat of the STI/HIV and AIDS Committee. - The City Social Hygiene Clinic of the City Health Office shall act as the Secretariat of the SHAC with the following functions:

- a. Coordinates the activities of the SHAC;
- b. Serves as the center of communication by receiving and disseminating information from and to the members of the Committee;
- c. Documents meetings and other activities of the Committee;
- d. Keeps all the records of the Committee;
- e. Performs other secretariat functions as may be assigned by the Chairperson of the Committee.

Section 21. Compensation and Remuneration of the SHAC and Its Secretariat. - Members and secretariat of the General Santos City STI/HIV and AIDS Committee shall perform their duties as such and shall be entitled to the necessary travelling and incidental expenses and may receive honorarium subject to availability of funds chargeable against the funds of the SHAC and subject to existing accounting and auditing rules and regulations.

ARTICLE VI FUNCTION OF THE CITY SOCIAL HYGIENE CLINIC

Section 22. Functions of the City Social Hygiene Clinic. - There shall be a City Social Hygiene Clinic under the City Health Office which shall perform the following functions but not limited to:

- a. Be in the frontline in the delivery of STI/HIV and AIDS prevention and control services;
- b. Provide education and information dissemination activities in the promotion of reproductive health, prevention and control of STI/HIV and AIDS;
- c. Monitor and evaluate cases handled;
- d. Refer clients to other agencies for cases that need other health and social services such as livelihood projects, alternative home and scholarship;
- e. Ensure that children with STI/HIV and AIDS are given priority in treatment and are referred to concerned agencies for further assistance;
- f. Conduct HIV Antibody Test on a voluntary and regular basis. Further, pre and post test counseling shall likewise be administered before any examination may be considered;
- g. Provide the SHAC with quarterly and annual data on the status of STI/HIV and AIDS in General Santos City;
- h. Spearheads activities in the commemoration of HIV and AIDS significant events;
- i. Perform such other duties and functions as may be prescribed by law or ordinance.

Section 23. Compulsory HIV Antibody Testing. - Compulsory HIV testing may be allowed only in the following instances:

- a. When there shall be lawful order by the competent court;
- b. When mandated by the National Law; and
- c. When complying with the provisions of Republic Act No. 7170, otherwise known as the "Organ Donation Act" and Republic Act No. 7719, otherwise known as the "National Blood Services Act".

Section 24. Strengthening of the City Social Hygiene Clinic. - The City Government shall strengthen the City Social Hygiene Clinic through the provision of adequate personnel, facilities and budget. It shall ensure provision of Comprehensive Reproductive Health Services and

sexual health education, focused on the prevention and control of STI/HIV and AIDS, and ensuring ethical and quality care and information.

The City Social Hygiene Clinic shall seek accreditation as HIV Testing Center from the Department of Health and shall set and maintain reasonable accreditation standards.

ARTICLE VII
ADHERENCE TO SAFE PRACTICES AND PROCEDURES, TESTING
SCREENING AND COUNSELING

Section 25. Safe Practices and Procedures. - The City Government shall strictly adhere to the principles and guidelines on safe practices and procedures, necessary to protect any person from HIV transmission as mandated in Articles II and III of Republic Act 8504. Procedures on testing, screening and counseling shall observe the ethics of care and medical confidentiality in dealing with individuals having vulnerable conditions for contracting STIs and/or HIV.

ARTICLE VIII
HEALTH AND SUPPORT SERVICES

Section 26. Universal Access to STI Health Care Services. - Access to STI health care services/assistance shall be extended to all individuals regardless of sex, gender, age, social status, political belief, tradition and religion.

Section 27. Adherence to Quality Health Care and Ethics of Care. - Medical practitioner or other staff assisting or directly providing health services/examinations/education to clients shall adhere to the basic principles of ethics of care. They shall also be sensitive to gender and sexual orientation in their treatment to patients/clients, informing them of their rights, including the right to file charges for abuse committed against them.

Section 28. Special Care and Support for Pregnant Women with HIV and AIDS. - The City Government shall provide special care and support services for pregnant women with HIV and AIDS.

Section 29. Health Care Plans for Persons with HIV and AIDS. - The City Government in coordination with the Philippine National AIDS Council, Department of Health and Commissioner of the Insurance Commission shall conduct a study on the feasibility of setting up a package of health care plans, and should the study warrant, implement the plan for persons with HIV and AIDS.

ARTICLE IX
STI/HIV AND AIDS MONITORING

Section 30. Monitoring Program and Reporting Mechanisms. - The SHAC shall develop a comprehensive STI/HIV and AIDS monitoring program and reporting procedures on the magnitude and progression of HIV infection in General Santos City. Further, it shall enhance mechanisms to further implement provisions in monitoring of Article IV (Health and Support Services) of the Republic Act 8504.

Section 31. Documentation. - STI and HIV contact tracing and all other related health intelligence activities may be initiated by the City Social Hygiene Clinic in coordination with the SHAC, provided that these do not run counter to the general purpose of this Ordinance. Any information gathered shall remain confidential and classified and shall not be used in any way to become the basis or qualification for any employment, school attendance, freedom of abode or travel.

Section 32. Submission of Work Policies. - It shall be compulsory for all owners and/or managers of all establishments to provide the City Government copies of the establishments' policies in accordance with labor laws and other related national and local policies.

Section 33. Research Investigations. - All research investigations related to HIV and AIDS shall observe strict adherence to the ethical guidelines set by the Philippine National AIDS Council. The researchers are required to coordinate and submit a copy of their report of their investigation with the SHAC or City Government and to have an exit conference with this LGU and to submit the report before publishing the same.

ARTICLE X

DISCRIMINATORY ACTS AND CONFIDENTIALITY OF INFORMATION

Section 34. Discriminatory Acts. - Discrimination in any form and place of person perceived or suspected with HIV shall be addressed through the implementation of Republic Act 8504.

Section 35. Prohibition Against Divulging of Confidential Information of Persons with STI, HIV AND AIDS. – Any Person who divulge confidential information about HIV status of a person shall be penalized under Republic Act 8504.

ARTICLE XI PENAL PROVISIONS

Section 36. Any person or entity found guilty of violating any provisions of this Ordinance, except those already expressly stated, shall be meted with the following penalties:

- a. First Offense – a fine of ₱2,000.00 and/or an imprisonment of one (1) month.
- b. Second Offense – a fine of ₱3,000.00 and/or an imprisonment of three (3) months.
- c. Third Offense – a fine of ₱5,000.00 and/or an imprisonment of six (6) months and/or cancellation of business permit.

ARTICLE XII FUNDING

Section 37. Appropriation. - An amount of not less than One Million Pesos (P1,000,000.00) shall be appropriated for the initial implementation of this Ordinance including projects and operations of the SHAC.

Section 38. Establishment of the STI/HIV and AIDS Trust Fund. - The City Government shall establish an STI/HIV and AIDS Trust fund for the implementation of this Ordinance including projects and operations of the SHAC such as but not limited to the hereunder expenditures: trainings/seminars including resource persons, facilitators and documenters, board and lodging, travel and incidental expenses, honoraria, office supplies and materials, information and education materials, gasoline and oil, repairs and maintenance of facilities and equipment, purchase of office equipment, furniture and fixtures, medical and laboratory supplies, drugs and medicines, referral cost, and other miscellaneous expenses related to or necessary to the program. The funds for the STI/HIV and AIDS Trust Fund shall come from the initial appropriation, from all other fees collected by the City Social Hygiene Clinic, donations, grants and collections from penalties.

Section 39. Collection of Penalties. - All moneys collected by the City Treasurer's Office pursuant to the penalty clauses of this Ordinance shall be deposited to the STI/HIV and AIDS Trust fund except shares of the barangay citation ticket if implementation is done by the barangay.

ARTICLE XIII MISCELLANEOUS AND FINAL PROVISION

Section 40. Implementing Agencies. - All agencies and offices of the government and private sectors shall implement this Ordinance in coordination with the SHAC.

Section 41. Compliance Report. - Within six (6) months from the effectivity of this Ordinance and every six (6) months thereafter, all city departments and instrumentalities shall submit a report to the SHAC on their compliance with this Ordinance.

Section 42. Oversight Committee. - The SHAC shall serve as oversight Committee to review this Ordinance and prepare or make recommendations to the Sangguniang Panlungsod for possible amendments or revisions thereof after three years from effectivity of this Ordinance. The Sangguniang Panlungsod may introduce amendments to this Ordinance at its own discretion as a lawmaking body.

Chapter X Septage Management¹⁴

Article 1 Title, Authority, Coverage and Declaration of Policy

¹⁴[Ordinance No. 01, Series of 2010.](#)

Section 1. Title. – This Ordinance shall be known and cited as “The General Santos City Septage Management Ordinance.”

Section 2. Authority. – This Ordinance is enacted pursuant to Sections 15 and 16, Article II of the 1987 Philippine Constitution which respectively provide that “The State shall protect and promote the right of the people and instill health consciousness among them”, and that “The State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature”; Section 16 of Republic Act 7160, otherwise known as the Local Government Code of 1991, which provides that local government units shall “promote health and safety, enhance the right of the people to a balanced ecology”, as well as Art. III, Section 458, paragraph 4, sub-paragraphs (ii), (viii) thereof relative to the powers of the Sangguniang Panlungsod; Sections 7 and 8 of Republic Act 9275, otherwise known as Philippine Clean Water Act of 2004; the Code on Sanitation of the Philippines (PD 856), Chapter XVII; Water District Law (PD 198); the National Building Code of the Philippines (RA 6541); and the Revised National Plumbing Code of the Philippines.

Section 3. Coverage and Application. – This Ordinance shall cover the entire territorial jurisdiction of the City of General Santos. It shall apply to all existing and future buildings and structures whether public or private, residential, commercial or industrial, institution and establishments whether public or private as well as all kinds of sea vessels whether foreign or local, private or government owned, found within the municipal waters of the City generating domestic sewage.

Section 4. Declaration of Policy. – It is the declared policy of the City of General Santos to promote and protect the health and welfare of its constituents, by institutionalizing sustained access to improved water and sanitation services.

Article II Definition of Terms

Section 5. Definition of Terms. – For purposes of this Ordinance, the terms and phrases herein provided shall be construed to mean as follows:

- a) Anaerobic Ponds – are deep stabilization ponds used to treat high-strength organic wastewater that also contains high concentration of solids. Anaerobic treatment does not require the presence and use of oxygen and encourages the growth of bacteria which breaks down the waste material, releasing methane and carbon dioxide.
- b) Backyard Hog Raising – refers to micro-scale raising of hogs in a household backyard. For the purpose of this Ordinance, micro-scale raising of hogs means raising not more than four (4) heads of hogs in the backyard at any given time.
- c) Biosolids – the byproduct of the treatment of domestic wastewater in a domestic wastewater treatment plant. Biosolids consist primarily of dead microbes and other organic matter and can be used as organic fertilizer or soil amendments.
- d) CENRO – City Environment and Natural Resources Office.
- e) Chamber – an enclosed space, cavity or compartment of a septic tank.
- f) Communal Excreta Disposal System – an excreta disposal system serving a group of dwelling units.

- g) Desludging Service Provider – any person or organization duly licensed to undertake desludging of septage and has met the qualifications to undertake this service.
- h) Desludging – the process of cleaning or removing the accumulated sludge or septage from a septic tank and transporting it to treatment facilities.
- i) Destination – the place or the facility where the septage/sludge is treated or disposed of, such as the treatment facility, sanitary landfill, or land application site.
- j) Digestive Cesspool – means a pit for the reception or detention of sewage.
- k) Digestion – a microbiological process that converts chemically complex organic sludge to methane, carbon dioxide, and inoffensive humus-like material.
- l) Drainage System – means drainage pipes of a plumbing system taking the wastewater from the plumbing fixtures and delivering it to the sewer or some other outlet.
- m) Dwelling – means any building or structure which is wholly or partly used or intended to be used for living or sleeping by human occupants; provided that temporary housing as hereinafter defined shall not be regarded as dwelling.
- n) Effluent – a general term for any wastewater, partially or completely treated, or in its natural state, flowing out of a drainage canal, septic tank, building, manufacturing plant, industrial plant, treatment plant, etc.
- o) Environmental Sanitation Clearance (ESC) – the clearance issued by the Secretary of Health, or his duly authorized representative, allowing the collection, handling, transport, treatment, and disposal of domestic sludge or septage.
- p) Establishments – any structure or building used principally in conducting one's trade or business. It includes stables, pigpens, poultry, slaughter houses, dressing plants, restaurants, hotels, schools, funeral parlor, resorts, pension houses, dormitories, canneries, markets, hospitals, malls, supermarkets, restaurants, government buildings, private commercial buildings, churches, and the like.
- q) Excreta – human or animal wastes composed of urine and feces.
- r) Facultative Ponds – shallow rectangular ponds that stabilize wastes using a combination of anaerobic, aerobic, and facultative (aerobic-anaerobic) processes.
- s) Home Sewer – the pipeline conveying sewage from the house or building to the septic tank or to any point of discharge.
- t) IEC/BCC – Information, Education and Communication/Behavior Change Communication Programs.
- u) Individual Excreta Disposal System – an excreta disposal system serving a dwelling unit.
- v) Land Applications – the use of treated septage for agricultural purposes or as a soil amendment or filling materials.
- w) Maturation Ponds – low-rate stabilization ponds that are designed to provide for secondary effluent polishing and seasonal nitrification.
- x) Mobile Service Provider – a public or private entity, operator or water utility that is authorized to provide desludging services and to transport the septage to treatment and disposal facilities.
- y) Pollution Control Officer (PCO) – an officer of a private company that provides linkages between the company and the Environmental Management Bureau (EMB) of the Department of Environment and Natural Resources (DENR). This possesses the qualifications of a PCO and is duly accredited by DENR.
- z) Project Description – a section of the ESC that contains information on the operational process, environmental sanitation measures, and site. It should provide sufficient details for the regulatory agency to review.
- aa) Project Proponent – the service provider applying for ESC.

- bb) Public Sanitary Sewer – Refers to a common sewer to which all abutters have equal rights of connection.
- cc) Public Toilet – refers to a toilet facility located at public places like markets, bus stations, buildings, plazas, seaports, etc. intended for public use.
- dd) Scum - the lighter fraction of sewage composed of fats, oils, and grease that floats.
- ee) Septage – the combination of scum, sludge, and liquid that accumulates in septic tanks. It is a mixture of sludge, fatty materials, human feces, and wastewater removed during pumping of an onsite sewage treatment and disposal system. Excluded from this definition are the contents of portable toilets, holding tanks, and grease interceptors.
- ff) Septage Management – refers to comprehensive programs for managing septic tanks and the procedures for proper desludging, transporting, treating, and disposing of septic tank contents.
- gg) Septage Management or Treatment Facility – means a stationary facility that treats only domestic septage or combinations of domestic septage, food establishment sludges, wastes removed from portable toilets, and wastes removed from holding tanks associated with boats, marinas, and onsite sewage treatment and disposal systems, before use or land application.
- hh) Septic Tank – a watertight, multi-chambered receptacle that receives sewage from houses or other buildings and is designed to separate and store the solids and partially digest the organic matter in the sewage.
- ii) Service Provider – a public or private entity, operator, or water utility, that is authorized to engage in the collection, desludging, handling, transporting, treating, and disposing of sludge and septage from septic tanks, cesspools, portalets, sewage treatment plants.
- jj) Sewage – mainly liquid waste containing some solids produced by humans, which typically consists of washing water, feces, urine, laundry wastes, and other material that flows down drains and toilets from households and other buildings.
- kk) Sewage Disposal System – a system of collection, transportation, treatment and disposal of sewage.
- ll) Sewer – a pipe or conduit for carrying sewage and wastewater.
- mm) Sewerage Works – refers to a system of pipes, pumps, devices and other appurtenant structures for the collection, transportation and final disposition of waste water.
- nn) Sludge – precipitated solid matter with highly mineralized content produced by domestic wastewater treatment processes.
- oo) Stabilization – the process of treating septage or sludge to reduce pathogen densities and vector attraction to produce an organic material that may be applied to the land as a soil conditioner.
- pp) Stabilization Pond – an artificial pond designed to treat wastewater in general using solely naturally occurring biological treatment processes and without the need for an electro-mechanical energy input.
- qq) Stationary Service Provider – a public or private entity, operator or water utility that is authorized to provide treatment and/or disposal of sludge and septage at a fixed location.
- rr) Toilet Facility – refers to a structure built of materials of any kind inside or as part of a house or building used by its residents, occupants, visitors, employees, transients or customers as comfort room and lavatory with septic tank built for the purpose.

- ss) Wastewater Treatment Facility – means a system of structures, equipment and related appurtenances designed to treat, store, or manage wastewater. Wastewater treatment facility includes pretreatment facilities and wastewater recycling facilities, which are not part of an industrial manufacturing process.

Article III General Provisions

Section 6. General Santos City Sustainable Waste Management Board (GSC-SWMB). – Without prejudice and in addition to the duties and functions of the officials named herein and mandated under the Local Government Code of 1991, the Charter of the City of General Santos and other national laws, the General Santos City Sustainable Waste Management Board, created by Ordinance No. 14, Series of 2005 shall, in addition to its functions, include septage management in its policy agenda and direction.

Unless otherwise reconstituted by the City Mayor, and until a regular office or department shall have been created and filled up, the present Technical Working Group of the GSC SWMB shall provide technical and administrative support to the GSC-SWMB on matters pertaining to septage management.

The City Mayor shall, through an executive order, reiterate the functions of the various departments and offices pertaining to the implementation of this Ordinance.

Section 7. Right of Entrance and Inspection. – No person, after being duly notified, shall interfere with or obstruct the entrance to any premises, establishment, dwelling unit, or vessel, of the proper city officials or duly authorized representatives in the discharge of their official functions under this Ordinance.

Article IV Sanitary Toilets and Septic Tanks Mandatory

Section 8. Sanitary Toilet Facility for Every House. – Every house used for habitation shall be provided with a sanitary toilet of the type approved by the City Engineer/Building Official. In areas covered by small houses of light materials or temporary in nature and are close to one another, a communal excreta disposal system or other affordable alternative sanitation technologies adaptable to the local needs and conditions may be allowed.

Section 9. Sanitary Toilet Facility in Every Building. – Every building constructed in the City, whether public or private, intended to be used as dwelling quarters, or where persons are to be employed or to be occupied in any trade or business or a place of assembly, shall be provided by the owner/s with sufficient and suitable toilets facilities for the number of people dwelling therein or may be employed, occupied or assembled therein.

In all public buildings, theaters, factories, churches and other houses used as places of assembly where persons of both sexes are employed, occupied or assembled, sufficient, suitable and separate sanitary toilet facilities shall be provided for each sex, of the type approved by the City Engineer/City Building Official and which shall not be less than one (1) seat for every twenty five (25) female and one (1) seat and one(1) urinal for every fifty (50) male, and every fraction thereof to be calculated on the maximum capacity of the establishment, building or place of assembly. Separate suitable toilet facilities of a design approved by the City Engineer/City Building Official shall be provided for male and female disabled persons. It shall

be unlawful for any owner, lessor, administrator, or agent to allow any person to occupy therein or assemble therein unless the same is suitable and sufficiently provided with such sanitary toilet facilities.

Section 10. Structural Requirements. –

- a. Size of toilet rooms. No toilet room shall have a floor area that is less than one and a half (1.5) square meters, nor a height of less than two and a half (2.5) meters (Sec. 5.01.05 of the National Building Code prescribes a minimum ceiling height of 2.40 meters (8 feet). Sec. 5.01.06 of the same Code prescribes a minimum floor area of 1.20 sq. m. A minimum ceiling height of 2.5 meters and 1.5 square-meter floor area prescribed in this Ordinance are more than compliant.
- b. Lighting and ventilation. All toilet rooms shall have sufficient lighting and ventilation, either natural or artificial, satisfactory to the City Health Officer.
- c. Type of Toilet. The following types of toilet maybe used, if applicable, provided approved by the City Health Officer:
 1. Water carriage system
 - a. Toilet facility connected to an individual septic tank
 - b. Toilet facility connected to centralized piping/sewer system leading to a communal septic tank for houses in congested areas built on coastal waters and river banks;
 - c. Toilet facility connected to centralized piping/sewer system leading to a communal septic tank for cluster of houses in inland.
 2. Any other model or type tailored to the users peculiar needs and conditions provided approved by the City Health Officer.

Section 11. Sanitary Maintenance. – All toilets shall be kept clean and in good condition and no waste water shall be permitted to be exposed to flies, insects, rodents and/or other animals.

Section 12. Public Toilets. – All toilets intended for public use shall be under the control and supervision of the City Engineer and the operator shall provide sufficient number of personnel and funds for proper upkeep of the same. No public toilet shall be constructed other than the water carriage system type, and it shall not be constructed within or nearer than twenty-five (25) meters from food establishments and water supply sources/facilities.

Section 13. Drainage of Premises and Yards. – It shall be the duty of any owner, administrator or agent of any establishment or premises to provide the yard of the said establishment or premises with adequate drainage leading to suitable gutter, or sub-surface drainage, and causing no nuisance toilets to the neighborhood or the public in general.

Section 14. Disposal of Sewage. – For the purpose of sewage disposal, the following shall apply to all public and private sewage and excreta collection and disposal system project by any government agency or instrumentality including government-owned or controlled corporations, private organizations, firms, individuals or other entities:

- a) Untreated sewage and septage or other putrescible or offensive wastes shall not be discharged onto the surface of the ground or into any street, road, alley, open

- excavation, stream water sewer, land drain ditch, adjoining property, watercourse or body of water.
- b) Sewage and effluent of a septic tank or other putrescible, impure or offensive wastes shall not be discharged into an abandoned water supply well, spring, cistern or into a natural or artificial well, sink hole, crevices or other opening extending into limestone, sandstones, or other rock or shale formation.
 - c) Individual sewage disposal system utilizing leaching field, leaching beds, or leaching wells shall not be permitted where the depth to normal ground water or rock strata is less than 1.20 meters.
 - d) A leaching system shall not be installed in an area where the texture, structure and porosity of the soil are not suitable as determined by a percolation test performed by a registered civil/sanitary engineer. The local health authority may require as many percolation tests as may be necessary to determine the acceptability of the site.
 - e) No leaching tile field or bed shall be installed where percolation rate is less than 2.54 cm. (1 in.) fall in water level into the test holes in 60 minutes.
 - f) No seepage pit or leaching well shall be installed where the percolation rate is less than 2.5 cm (1 in.) fall in water into the test holes in 30 minutes.
 - g) No person shall install individual household sewage disposal system in a new subdivision, unless site is considered to be impracticable and inadvisable to install a public sewage collection system with the required treatment.
 - h) Individual sewage disposal system shall be installed on sufficient area and suitable topography to permit and ensure compliance with this Ordinance.
 - i) The design, construction, installation, location, maintenance and operation of individual sewage disposal system including septic tank, leaching tile fields, leaching beds, leaching wells, house sewers, privies and any other treatment system or part thereof shall comply with the minimum standards and engineering practices which are acceptable to GSC-SWMB and the General Santos City Health Office.

Section 15. Septic Tanks, Location, Construction and Maintenance. – All sanitary toilets shall be connected to septic tanks. For the purpose of construction and maintenance of septic tank, the following requirements shall be strictly observed to ensure that it is sanitary and will not pose hazard to health:

- a) The septic tank shall have three (3) compartments, watertight and shall be constructed of sound durable materials, not subject to excessive corrosion or decay. Each tank shall be structurally designed to withstand all anticipated earth or other loads and shall be installed on a solid bed. Structural and hydraulic designs shall be in accordance with good engineering practice.
- b) Septic tanks shall be located such that desludging equipment can have access to the opening manholes conveniently.
- c) Septic tanks shall not be located under the building.
- d) Plans and specifications for all septic tanks shall conform to the minimum standards prescribed by the General Santos City Sustainable Waste Management Board and the City Engineer in accordance with good engineering practices. Sizing requirements shall be in accordance with the Revised National Plumbing Code of the Philippines.
- e) Approved pre-fabricated septic tanks duly accredited by the Accreditation for Innovative Technology (AITECH) under the National Housing Authority, Department of Science and Technology (DOST), or Department of Health (DOH) may be used.
- f) Roof drains, foundation drains, area drains or cistern overflows shall not be made to enter the septic tank or any part of the treatment system.

- g) Septic tanks shall be cleaned before excessive sludge or scum is allowed to accumulate and seriously reduce the settling efficiency.
- h) Septic tanks shall be inspected by any designated official at least once a year and be cleaned or desludged at least every three (3) years or when the bottom of the scum mat is within 7.50 c.m. (3 inches) of the bottom off the outlet device or the sludge or scum has reduced the liquid capacity by 50%.
- i) Septic tanks shall not be washed or disinfected after cleaning. A small residue of sludge shall be left in the tank for seeding purposes.
- j) Sludge from septic tanks shall be collected and disposed of at the nearest available and duly authorized septage treatment facility (STF) or by any other method approved by the General Santos City Sustainable Waste Management Board and the City Health Office, and not to be emptied into open fields, ditches or bodies of water. In this regard, the City shall endeavor to construct its own septage treatment facility and/or encourage the General Santos Water District or private entities to put up in the City septage treatment facility/ies, within a period of seven (7) years from the approval of this Ordinance.

Section 16. Owners or users of existing septic tanks constructed not in accordance with the foregoing standards shall be given a period of one (1) year from the effectivity of this Ordinance to comply with the herein requirements either by constructing a new one, or retro-fitting or repairing the existing ones. The cost of the construction, retro-fitting or repair shall be borne by the owner or users.

No building plan for residential dwellings, or commercial and institutional structures shall be approved and issued permit by the City Building Official unless the design of the sanitary plumbing and septic tank conform to the specifications herein provided and required by other pertinent laws, rules and regulations

Section 17. The City shall conduct a study and develop policies and implementation arrangements on alternative and feasible financing and recovery mechanisms that will address toilet/septic tanks requirements of low income households, including the informal settlers.

Section 18. Sanitation in Resettlement Projects. – All resettlement projects shall have sanitation components and facilities in accordance with this Ordinance.

Section 19. Application for Septic Tank Construction Clearance. – The City Engineer shall review and evaluate the application for septic tank clearance, conduct site visits to verify if the plans and drawings submitted match with the actual site conditions. Once the City Engineer deems the plans to be acceptable and that the septic tank can be installed in accordance with the drawings and site conditions, and the necessary fees paid, it shall issue a septic tank construction clearance.

Section 20. Septic Tank Construction Clearance – To ensure strict compliance with this Ordinance, new septic tank construction, or where a change of use in the case of commercial properties, or a substantial remodeling or repair is proposed, a septic construction permit shall be required to be secured from the City Engineer/City Building Official. A septic permit application should include:

- a) Information about the owner and the facility, including site address, mailing address, and contact phone number;

- b) Site plan drawn to scale showing the property lines, slopes, buildings, sidewalks and driveways, cut banks, water lines and other utilities, and any other features of the property that might impact on the installation of the septic tank;
- c) Drawing of the septic tank duly signed by registered sanitary engineer showing materials of construction, baffles, inlet and outlet structure, cleanouts, and access ports, including design basis/calculation;
- d) Schedule of proposed construction; and
- e) Contractor's name and certification.

No building permit shall be issued by the Building Official without the foregoing information being submitted together with the building permit application. The site plan and other information mentioned in letter b above shall also be provided for evaluation and approval of the building official in the case of septic tanks that need rehabilitation or retro-fitting. Evaluation of plans and applications by the City Engineer shall be part of the building permit application.

Pending appointment of a regular City Public Works Supervisor as the Building Official pursuant to the National Building Code of the Philippines, the City Engineer shall perform his/her function under this Ordinance.

Section 21. Inspection of Septic Construction. – During the progress of the construction, remodeling or major repair of the septic tank, the authorized Building Inspectors from the City Engineer's Office/Office of the City Building Official shall monitor the progress of the work to verify and ensure permit conformance.

To address shortage of inspectors from the City Engineer's Office/City Building Official, the City Mayor may authorize sanitary inspectors of the City Health Office to conduct inspection of the septic tank to check if it conforms to the approved plan.

Section 22. Submission of Report on Septic Tank Construction to the General Santos City Sustainable Waste Management Board. – The City Engineer shall submit monthly to the General Santos City Sustainable Waste Management Board through the GSC-SWMB Technical Working Group a list of applications received for septic tank construction clearance, clearances issued, and brief report on inspections conducted.

The Technical Working Group shall include the monthly report/s in the agenda of the GSC SWMB meetings.

Section 23. Waste Water Disposal System –

- a) Neutralized or pre-treated waste water from industrial, commercial and institutional establishments shall be discharged directly into the nearest sanitary sewer or sewerage system in accordance with the criteria set by the Sanitary Code of the Philippines (P.D. 856) and the Clean Water Act (RA 9275).
- b) All buildings located in areas where there are no available sewerage system shall dispose their sewerage in septic tank and sub-surface absorption field.
- c) Sanitary and industrial plumbing installation inside buildings and premises shall conform to the provisions of the National Plumbing Code.

Section 24. Damage to Public Sewer or Sewage Disposal System. – It shall be unlawful for any person to discharge, by any means whatsoever, into any plumbing fixtures, such as floor

drain, sump, receptacle or device which is connected to any drainage system, public sewer, septic tank or cesspool any ashes, cinders, solids, rags, flammable, poisonous or explosive liquids or gases, oils, grease and any other thing whatsoever which would or could cause damage to the public sewage disposal system, whether the system is government or privately owned.

Section 25. Special Establishments. – Establishments such as industries, laundry, slaughterhouses, wet markets, dairies, poultries, piggeries, resorts, hotels, restaurants, mining, hospitals, clinics, funeral parlors, cemeteries, memorial parks, laboratories and other similar nature of establishments discharging waste water into receiving river or other water bodies which create pollution problems shall be required to obtain environmental compliance certificate and discharge permit from the Department of Environment and Natural Resources (DENR), and sanitary permit from the City Health Office.

Section 26. Vessels. – Any vessel, whether government-owned or private, foreign-registered or domestic, anchored or docked within the municipal waters of General Santos City shall not disposed of their sewage and septage while so docked or anchored, except in the manner and through the authorized service providers, if applicable, as provided for in this Ordinance. The General Santos City Sustainable Waste Management Board shall have visitorial powers over said vessels as herein provided.

Article V Service Providers

Section 27. General Guidelines. – Without prejudice to the City Government itself being the service provider, the City Government shall encourage private entities to apply for permit to operate as service providers. A service provider may either be for desludging, collection and hauling of septage or otherwise referred to as Mobile Service Providers, or for treatment or disposal facilities otherwise referred to as Stationary Service Provider, or both. Applicants for mobile service provider must present an Environmental Sanitation Clearance (ESC) from the Center for Health Development (CHD) of the Department of Health issued to such treatment/disposal facility as requirement in the applications for sanitary permit and business permit. This requirement applies to all new septage management activities, expansion, or modification or permitted facilities, and those existing activities that have not secured ESCs.

For treatment and disposal facilities, the applicant must secure an ESC as prerequisite in the application for an Environmental Compliance Certificate (ECC) from the EMB Regional Office. And before operating the same, a Wastewater Discharge Permit (WPD) must also be secured with the same EMB Regional Office.

Section 28. Training of Service Providers and Personnel. – All service providers and personnel directly involved in the operations must undergo mandatory trainings on health and safety from the DOH or DOH-recognized academic institutions, or professional organizations.

Section 29. Mobile Service Providers. – As part of the Sanitary Permit and Business Permit application, the applicant must complete and notarize the prescribed forms, to include the following information:

a. Project Description

a.1. Proponent information and contact details

- a.2. Scope of Activities
- a.3. Service Area Covered
- a.4. Method of Collection
- a.5. Type of Vehicles and Equipment
- a.6. Occupational and health safety measures
- a.7. Staffing Plan
- a.8. Mitigating/Control Measures

- b. Detailed Maps
 - b.1. Service area indicating residential, commercial, industrial and agricultural lands with major routes for septage hauling indicated
 - b.2. Location of the septage treatment facility and disposal sites.

- c. Others
 - c.1. Target market of septage desludging activities, including planned volume per month
 - c.2. Make and model of septage collection trucks
 - c.3. Staffing plan indicating number of employees, job descriptions, and organizational chart
 - c.4. Business plan indicating anticipated costs of providing services and expected revenues from grants, loans, and tariffs

Section 30. Stationary Service Providers. – As part of the ESC application, a stationary service provider must complete all sections and notarize the prescribed form which will contain, among others:

- a. Project Description to include the following information:
 - 1) Basic project information
 - 2) Site information (including neighboring parcels with land ownership information and information on water supply facilities)
 - 3) Project rationale/objective
 - 4) Project type and service area covered
 - 5) Operational processes
 - 6) Plans and specifications
 - 7) Project component
 - 8) Description of existing environment:
 - Topography
 - Hydrology (including information on surface waters like streams, lakes, coastal water resources)
 - Geological conditions
 - 9) Environmental sanitation measures
 - 10) Environmental and health impacts
 - 11) Mitigating/control measures
 - 12) Occupational and health safety measures
 - 13) Monitoring and evaluation plan
 - 14) Other relevant information

Section 31. Steps in Securing ESC. – a) The City Health Officer shall initially evaluate all ESC applications by checking the completeness and returning them to the applicants if deficiencies are found. If the application is complete, it shall receive, evaluate and transmit it to the Center for Health Development (CHD) for final decision within fifteen (15) working days regardless of whether it recommends disapproval of the application. b) The CHD evaluates and decides to approve or disapprove the ESC application within thirty (30) working days from receipt thereof. If the CHD disapproves the application, the proponent will have an opportunity to correct any deficiencies and resubmit the same to the City Health Officer.

Article VI Desludging, Collection and Transportation

Section 32. Desludging. – Desludging of septic tanks shall be mandatory and shall be done by authorized service providers at least once every four (4) years for households and at least once every two (2) years in commercial and institutional establishments.

Section 33. Collection – Collection of septage shall be done in coordination with the Barangay Captain concerned or his/her duly authorized representative who shall sign the prescribed manifest form. The following guidelines shall be observed:

- a) Collection shall be done when the traffic is light in the area.
- b) All collection vehicles shall have traffic cones or an early warning device which shall be placed behind and in front of the vehicle during operation.
- c) It is the responsibility of the collection operator to check regularly the safety of all the equipment. Any deficiency found should be reported immediately to the supervisor.
- d) After the desludging operation, the operator must clean and disinfect any spills. It is the collection operator's responsibility to ensure that sufficient disinfectant (bleach or lime) is on the truck before it goes to a collection site.
- e) Desludging workers must wear appropriate personal protective equipment, including rubber gloves, a face mask, eye protection, plastic/rubberized apron, and safety boots.
- f) Only operators with a valid ESC and sanitary permit are authorized to collect and transport domestic sludge and septage.

Section 34. Transportation of Sludge and Septage. – The driver and the service provider are responsible for the safe operation of the vehicle and equipment at all times. They must therefore strictly observe the following rules:

- a) Only drivers with Land Transportation Office (LTO) License Restriction Code #3 can operate the desludging tanker/truck.
- b) Traffic rules must be followed at all times.
- c) All accidents and traffic citations shall be reviewed and investigated by the management to ensure that adequately trained and competent drivers are employed for sludge and septage transportation.
- d) The drivers must inspect all trucks prior to transport on public roads to ensure that septage will not leak, spill, or run out of the tank.
- e) All vehicles used to transport septage must be equipped, at all times, with spill control or absorbent materials and disinfectant materials.
- f) No discharge of septage or sludge shall be allowed in manholes, drainage areas, canals, creeks, rivers or other receiving bodies of water or land, except in duly authorized treatment or disposal sites.

- g) Prescribed manifest forms must be properly filled out.

Section 35. Vehicle and Tank Maintenance. – Septage transporters/haulers shall display on both sides of their vehicles being used to transport septage the company name, contact number, company logo, and body number of each vehicle. The information must be marked using permanent and legible lettering at least three (3) inches high and made of a reflective material.

All vehicles must display the names of all the cities and municipalities covered by their permits. In addition, the following requirements must be complied with:

- a) The collection vehicle used for the transport of septage and domestic sludge must have a leak-proof, watertight tank or body and lock to secure the sludge and septage, and must be able to withstand a collision with another vehicle or any permanent structure;
- b) The collection vehicle must be in good running condition in accordance with the LTO safety standards on roadworthiness;
- c) The collection vehicle and tank must be maintained to prevent excessive odors or public health hazards;
- d) All piping, valves, and connections must be accessible for cleaning;
- e) All inlet and outlet connections must be installed and maintained such that no material will leak, spill or run out of the tank during transfer or transportation;
- f) Discharge outlets must be designed to control the flow of discharge without spraying or flooding the receiving area;
- g) The discharge pipe must protrude by at least six (6) inches from the tail-end of the tank;
- h) The end of the discharge pipe must have a screwed-on end cap installed; and
- i) A clean and sanitary parking and dispatching area must be provided for collection vehicles.

Section 36. Accidental Spillage. – In the event of accidental spillage of sludge/septage, the operator shall:

- a) Immediately take action to contain the sludge/septage to minimize the environmental impact, and begin clean-up procedures. The operator shall immediately collect and contain the spill.
- b) The operator must notify the City Health Office within twenty-four (24) hours from the time of the incident, using a prescribed form.
- c) In the event that a private service provider fails to perform clean-up operations, the City Government shall perform the clean-up and charge all expenses incurred to the service provider, without prejudice to other sanctions available under this Ordinance and/or pertinent national laws, rules and regulations.

Article VII Treatment and Disposal

Section 37. General Provisions. – All domestic sludge/septage shall be processed and treated in a treatment facility authorized by the Department of Health and/or the Department of Environment and Natural Resources. Septage treatment facilities and septage truck yards must maintain a hygienic and safe work environment.

The City Government of General Santos shall endeavor to establish its own septage treatment facility, or encourage private entities or promote/enter into public-private partnership arrangements to put up such facilities in the City within a period of seven (7) years from the approval of this Ordinance. In the meantime, the City shall conclude the soonest possible time mutually acceptable arrangements with the existing Septage Treatment Facilities (STFs) of neighboring LGUs to enable mobile service providers to transport and dispose for treatment of the desludged septage in compliance with this Ordinance.

Section 38. Requirements for Treatment Facilities. –

- a. Only applicants with valid ESCs and sanitary permits may be authorized to operate domestic sludge and septage processing and treatment facilities;
- b. These operators shall also obtain all other necessary permits as required by existing regulations;
- c. The designated Pollution Control Officer (PCO) of the service provider shall be responsible for the operation of the facility;
- d. Only domestic sludge and septage with corresponding manifest forms shall be accepted by the facility;
- e. The treatment facility shall comply with existing standards and regulations of regulating agencies, including disposal of treated effluent to the receiving environment;
- f. Treatment facilities shall comply with hygienic and sanitation requirements as specified in Section 31 of Article VI hereof.
- g. Must comply with the following minimum sanitation requirements:
 - g.1. At least one (1) hand washing facility
 - g.2. At least one (1) toilet
 - g.3. At least one (1) bathroom
 - g.4. At least one (1) drinking water fountain/dispenser
 - g.5. At least one (1) utility sink
 - g.6. Proper ventilation and lighting
 - g.7. Flooring and walls shall be made of impervious materials
 - g.8. All plumbing fixtures must be in accordance with the National Plumbing Code (RA 1378)
 - g.9. Availability at all times of soap and any approved hand-drying device/material
 - g.10. There must be adequate and separate changing rooms for both male and female users with individual lockers for clothes and personal belongings. The changing room must have an area of at least 1.9 sq. m/user.

Section 39. Sludge and Septage Treatment Processes. – Septage must be stabilized prior to disposal. One or a combination of the following methods shall be used to treat sludge and septage such as dewatering and drying, composting, and/or any other treatment process approved by the Department of Environment and Natural Resources.

Section 40. Disposal of Treated Sludge and Septage. – Treated sludge and septage shall be disposed of by landfilling, spread on land, or using other new technology options that may be accepted by the Department of Health or the Department of Science and Technology. Under no circumstances shall untreated sludge or raw septage be placed in a sanitary landfill. All septage or sludge must be treated or stabilized prior to landfilling.

Section 41. Requirements for Land Application. – Only treatment plant operators or their authorized agents with valid Environmental Sanitation Clearance and sanitary permits are allowed to dispose of treated septage or sludge on land. Project proponents must specify which parcels of land are intended for such uses. This information, along with approval from the landowner, shall accompany the application submitted to the Department of Agriculture (DA) for permit for land application.

The sludge may be applied to agricultural land, forestland, lahar areas if any, coconut, bamboo and rubber plantations, etc. as organic fertilizer and/or soil conditioner to facilitate nutrient transport and increase water retention. If applied to land where food crops will be grown, special precautions must be taken to prevent contamination. The amount of nitrogen, phosphorous, potassium, pathogens, essential trace elements and heavy metals shall be within the allowable/acceptable limits set by the DA Bureau of Soils and Water Management. In cases where the operator intends to sell its treated sludge, product registration must be secured from DA.

Section 42. General Guide for Land Application. – As a general guide, land application of stabilized septage or treated sewage sludge shall conform to the following conditions:

- a) Keep land application to a minimum of 10 meters away from irrigation return flow ditches, rivers, streams, lakes, or wells;
- b) Spread the material evenly, on or just below the soil surface, and not dump it all in one place where it can easily get washed off in heavy rain;
- c) Avoid application on soils that are highly permeable, have a low water holding capacity, have a shallow depth to bedrock or a hardpan, have a high water table, or have a slope steeper than six percent;
- d) Follow good irrigation water management practices to prevent surface runoff or leaching of nutrients;
- e) Keep good records of application rates, management practices, and field condition at the time of application.

Article VIII Manifest System and Recording

Section 43. Manifest System. – All transport of domestic sludge and septage must possess a prescribed manifest form. The collection and transport service provider must complete the manifest form by providing the following required information:

- a) Origin of sludge and septage indicating the name of the client, complete address, and contact numbers;
- b) Date and time of collection;
- c) Source of sludge and septage (whether it is residential, commercial, or institutions);
- d) Estimated volume in cubic meters of sludge and septage collected;
- e) Identity of transport/hauler including the name of the operator, company, address, storage capacity of vehicle, plate number, body number, and name of driver;
- f) Destination (treatment/disposal facility) of collected sludge and septage. The manifest form must be signed by the receiving facility, including the name and address of the facility;
- g) Date and time when the sludge or septage is received by the treatment/disposal facility; and
- h) Other applicable conditions such as:

- h.1. If the destination is a treatment plant, the form shall be signed by the treatment facility owner and indicate that it is a treatment and not a disposal facility;
- h.2. If the treated sludge will be transported to a disposal site after treatment or application of any of the treatment processes mentioned in Section 37 hereof, a separate prescribed manifest form should be completed;
- h.3. The name and signature of the disposal facility owner or his authorized representative shall be affixed, without which, the manifest form shall be considered void.

The service providers, including collection and transport and the treatment and disposal facilities, shall retain copies of the manifest forms for a minimum of five (5) years.

Section 44. Recording and Reporting. – Service providers shall establish and maintain accurate record keeping and reporting system. Information for record keeping shall include, but not limited to, the following:

- a) Desludging activity and volume recorded in log book;
- b) Filled out manifest forms;
- c) Notes about deficiencies with the septic tank. Cracks, missing pipes or fittings, improper manholes or access ports should be recorded to serve as basis for any required upgrading by homeowners;
- d) Inventory of tools; and
- e) Desludging schedules.

The service provider shall retain its records for a minimum of five (5) years. Each service provider shall submit quarterly report or before the 15th of the month following the end of the quarter to the City Health Officer, who shall furnish the Technical Working Group a copy of the report for inclusion in the agenda of the next meeting of the GSC-SWMB.

Article IX Administration and Enforcement

Section 45. The General Santos City Sustainable Waste Management Board (GSC SWMB) as Over-All Septage Management Policy Coordinator. – Without encroaching upon or supplanting the inherent duties, functions and responsibilities under the national laws, rules and regulations, of the officers named herein, the General Santos City Sustainable Waste Management Board shall act as the over-all septage management policy coordinator and perform oversight functions on the implementation of the City Septage Management Program as well as in the enforcement of this Ordinance.

Section 46. Monitoring and Evaluation. – Close monitoring of all activities in the implementation of the City Septage Management Plan as well as enforcement of this Ordinance shall be undertaken by the GSC-SWMB, assisted by the Technical Working Group until a regular Office or Department shall have been duly created and filled up. For this purpose, the GSC-SWMB and/or the pertinent City Department as provided in this Ordinance or its duly authorized representative/s shall have access to the premises and pertinent records of the service providers operating within its area or with whom it has contractual relations.

Section 47. Selection of Desludging Service Providers. – Within six (6) months from the approval of this Ordinance, the GSC-SWMB shall adopt a system of qualifications and criteria in selecting service providers for desludging. Qualifications shall include, among others, experience in desludging service, minimum equipment required to undertake desludging, possession of valid permits, and a contract with an authorized septage disposal facility.

- a) The City may enter into agreements with one or more qualified desludging service providers. Such agreements shall include reasonable fees to compensate for desludging service, subject to the recommendation of the GSC-SWMB.
- b) The Technical Working Group of the GSC-SWMB shall formulate the system of collection of desludging fee from households and subsequent payment to the desludging service providers.
- c) The City Planning and Development Office shall include in its data base the information and systems that will efficiently reflect households and establishments covered by this Ordinance, desludging schedules and desludging events, volume of septage desludged, fees due and collected, as well as those uncollected; payment due and paid to desludgers, and other relevant information.
- d) The City Planning and Development Office shall assist the City Engineer and the City Health Office in recording and tracking the households, including their location and number, that have septic tanks complying with this Ordinance and those that still have to comply. However, the above-mentioned task may be assigned to a responsible service provider following the principle of a public-private partnership.
- e) There should be an accredited pollution control officer.

Section 48. Desludging/Tipping Fee/Collection of Fees. – There shall be collected monthly from households, commercial and institutional establishments desludging/tipping fee for the mandatory desludging of septic tanks and the treatment of septage.

Within six months from the approval of this Ordinance, and after conducting public consultations, the amount of monthly desludging fee and the procedure of payment and collection shall be determined and formulated by the General Santos City Sustainable Waste Management Board to be assisted by the Technical Working Group and the City Planning and Development Office for submission to the General Santos City Sustainable Waste Management Board, which shall submit its recommendation to the City Mayor.

For households served by the General Santos Water District and the Rural Water Associations, the City shall, within six (6) months from the effectivity of this Ordinance, conclude an agreement with these water service providers to collect and remit to the City Treasurer, the aforementioned desludging/tipping fee, subject to collection fee that will be included in the Agreement.

Establishments that have desludging and treatment contracts with authorized disposal facilities and upon presentation of a copy of the agreement and a desludging certificate issued during the past three months to the City Engineer, shall not be covered by the monthly desludging fee.

Commercial and similar establishments that operate wastewater/sewage treatment facilities duly covered by environmental compliance certificates and discharge permits from the Environmental Management Bureau and upon presentation of these documents to the City Engineer, shall not be covered by the monthly desludging fee; Provided, that their septic tanks for human excreta shall be covered by the monthly desludging fee.

In the case of communal septic tanks, the barangay concerned shall, within one (1) year from the effectivity of this Ordinance, facilitate the organization of users and devise adaptable schemes to enable the users to pay the desludging/tipping fee when due. The Barangay Chairman and the Barangay Treasurer shall be jointly responsible for the collection and remittance of the fee to the Treasurer's Office as trustee of the Trust Fund.

Section 49. Septage Management Trust Fund. – There is hereby established a Septage Management Trust Fund in the City Treasurer's Office.

- a) Unless otherwise decided by the General Santos City Sustainable Waste Management Board, desludging/tipping fees collected for the desludging and treatment of septage shall be held as Septage Management Trust Fund by the City Treasurer's Office and shall be used solely to pay the services of authorized desludgers and/or septage desludging/treatment facility operators.
- b) Penalties paid as provided for in Article XI hereunder shall likewise form part of the Trust Fund. Funds received exclusively for the septage management program of the City from foreign and domestic donations, endowments, grants, contributions shall likewise form part of the Trust Fund. Said components of the trust fund shall only be disbursed upon proper authorization by the General Santos City Sustainable Waste Management Board, subject to the usual accounting and auditing rules and regulations.

Section 50. Funding. – Apart from the Septage Management Trust Fund, the City Government shall allocate the necessary funds to support the capital expenditures for septage management infrastructure that may be necessary to carry out this Ordinance, and for the operating and maintenance expenses of the GSC-SWMB for facilitating enforcement of this Ordinance and the implementation of the City Septage Management Plan.

Section 51. Rewards and Incentives. – Rewards, monetary or otherwise, shall be provided to individuals or group of individuals, barangays and/or barangay leaders, private organizations and entities that have undertaken outstanding and innovative projects, technologies, processes, techniques, or activities in connection with the Septage Management Program of the City. Funding for the rewards shall be sourced from the Trust Fund.

By way of incentive to encourage the stakeholders to faithfully comply with the Ordinance and participate in the sustainability of the Program, the recorded volume of the septage desludged from each stakeholder's septic tank shall be tagged a value on commercialization of processed sludge, which value shall be correspondingly deducted from the stakeholder's desludging in the next succeeding desludging operation.

The General Santos City Sustainable Waste Management Board shall, within one (1) year from the effectivity of this Ordinance, establish a formula that will best obtain a fair and acceptable commercialization value for processed sludge.

The GSC-SWMB shall likewise, within one (1) year from the effectivity of this Ordinance, establish a system for the grant of rewards and envisioned in this Ordinance.

Article X
Information, Education and Communication,
Behavior Change Communication Program

Section 52. To ensure widespread understanding and support of the objectives, components and implementation mechanics of this Ordinance and the City Septage Management Program, among the households, establishments and institutions in General Santos, the City through the City Information Office shall, within six (6) months from the approval of this Ordinance, formulate an appropriate and stakeholder-directed information, education and communication (IEC) program and materials. Such program shall be in the form and context of behavior change communication (BCC) inasmuch as the effectiveness of this Ordinance depends on stakeholder support through change in behavior towards sanitation.

- a) Implementation of IEC/BCC activities shall commence immediately after the approval of this Ordinance by disseminating copies of the Ordinance to barangay captains, heads of government agencies and owners/managers of establishments in General Santos City.
- b) The City shall endeavor to secure the cooperation of the mass media, social media, media outlets and organizations operating in the City to disseminate information pertaining to this Ordinance.

Section 53. The City Mayor, upon recommendation of the GSC-SWMB, may authorize the use of the Septage Management Fund for the purpose of carrying out IEC/BCC programs and activities.

Article XI
Penalty Clause

Section 54. Penalties. – For violation of any provision of this Ordinance, the City Engineer/City Health Officer shall issue a pre-numbered and accountable citation ticket to the person, owner, proprietor, manager, administrator of the establishment, institution, household stating therein the nature of the violation committed, the period within which the same must be settled, corrected or abated, and the consequence of continuing violation thereof. The violator shall suffer the following penalties:

- a) First Offense – Attendance in a seminar on the City Septage Management Program.
- b) Second Offense – Fine in the amount stated hereunder plus attendance in a seminar on the septage management program:
 - 1. For public and private residential buildings ----- ₱1,000.00
 - 2. For hotels, condominiums, town houses
apartments, lodging houses, banks, offices
malls, restaurants and other business
establishments ----- ₱2,000.00
 - 3. For septic tanks use by hospitals, funeral parlors and similar operations - ₱2,000.00

or imprisonment of not less than one (1) day and not more than six (6) months, or both such fine and imprisonment at the discretion of the court, and attendance in seminar on septage management.

- c) Third and Succeeding Offenses – Fine in the amount stated hereunder, plus attendance in a seminar on the septage management program.

1. For public, private residential buildings ----- ₱2,000.00
2. For hotels, condominiums, town houses, apartments,
lodging houses, banks, offices, malls, restaurants
and other business establishments ----- ₱4,000.00
3. For septic tanks used by hospitals, funeral parlors and similar operations -----
₱4,000.00

or imprisonment of not less than one (1) month and not more than one (1) year, or both such fine and imprisonment at the discretion of the court, and attendance in a seminar on septage management.

If the violator is a juridical person, the penalty of imprisonment, as the case may be, shall be imposed on the President, Manager, Executive Officer or person responsible for its operation, or head of the local government unit.

Failure to comply with the provisions hereof shall cause the cancellation or revocation of business permits for business establishments.

In the case of residential building or household, the penalty shall be imposed on the head of the family or household.

Section 55. No Contest Provision. – For the purpose of efficient implementation of this Ordinance, it is hereby provided that any person, natural or juridical, who is apprehended or cited for violation of this Ordinance who does not wish to contest the violation and is willing to pay voluntarily the fine imposed upon him/her prior to the filing of formal charge with the proper court, shall be allowed to pay said fine with the City Treasurer’s Office to avoid being criminally prosecuted pursuant to the citation ticket Ordinance.

Chapter XI Birthing Homes¹⁵

Section 1. Statement of Policy. - It shall be the policy of the Local Government Unit of General Santos City, to establish a unified regulatory protocol that will ensure that all birthing homes operating within the city are providing universally acceptable quality of services by setting forth duly recognized body of standards to be known as “*Standards and Guidelines serving as condition precedent to the granting of business permits to birthing homes in line with the local government’s exercise of its regulatory powers.*”

Section 2. Procedures. - Hereunder are the processes for securing City Health Office Clearance for a midwife managed birthing home:

Steps	Applicant	Requirements
1	Midwife/applicant secures application form from the City Health Office	Payment for the application form
2	Midwife/applicant properly fills up application form	

¹⁵[Ordinance No. 15, Series of 2011.](#)

3	Midwife/applicant submits filled-up application form to the designated desk or office under the City Health Office	<ul style="list-style-type: none"> - Updated PRC license of all staff, including midwife/owner-manager - Proof that the birthing home is operated by skilled birth attendant - Proof of residence which can be in the form of barangay clearance, electric bill, etc. - Certificate of training on FP/MCH within the preceding year - Logbook showing names of clients served - Report of patients served and outcome (ex. deliveries with or without complications, referred, etc.)
4	Midwife/applicant undergoes training/orientation on proper, universally-accepted prenatal care, NSD, post-partum care; essential newborn care; and on established referral system involving high-risk cases	Payment for the training/orientation; Attends training/orientation
5	Midwife/applicant submits herself for Chest X-ray, blood examination, urinalysis and stool exams as part of the requirement for securing sanitation certificate	Normal results; Sanitation certificate
6	Midwife/applicant shall submit for actual inspection her birthing facility	City Health Office Certification;
7	City Health Office representative and sanitation officers visit the birthing home	
8	Midwife/applicant secures City Health Office Clearance to operate birthing home provided that she/he passes Steps 1-7	Payment for the City Health Office Clearance
9	City Health Office Clearance Certificate shall be submitted together with other pertinent requirements for the issuance of business and/or mayor's permits	City Licensing Unit issues Business Permit upon review of all requirements, including City Health Office Clearance

Section 3. Minimum or Basic Requirements for the Midwife-Managed Birthing Home:

A. Human Resources: Staffing

1. Midwife or midwives

- a. Must have active PRC License
- b. Must have undergone yearly training or updates on Family Planning and/or maternal and child care

2. Back-up doctors

- a. Preferably obstetrician or pediatrician, especially in areas where they are available, provided that the midwife has made prior arrangement with him/her as shown in a document which shall consist, among others, of a written certification by concerned doctor that he/she agrees to serve as a back-up on call doctor provided with a Memorandum of Understanding.
3. Clinical assistant or maintenance worker tasked to maintain and ensure the good sanitary condition and cleanliness of the birthing home and its premises.

B. Physical Structure

1. Physically clean facility and surroundings that conform to basic infection prevention practices
2. Clean toilet with clean water supply for the client/patient, including the members of his/her family, and staff
3. Clean and organized labor and/or delivery room that ensures the needed privacy of clients and facilitates unhampered movements for birth attendants, while providing care to mother and the newborn
4. Clean area for essential newborn care
5. Area for washing and processing instruments
6. Accessible lavatories with running water, or the equivalent thereof, for the midwife's hand washing before and after providing care
7. Area for consultation and FP counseling if the midwife is trained on FP
8. Covered segregated garbage containers (including sharps disposal)

C. Medicines and Supplies

1. Medicines:
 - Oxytocin ampules
 - Vit. K ampules
 - Iron/Folic Acid tablets
 - Erythromycin ophthalmic ointment
 - Paracetamol tablets or mefenamic acid for analgesics
2. Supplies
 - Wall clock with second hand, or equivalent
 - Tape measure
 - Cotton balls
 - Plaster
 - Antiseptics-10% povidone-iodine, 70% isopropyl alcohol
 - Sterile gloves or clean gloves
 - Sterile gauze
 - Sterile clips or ties or cord clamp
 - Disposable syringes and needles
 - Clean linen or sheets
3. Contraceptives: pills, condoms, if the midwife is trained on FP based on certificates of training evaluated at the time of operation of the birthing home

D. Equipment/Instrument

1. General Administrative Services

- Emergency light or portable light and flashlight
- Patient transport vehicle which can be contracted out if the birthing home does not have one as evidenced by a certification for the transport tie-up

2. Clinical Service

- Clinical Weighing Scale for infant and mother
- Delivery Set (NSD set)
- Examining and delivery tables
- Patient bed(s)
- Gooseneck lamp/examining light
- Instrument table or equivalent
- Kelly pad or equivalent
- Non-mercuric sphygmomanometer
- Non-mercuric thermometer
- Sterilizer or equivalent
- Stethoscope or equivalent
- Newborn carrier
- Foot stool or equivalent
- Pail
- Pick up or sponge-holding forceps
- Straight forceps
- Jars with covers for sterile/clean dry cotton/gauze
- Surgical scissors straight
- Vaginal speculum
- Rubber suction bulb syringe
- Bowls (preferably stainless-round or kidney shaped)
- Sharps disposal container
- Portable oxygen tank
- Pediatric ambu bag
- Fire extinguisher

3. General care

- Linen
- Bathroom implements such as pail, soap

E. Records and Documentation

1. Client or Patient Record of Logbook

- a. Family Planning Record
- b. Pre-natal Record
- c. Intra-natal Record (Admission Case Record)
- d. Post-partum Record
- e. Immunization Record
- f. Maternal Record/Nutrition/Breastfeeding Record

2. The health facility has copies of available policies, guidelines and standard operating procedure, such as the following:
 - a. The Philippines Clinical Standards Manual on Family Planning, DOH. 2006 (if midwife trained on FP)
 - b. Essential Newborn Care Protocol of Guidebook
 - c. The “Clinical Care Guidelines” and Clinical Operation Standards Manual” of the Quality Assurance Package for Midwives
 3. The facility must comply with the following national policies:
 - Breastfeeding Code and Infant Formula (RA 7600)
 - Tobacco Regulations Act of 2003
 - Newborn Screening (RA 9288)
- F. For owners who are planning to put up new birthing homes, the City Health Office should be consulted as to the proper location of their clinics.

Section 4. Minimum Requirement for Renewal of CHO Clearance Certificate as a pre-requisite for renewal of Business Permit

- a. Birthing Home Policy on Records Management
- b. Include birth plans in the pre-natal records
- c. Copies of national policies in relation to health facilities and service provision such as Breastfeeding Code, Tobacco Regulations Act, Newborn Screening, Essential Newborn Care must be made available within the birthing home.
- d. Copies of Quality Assurance Package for Midwives:
 - Clinical Care Guidelines for Midwives
 - Clinic Operation Standards Manual
 - Monitoring Tool for Midwives: Midwife Portion
- e. All established birthing homes must secure necessary accreditation from Philippine Health Insurance Corporation within one year from date of issuance of their respective permits to operate by the City Mayor’s Office

Section 5. Penalty Clause. - Any person found guilty violating this ordinance shall be properly informed and apprehended where the establishment is located. The midwife/applicant who failed to comply with the provisions of this ordinance shall be penalized with a fine of Three Thousand Pesos (₱3,000.00) for the first offense; Four Thousand Pesos (₱4,000.00) for the second offense; Five Thousand Pesos (₱5,000.00) and cancellation of business permit for the third offense.

Chapter XII
Prohibition on the Use of Coastal Water¹⁶

Section 1. Statement of Policy. – It is the policy of the state to protect and promote the right to health of the people and instill health consciousness among them.

Section 2. Definition of Terms. – For purposes of this Ordinance, the following words/terms shall mean:

¹⁶Ordinance No. 04, series of 2012.

- 1.) E. Coli (*Escherichia coli*) – a rod-shaped bacterium found in the colon of human beings and animals that becomes a serious contaminant when found in the food or water supply.
- 2.) Bacterium – a microscopic life form responsible for decay and diseases of many plants and animals.
- 3.) Coliform bacteria – a commonly used bacterial indicator of sanitary quality of foods and water.
- 4.) Colon (part of the intestine of human beings) – the section of the large intestine that runs from the cecum to the rectum.
- 5.) Coastal sea water – the waters along the coastline or seashore where land meets the sea or ocean.
- 6.) Seafood – any produce may it be an animal or plant coming from the sea or ocean that is edible.
- 7.) Urban barangay – the barangay located within the urban zone of the City of General Santos.

Section 3. Prohibited Act. – It is hereby prohibited to use coastal sea water from the seashores of urban barangays as storage medium for seafoods being sold commercially in the City of General Santos.

Section 4. Penalty Clause. - In violation of this Ordinance, the offender shall be punished by the following penalties:

FIRST OFFENSE – warning for both laborer and buyer;

SECOND OFFENSE - a maximum fine of Five Thousand Pesos (P5,000.00) or an imprisonment of one (1) month and one (1) day to six (6) months, or both such fine and imprisonment at the discretion of the Court.

Where the violator of this Ordinance does not contest his/her apprehension and elect to pay the fine imposed under the preceding paragraph, the enforcement officer shall forthwith issue citation ticket to the person apprehended without resort to the Court. The citation ticket shall state or contain (a.) the name, signature, age and address of the person apprehended; (b.) the material facts obtaining in the commission or omission of the crime defined and penalized under this Ordinance; (c.) the amount of fine which is payable in favor of the City Government of General Santos; and (d.) notice requiring the person apprehended for extra-judicial settlement of his/her violation by paying the prescribed amount of fine at the Office of the City Treasurer within seventy-two (72) hours from issuance thereof, otherwise, appropriate complaint shall be filed against him/her before the Court of law.

Section 5. Implementing Arm. – The following are hereby deputized to help in the implementation of this Ordinance:

1. Barangay Officials of the urban barangays

2. Barangay Tanods/Barangay Police; and
3. *Bantay Dagat*