



Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City of Mandaluyong

ORDINANCE NO. 312, S-2005

AN ORDINANCE PRESCRIBING THE SANITATION CODE OF MANDALUYONG
CITY PURSUANT TO THE LOCAL GOVERNMENT CODE
OF 1991 AND OTHER PERTINENT LAWS

BE IT ORDAINED as it is hereby ORDAINED that:

CHAPTER I
GENERAL PROVISIONS

- SECTION 1. TITLE. This Code shall be known as the *"Sanitation Code of the City of Mandaluyong"*.
- SECTION 2. COVERAGE. This Code shall govern all objects situated within the City of Mandaluyong, as specifically enumerated in its provisions, and all persons, entities or agencies involved in activities or related fields specifically made subject of regulation by the provisions embodied in this Code.
- SECTION 3. DEFINITION OF TERMS. Words and phrases used in this Code shall be understood in the sense indicated hereunder:
- a. ABATTOIR OR SLAUGHTERHOUSE – the premises duly approved and registered for the purpose of slaughtering animals for human consumption;
 - b. ACCREDITED LABORATORY – a facility equipped with testing equipment and materials that is duly authorized and accredited to perform any or specific test or examinations;
 - c. CODE – shall refer to the Mandaluyong City Sanitation Code of 2005;
 - d. ESTABLISHMENT – any structure or building used principally in conducting ones trade, business or profession;
 - e. FOOD ESTABLISHMENT – a place where food or drinks are manufactured, processed, stored, sold and/or served;
 - f. FOOD HANDLER – any person who directly handles, prepares, serves and/or sells food and drinks or who, in the process, gets in contact with any eating or cooking items such as utensils, dishes and/or pots and pans, and/or food vending machines, such as a cook, assistant cook, waiters/ waitress, dishwasher, busboy, etc.;
 - g. FOOD MANUFACTURING – any activity pertaining to the processing and/or making of food or drinks, such as that undertaken by bakeries or bakeshops, processed meat plants, softdrink or fruit drink companies;
 - h. FOOD SERVICE ESTABLISHMENT – any food establishment that serves food or drinks that may or may not have been prepared elsewhere, such as a coffee shop, canteen or cafeteria, panciteria, bistro, carinderia, fast food, refreshment parlor snack bar, cocktail lounge, disco or night clubs, food kitchen or caterer's premises and other similar establishments that are found in hospitals, schools, hotels/motels, boarding houses or dormitories, office buildings, malls and the like;
 - i. FURNITURE – movable items used in markets, such as tables, chairs and benches;
 - j. HOMEOWNER – any owner, lessee, usufructuary or any person who is residing in/or the occupant of and/or who holds any title or interest in a real property classified as residential or used as a dwelling place.
 - k. IMPERVIOUS MATERIAL – any hardware material that is impenetrable, not susceptible to tarnishing, not affected by the harsh elements of nature such as mildew, algae, fungi or moisture, and with smooth surface that is durable and resistant to wear and corrosion, such as stainless steel plates, ceramic tiles, formica sheets porcelain, marble slabs and other smooth, non-porous and water or moist resistant materials;

- l. LOCAL ENVIRONMENTAL CLEARANCE – the document issued by City Health Office certifying that based on the representations of the project proponent, as reviewed and validated by the Environmental Officer, the proposed project or undertaking will not cause a significant negative environmental impact, and the proponent has complied with all the requirements.
- m. MASSAGE – a method wherein the superficial soft parts of the body are rubbed or stroked or kneaded for remedial, aesthetic or hygienic purposes;
- n. MASSAGE CLINIC ATTENDANT – a trained person duly permitted to massage customers under the guidance and supervision of a masseur;
- o. MASSAGE CLINIC/PARLOR – an establishment where massage is administered to customers;
- p. MASSEUR – a trained person who is duly licensed to perform massage and who supervises massage clinic/parlor attendants;
- q. MEAT – the edible part of any animal slaughtered in the slaughterhouse or abattoir;
- r. NIGHT/DAY CLUB – an establishment open during the night or day usually serving liquor and food, providing a show or live entertainment or music and space for dancing;
- s. NON-FOOD HANDLER – any person employed in a food establishment who does not actually or directly handle, store, prepare and/or serve food, drinks and/or ice, or who do not come into contact with any eating or cooking items as specified in the preceding paragraph, such as a security guard, janitor, office personnel, etc.;
- t. POULTRY – domestic fowls such as chicken, duck, goose, turkey or other similar animals that are raised for meat and eggs;
- u. PRIVATE MARKET – any place owned by a private individual or entity that is duly licensed by the City Government to operate as a market, including stalls, mini-markets and supermarkets where fresh and/or frozen livestock, poultry, fish and vegetables are sold;
- v. PUBLIC MARKET – a place designated by the City Government where dry and wet commodities and goods, perishable or non-perishable are sold;
- w. REFUSE – is herein used as an inclusive term for all solid waste products;
- x. SAUNA BATH ATTENDANT – a person who applies the proper technique of giving steam bath to customers;
- y. SAUNA BATH ESTABLISHMENT – an establishment engaged in providing customer steam bath whereby the steam generated by sprinkling water on hot stones or by some other means;
- z. STALL – an open compartment of area designated for the sale or display of commodities, including food products;
- aa. TALIPAPA – a place usually found in a small community that is duly licensed by the City Government to operate as a market;
- bb. TOILET FACILITY – a structure built of materials of any kind inside or as part of a house or building used by its residents, occupants, visitors, employees, transients or customers as a lavatory with septic tank built for the purpose;
- cc. TONSORIAL AND BEAUTY ESTABLISHMENT – includes barber shops, beauty parlors, figure slenderizing salons, spas and other establishments engaged in the physical make-over of an individual;
- dd. WATER FACILITY – any entity engaged in the development of water source, water abstraction, water treatment and water distribution such as the Maynilad Water Company, waterworks operators in subdivisions, well abstractors/users, water refilling stations, etc.;
- ee. WATER HAULER – any person, firm or entity that obtains water from its source and transports, stores and operates equipment to deliver water for human consumption;

CHAPTER II HEALTH CERTIFICATE

- SECTION 4. All food and non-food handlers employed in food establishments, food manufacturing, industrial and commercial establishments, beauty parlors, barbershops, massage clinics beauty salons, department stores, medical clinics, motels, hotels, condominiums, beauty salons, spa and water facilities situated in the City of Mandaluyong are required to secure a Health Certificate at the City Health Office of Mandaluyong City.
- SECTION 5. Applicants for a Health Certificate as required in this Ordinance shall undergo the following training and tests and submit the original certificate of completion and certification of the result of the tests:
- ❖ Health and Sanitation Seminars
 - ❖ Fecalysis validity within the period of two (2) months
 - ❖ Chest X-ray (valid for one (1) year)
 - ❖ Drug Test (upon request of concerned establishment)
 - ❖ Urinalysis validity within the period of six (6) months
- SECTION 6. All applicants for Health Certificate shall attend the Health and Sanitation Seminar.
- SECTION 7. The Health Certificate Card shall be issued anytime within the year with validity until the end of the current year and shall be worn by the employee at all times during his period of work or duty.
- SECTION 8. All laboratory tests and radiologic examinations under Section 5 hereof shall be conducted by the City Health Laboratory only unless, otherwise, that the laboratory test required is not available in the City Health Department.
- SECTION 9. The Health Certificate shall be valid until the end of the current year and shall only be renewed upon submission of a certification of the result of the same requirement undertaken by the applicant until the end of the year.

CHAPTER III WATER DELIVERY, WATER REFILLING, WATER HAULER AND OTHER WATER SUPPLY FACILITIES

- SECTION 10. A Sanitary Clearance shall be required for every refilled-water delivery vehicle and water tanker delivery trucks that they shall secure from the City Health Office every month. The Clearance issued shall be conspicuously displayed in all vehicles at all times.
- SECTION 11. Water facilities shall undergo Monthly Bacteriological Examination and Semi-annual Physico-chemical Examination to be conducted by the City Health Laboratory or any DOH accredited water laboratory duly authorized by the City Health Office under the supervision of Sanitary Inspector.

CHAPTER IV FOOD ESTABLISHMENTS/FOOD MANUFACTURERS/MARKETS

- SECTION 12. All persons and/or entities engaged in the operation of food establishments, food manufacturing and public or private markets for public patronage must secure a Sanitary Permit from the City Health Office of Mandaluyong.
- SECTION 13. The Sanitary Permit shall be displayed in a conspicuous place in the food establishment, food manufacturing establishment and public or private markets at all times. Every stall-owner in public or private markets shall secure individual Sanitary Permits.
- SECTION 14. All persons employed by a food establishment, food manufacturer and public or private market, whether food or non-food handler, are required to secure Health Certificate from the City Health Office of Mandaluyong City. The Health Certificate shall be renewed every six (6) months subject to the health examination of the concerned employee.

- SECTION 15. Injection of water and/or application of coloring agents to fresh or frozen livestock and poultry products is strictly prohibited.
- SECTION 16. All livestock products sold or used in any food establishment, food manufacturing or public or private markets shall bear the stamp of inspection by an authorized abattoir. Selling of fresh meat, poultry and fish shall be made only within the premises of duly designated public markets and duly licensed private markets.
- SECTION 17. All public and private markets shall, as far as practicable, use only impervious materials for the tables, display counters, walls, partitions and floorings of stalls for meat, poultry, fish, vegetables, fruits and cooked food.
- SECTION 18. The use of wooden furniture in the wet section of public and private markets is strictly prohibited. All crate boxes or any wooden container used shall be supported by palates or stand and should have a clearance of at least six (6) inches from the flooring or ground.
- SECTION 19. All stalls in public and private markets shall be installed with appropriate floor coverings inside the stall and provide for adequate aqueduct facilities that are connected to a sewerage system. Vendors and traders of vegetables, fish and meat are prohibited to use colored bulbs and/or reflectorized/colored shades in marketing their products.
- SECTION 20. All food establishment personnel are required to conduct proper hygiene in processing food as hereunder enumerated:
- a. Cooks shall wear clean working garments and should have hairnets, caps and apron;
 - b. Observe good personal hygiene;
 - c. Wash hands thoroughly with soap and water and dry them with a clean or disposable towel or suitable hand drying equipment immediately before working or after visiting the toilet.
 - d. No food handler with long fingernails should be allowed to work.
 - e. No food handler with active skin infection should be allowed to work.
 - f. No manicured fingernails
 - g. No jewelries except wedding band should be worn by the food handler during his/her time of duty.
- SECTION 21. All food establishments and food manufacturers are required to use iodized salt in their food preparation in accordance with Ordinance No. 268, S-2003 entitled: *"An Ordinance Adopting Salt Iodization Program in the City of Mandaluyong and For Other Purposes"*.
- SECTION 22. The following are requirements for the issuance of a Sanitary Permit for food establishments and food manufacturers:
- a. Vermin abatement program;
 - b. Receipt for payment of Sanitary Permit;
 - c. Bacteriological Examination of water source;
 - d. Attendance in the Seminar on Proper Waste Disposal and Sanitation Code of Mandaluyong City.
- SECTION 23. No animals (pets or otherwise) are allowed inside food establishments, except bomb snipping dogs or K9 on service or on duty.
- SECTION 24. Smoking cigarettes is strictly prohibited in all enclosed and air-conditioned food establishments and food manufacturing establishments. They may, however, provide a separate area where cigarette smoking may be allowed, provided, that the smoking area is completely separated by a wall to prevent cigarette smoke from permeating into the non-smoking area and/or is in an open area and/or is provided with ample exhaust system.

- SECTION 25. ENFORCEMENT AND IMPLEMENTATION. In order to give effect to the intent and purposes of this Ordinance, the full enforcement and implementation thereof shall be vested on the Offices created and/or established through previous ordinances, executive orders/memos of the Local Chief Executive such as the Anti-Vice, Task Force Ordinance, Traffic Parking and Management Office (TPMO), Office of the Sanitary Inspectors and all other local public officers/employees authorized and/or designated by the Local Chief Executive.

CHAPTER V GENERAL SANITARY REQUIREMENTS

- SECTION 26. Wash hand basins shall be installed in convenient places in all food establishments, food manufacturing establishments and public and private markets equipped with adequate supply of water and, in proper cases, with soap, cloth or paper towels and/or hand drying equipment.
- SECTION 27. Adequate and clean toilet facilities for male, female and disabled customers and personnel shall be provided in all business establishments.
- SECTION 28. Toilets shall not be near or open directly into spaces where food is prepared, stored or served.
- SECTION 29. Grease traps shall be used whenever practicable.
- SECTION 30. VIP rooms in all nightclubs/establishments shall be allowed provided the walls, partitions and doors are provided with clear glass panels where activities inside can be observed and/or seen for purposes of security and safety of customers and night club personnel.

CHAPTER VI WATER SUPPLY

- SECTION 31. All water sources are required to secure a Certificate of Potability of Drinking Water from the City Health Office. Likewise, all food establishments shall undergo monthly bacteriological testing of their ice and water supply.
- SECTION 32. The ice supply of food establishment must come from ice plants with Sanitary Permits. Ice plants are subject to the requirements for water facilities.

Owners of high rise condominiums, hotels, motels, subdivisions and townhouses are requested to secure a Certificate of Potability of their water facilities every quarter.

CHAPTER VII REFUSE DISPOSAL

- SECTION 33. All owners, operators of business establishments in the City of Mandaluyong shall undergo a half-day seminar on proper waste disposal to be conducted by the Solid Waste Management Section in coordination with the Environmental Sanitation Division of the City Health Office prior to the issuance of a Sanitary Permit.
- SECTION 34. Refuse shall be separated to recyclable, non-recyclable and food materials.
- SECTION 35. All business establishments shall provide for proper refuse collection and storage and provide disposal refuse cans with tight fitting lids as to be vermin-proof and easily cleanable. All market places shall have holding bins or refuse storage area containers that must be maintained in a manner to be vermin and rodent proof. Individual stalls in public and private markets shall provide garbage plastic bags for their refuse.

- SECTION 36. Any person, natural or juridical, is prohibited from burning garbage or trash or any refuse material within the City of Mandaluyong.
- SECTION 37. All industrial and commercial establishments are required to put and install adequate and sufficient covered trash receptacles within their vicinity. All gasoline stations and motor repair shops shall install an oil and water separator in the collection and disposal of oil products prior to transfer in an empty steel drum with 200 liter capacity.
- SECTION 38. Garbage for disposal shall be kept inside the premises and shall only be brought outside, sealed and tied and/or properly placed in sacks or bags, at/or immediately before the time for collection thereof by garbage haulers. Dumping or disposing of garbage and/or carcass of animals or dead pets in/or along sidewalks, streets, creeks, esteros, rivers, vacant lots, parks and public places is strictly prohibited.
- SECTION 39. All public utility vehicles plying the roads within the City of Mandaluyong are required to put garbage receptacles inside their vehicles. Throwing of any form of trash into the streets from all types of vehicles is strictly prohibited. Garbage trucks or trucks loaded with loose materials are required to provide appropriate coverings over the materials being transported. The Traffic Parking and Management Office (TPMO) will be in-charge of apprehending the violators of this section.

CHAPTER VIII
VERMIN AND RODENT CONTROL

- SECTION 40. A vermin and rodent abatement program, to be undertaken by Fertilizer and Pesticide Authority of the Department of Agriculture shall be maintained in all food establishments by the owners, operators or administrators.

CHAPTER IX
CLASSIFICATION OF FOOD ESTABLISHMENTS

- SECTION 41. All food establishments shall be classified according to sanitation standards as follows:

EXCELLENT –	percentage rating shall not be lower than ninety (90%) percent on sanitary inspection evaluation.
VERY SATISFACTORY –	percentage not lower than seventy (70%) percent.
SATISFACTORY –	percentage not lower than fifty (50%) percent.

The Sanitary Permit of any food establishment that shall obtain a sanitary inspection evaluation below fifty (50%) percent shall be CANCELLED without prejudice.

All establishments must be classified in accordance with the foregoing categories and shall apply at the City Health Office and shall be evaluated upon payment of Food Establishment Classification Fee.

CHAPTER X
DANCING HALLS, NIGHT CLUBS, MASSAGE CLINICS,
SAUNA BATHS, MUSIC LOUNGES

- SECTION 42. The following persons, regardless of their station of work, shall, upon application for a working and/or occupational health certificates/permits from the City of Mandaluyong, undergo compulsory laboratory examinations for all laboratory tests.

GROUP A:

- a. Waiters/Waitresses
- b. Floor Managers
- c. GRO/Receptionists
- d. Bar Girls
- e. Models
- f. Dancers
- g. Masseurs/masseuse
- h. Massage Clinic Attendants

GROUP B:

- a. Cashiers
- b. Club Bouncers
- c. Band, other performers/artists
- d. Cooks
- e. Food Handlers
- f. Other Restaurants Workers
- g. Disc Jockeys
- h. Impersonators
- i. Make-up artists

Persons classified under items c to f of Group A are those employed in establishments generally operating at nights, such as night clubs, discos and bars.

Failure to present proof that the aforementioned personnel have undergone the laboratory examinations and tests shall be ground for suspension or revocation of their Business License Permit.

SECTION 43. The minimum tests required of all persons enumerated under group A shall be the following:

- a. VDRL Test (Venereal Disease)
- b. Gram's Stain
- c. HbsAg Screening Test (Hepatitis B Surface Antigen)
- d. Routine Urinalysis
- e. Routine Fecalalysis
- f. Drug Test (optional)
- g. HIV (voluntary)
- h. Chest X-ray (valid for one (1) year)

The minimum test required for those enumerated under Group B shall be the following:

- a. Routine Urinalysis
- b. Fecalalysis
- c. Drug Test (optional)
- d. Chest X-ray (valid for one (1) year)

SECTION 44. All personnel, in addition, shall undergo STD seminar prior to the issuance of a Health Certificate. Food handlers shall, in addition, undergo a Food Handler Seminar.

SECTION 45. All establishments employing persons required to undergo the tests provided in this Chapter shall have the responsibility of ensuring that their personnel submit themselves for testing as required under this Code. Failure to present proof that their employees had undergone the tests required in this Chapter or to account for such personnel previously tested shall be ground for suspension or revocation of Business License Permit.

CHAPTER XI OFFENSIVE TRADES AND OCCUPATION

SECTION 46. No animal stockade for livestock industry shall be maintained and operated within the City of Mandaluyong. Keeping of any kind of livestock animal intended for butchering in any premises within the City for more than three (3) days shall constitute a violation of this section. However, a septic tank must be provided for the animal waste.

SECTION 47. Stockade of game cocks intended for trade and/or for breeding shall be allowed only upon securing the necessary sanitary permit and provided that proper sanitary standards are maintained such as:

1. Adequate water supply for drinking and cleaning and for other domestic purposes of at least thirty (30) liters per day/fifty (50) heads shall be provided in the establishments.
2. Every stockade shall be provided with a watertight, easy to carry and vermin-proof receptacle for manure and other litter arising within the premises of the stockade.
3. The stockade shall not be located within twenty-five (25) meters from any ground and surface drinking water source nor shall it be located in flood-prone areas.
4. Vermin abatement program should be maintained by the operator.
5. Disinfection shall be undertaken at least three times a week or as frequent as necessary.
6. All poultry feeds shall be kept and stored under such conditions that will limit the attraction and harborage of vermin.
7. Adequate sanitation shall be observed to prevent obnoxious odors that may arise from the establishment.
8. In residential areas, (classified in the zoning classification) there should be no breeding of game cocks and other types of fowls, hog raising activities.
9. Other similar measures to maintain the sanitary conditions of the stockade premises.

CHAPTER XII TONSORIAL AND BEAUTY ESTABLISHMENTS

SECTION 48. Tonsorial or beauty establishments shall be required to secure the proper Sanitary Permit from the City Health Office.

SECTION 49. All personnel of the establishment are required to secure Health Certificates subject to the provisions of Chapter II and Chapter X of this Code.

SECTION 50. The following sanitary practices shall be observed in the establishments at all times:

1. Working personnel shall wash their hands with soap and water before servicing customers;
2. They shall wear clean working garments;
3. They shall not smoke nor eat while working;
4. Instruments of their trade like nipper, pusher, scissors, razors, and nail cutters shall be cleaned and disinfected before and after their use with any approved soaking solutions and their derivatives;
5. Customers shall be supplied with clean and fresh towels, drapes, and other necessities;
6. Precautionary measures to prevent disease transmission shall be observed when serving customers with any form of dermatoses.

CHAPTER XIII CATERERS, FOOD BOOTHS, STALLS, CARTS, AMBULANT VENDORS

SECTION 51. No person or entity shall operate any of the services and/or trade under this chapter without securing a sanitary permit.

SECTION 52. All operators and/or personnel engaged in such services and/or trade shall secure a Health Certificate in accordance with Chapter II of this Code.

- SECTION 53. The following sanitation requirements shall be observed by the operators and/or personnel of such services and/or trade covered by this chapter at all times:
- a. All food containers shall be completely enclosed or sealed and leak-proof to prevent the possibility of contamination and spillage;
 - b. All transport vehicles shall be kept clean and no substance capable of contaminating the food or food products shall be transported with the food or food products in such manner as to permit contamination;
 - c. The food booths, stalls, carts or similar trade shall be so constructed that food, drinks and other utensils shall not be exposed to insects, dust and other contaminants.
 - d. Adequate supply of safe water shall be made easily available for use in cleaning utensils and equipment.
 - e. All food booths and the like shall be provided with the proper storage and holding facilities to maintain the food or drinks hot or cold, as may be required by the type of food or drink to be served.
 - f. Ice shall come from approved sources and stored and hauled as to avoid contamination.
 - g. All garbage and trash shall be kept in tight receptacles. Refuse containers shall be made available at all times.
 - h. Waste water and other liquid waste shall be disposed in a sanitary manner so as not to create nuisance and to prevent becoming a source of disease-bearing insects or bacteria.

CHAPTER XIV
INDUSTRIAL AND OTHER NON-FOOD ESTABLISHMENTS

- SECTION 54. All industrial/commercial and other non-food establishments shall obtain a Sanitary Permit and local environmental clearance and personnel of which shall secure Health Certificate.
- SECTION 55. All establishments covered by this Chapter are required to provide the following facilities and programs in accordance with the provisions of this Code:
- a. Adequate and conveniently located toilet facilities.
 - b. Proper facilities/receptacles for disposal of ordinary refuse and industrial waste to prevent health hazard, nuisance and pollution.
 - c. An abatement program for vermin control.
 - d. Adequate sanitary maintenance for all work areas, machineries and equipment to ensure the safety of employees.
 - e. Canteens and/or eating places that conform to the requirements for food establishments under this Code.
 - f. Potable drinking water for employees.

CHAPTER XV
HEALTH SERVICES FEE

- SECTION 56. The following fees shall be imposed for the laboratory tests and seminars that shall be undertaken by the City Health Office of the City of Mandaluyong under the Sanitation Code. The fees shall be subject to review and/or re-evaluation every five (5) years.

1. ROUTINE LABORATORY TESTS		
a.	Urine Exam	30.00
b.	Stool Exam (DFS)	30.00
c.	Pregnancy Test	100.00
d.	CBC	50.00
e.	Platelet Count	60.00

f.	Hgb/Hct	40.00
g.	Blood Typing	30.00
h.	Chest X-ray	150.00
i.	Drug Test	300.00
2. BLOOD CHEMISTRY		
a.	FBS	90.00
b.	Cholesterol	90.00
c.	Uric Acid	90.00
d.	BUN	90.00
e.	Creatinine	90.00
3. SOCIAL HYGIENE TESTS		
a.	Gram Staining	50.00
b.	NSS/KOH Stain	50.00
c.	HBsAg	150.00
d.	RPR	100.00
e.	Routine Urinalysis	30.00
4. SANITATION/HEALTH CERTIFICATES		
a.	Health Certificate	50.00
b.	STD Certificate	50.00
c.	Sanitary Inspection	100.00
d.	Food Establishment Classification	100.00
e.	Local Environmental Clearance	
	1. Industrial Manufacturing	
	Above 1,000 square meters	2,000.00
	Below 1000 square meters	1,000.00
	2. Commercial & Other Services	500.00
f.	Renewal and Lost Card	50.00
5. FOGGING/EXCLUDING DILUENT TO BE SHOULDERS BY REQUISITIONER		
a.	With an area of Twenty Five (25) square meters	200.00
b.	Additional per square meter	50.00
6. BACTERIOLOGICAL WATER EXAMINATION		180.00
7. PHYSICAL & CHEMICAL EXAMINATION (every 6 months)		1,800.00
8. CERTIFICATE OF POTABILITY (every quarter)		1,000.00

CHAPTER XVI
ROLE OF THE CITY HEALTH LABORATORY

All laboratory tests and radiological examinations required under Section 5 hereof shall be conducted by the City Health Laboratory only to ensure the authenticity and correctness of the laboratory/radiology examinations/results.

In cases where the tests are not available in the City Health Laboratory, such tests may be done in private laboratories provided the establishment is DOH accredited.

The said laboratory shall submit a Certified True Copy of accreditation form to the City Health Department.

CHAPTER XVII
PENAL PROVISIONS

SECTION 57. The following penalties shall be imposed for any violation of this Code:

1.	For violations of Section 4, Chapter II of this Code, the penalties are as follows:	
	A. ESTABLISHMENT	
	First Offense :	Fine of Two Thousand Pesos (P2,000.00)
	Second Offense :	Fine of Five Thousand Pesos (P5,000.00)
	Third Offense :	Revocation of Permit
	B. INDIVIDUAL	
	First Offense :	Fine of Five Hundred Pesos (P500.00) and/or imprisonment of one (1) day or community work for four (4) hours.
	Second Offense :	Fine of One Thousand Pesos (P1,000.00) and/or imprisonment of five (5) days or community work for ten (10) hours.

	Third Offense :	Fine of Two Thousand Pesos (P2,000.00) and/or imprisonment of ten (10) days or community work for twenty-four (24) hours.
2.	For violations of Section 6, Chapter II of this Code, the penalties are as follows:	
	First Offense :	Fine of One Hundred Pesos (P100.00)
	Second Offense :	Fine of Two Hundred Pesos (P200.00)
	Third Offense :	Revocation of Health Certificate
3.	For violations of Section 8, Chapter II of this Code, the penal provisions for violation of Section 4 of this Code, shall be applied.	
4.	For violations of Section 9, Chapter III of this Code, the penalties are as follows:	
	First Offense :	Fine of One Hundred Pesos (P100.00) and temporary ban to ply route until clearance is secured.
	Second Offense :	Fine of Five Hundred Pesos (P500.00) and temporary ban to ply his route.
	Third Offense :	Fine of One Thousand Pesos (P1,000.00) and permanent ban to ply his route.
5.	For violations of Section 10, Chapter III of this Code, the penalties are as follows:	
	First Offense :	Fine of Five Hundred Pesos (P500.00) and temporary closure of the establishment until examination results are obtained.
	Second Offense :	Fine of One Thousand Pesos (P1,000.00) and cease and desist of operation of the establishment until examinations results are obtained.
	Third Offense :	Fine of Five Thousand Pesos (P5,000.00) and Revocation of Sanitary Permit to Operate.
6.	For violations of Section 13, Chapter IV of this Code, the offender shall not be issued the requisite Sanitary Permit to Operate. In addition, the establishment shall be ordered closed and shall be fined in the amount of Five Thousand Pesos (P5,000.00).	
7.	For violations of Section 14, Chapter IV of this Code, the penalties are as follows:	
	First Offense :	Fine of Five Hundred Pesos (P500.00)
	Second Offense :	Fine of Two Thousand Pesos (P2,000.00)
	Third Offense :	Fine of Five Thousand Pesos (P5,000.00) and revocation of permit to operate.
8.	For violation of Section 15, Chapter IV of this Code, the penal provisions for violation of Section 4, Chapter II of this Code shall apply.	
9.	For violations of Section 16, Chapter IV of this Code, the penalties are as follows:	
	First Offense :	Fine of Five Hundred Pesos (P500.00) and confiscation of products.
	Second Offense :	Fine of Two Thousand Pesos (P2,000.00) and cease and desist of operation of stall for two (2) weeks.
	Third Offense :	Fine of Five Thousand Pesos (P5,000.00) and permanent closure of stall.
10.	For violations of Section 17, Chapter IV of this Code, the penalties are as follows:	
	First Offense :	Fine of One Thousand Pesos (P1,000.00) and confiscation of products.
	Second Offense :	Fine of Two Thousand Pesos (P2,000.00) and cease and desist of operation of stall for two (2) weeks.
	Third Offense :	Fine of Five Thousand Pesos (P5,000.00) and permanent closure of stall.
	The penalties for selling outside of the premises of public or private markets are as follows:	
	First Offense :	Fine of Five Hundred Pesos (P500.00) and confiscation of products.
	Second Offense :	Fine of One Thousand Pesos (P1,000.00) and confiscation of products.
	Third Offense :	Fine of Two Thousand Pesos (P2,000.00) and/or imprisonment for ten (10) days.

11.	For violations of Sections 18, 19 and 20, Chapter IV of this Code, the penalty shall be a fine of One Thousand Pesos (P1,000.00) and temporary closure for thirty (30) days or until the establishment presents proof of compliance to the requirements specified therein.
12.	For violation of Section 21, Chapter IV of this Code, the penalties are as follows:
	First Offense : Fine of One Thousand Pesos (P1,000.00)
	Second Offense : Fine of Two Thousand Pesos (P2,000.00)
	Third Offense : Fine of Five Thousand Pesos (P5,000.00) and revocation of permit to operate.
13.	For violation of Section 24, Chapter IV of this Code, the penalties are as follows:
	First Offense : Fine of Two Thousand Pesos (P2,000.00) and temporary closure of the establishment until the removal of the animal concerned and proper fumigation of the premises of the establishment is undertaken.
	Second Offense : Fine of Five Thousand Pesos (P5,000.00) and temporary closure of the establishment until proper fumigation has been undertaken/ seizure of animal concerned.
	Third Offense : Fine of Ten Thousand Pesos (P10,000.00) and revocation of permit to operate and seizure of the animal concerned.
14.	For violation of Section 25, Chapter IV of this Code, the penalties are as follows:
	First Offense : Fine of One Hundred Pesos (P100.00) and/or imprisonment of one (1) day or community work for four (4) hours.
	Second Offense : Fine of Five Hundred Pesos (P500.00) and/or imprisonment of five (5) days or community work for eight (8) hours.
	Third Offense : Fine of Two Thousand Pesos (P2,000.00) and/or imprisonment of ten (10) days or community work for twenty-four (24) hours.
	FOR ESTABLISHMENT OFFENDER:
	First Offense : Fine of (Two Thousand Pesos (P2,000.00)
	Second Offense : Fine of Five Thousand Pesos (P5,000.00)
	Third Offense : Fine of Ten Thousand Pesos (P10,000.00) and revocation of permit to operate.
15.	For violation of Section 26, Chapter V of this Code, the penalties are as follows:
	First Offense : Warning and a thirty (30) days grace period to construct wash hand basin.
	Second Offense : Suspension or revocation of sanitary permit until wash hand basin is installed.
16.	For violation of Section 27, Chapter V of this Code, the penalties are as follows:
	First Offense : Warning and a thirty (30) days grace period to construct toilet facilities.
	Second Offense : Suspension or revocation of sanitary permit until toilet facility is installed.
17.	For violation of Section 29, Chapter V of this Code, the penal provisions for violation of Section 10 of this Code shall apply.
18.	For violation of Section 30, Chapter V of this Code, the penal provisions for violation of Section 10 and 11 of this Code shall apply.
19.	For violation of Section 31, Chapter VI of this Code, the penalties are as follows:
	HOMES:
	First Offense : Warning and grace period of fifteen (15) days to comply.
	Second Offense : Fine of One Thousand Pesos (P1,000.00)
	Third Offense : Fine of Five Thousand Pesos (P5,000.00)
	ESTABLISHMENT:
	First Offense : Warning and grace period of seven (7) days to comply.
	Second Offense : Fine of Two Thousand Pesos (P2,000.00)

	Third Offense :	Fine of Five Thousand Pesos (P5,000.00) and temporary closure of establishment for fifteen (15) days.
20.	For violation of Section 33, Chapter VII of this Code, the penalties are as follows:	
	First Offense :	Fine of One Thousand Pesos (P1,000.00) and appropriate warning.
	Second Offense :	Fine of Two Thousand Pesos (P2,000.00) and seminar on proper waste disposal.
	Third Offense :	Fine of Five Thousand Pesos (P5,000.00) and revocation of business permit.
21.	For violation of Section 34, Chapter VII of this Code, the penalties are as follows:	
	First Offense :	Fine of Two Thousand Pesos (P2,000.00)
	Second Offense :	Fine of Five Thousand Pesos (P5,000.00) and criminal prosecution with penalty of six (6) months to one (1) year imprisonment.
	Third Offense :	Fine of Five Thousand Pesos (P5,000.00) and revocation of business permit.
22.	For violation of Section 35, Chapter VII of this Code, the penal provisions for violation of Section 33, Chapter VII of this Code shall apply.	
23.	For violation of Section 40, Chapter VIII of this Code, the penalties are as follows:	
	First Offense :	Appropriate warning and a grace period of not more than fifteen (15) days to comply.
	Second Offense :	Suspension of sanitary permit to operate until such time that a vermin abatement program is applied.
24.	For violation of Section 43, Chapter X of this Code, the penalties are as follows:	
	INDIVIDUAL OFFENDER:	
	First Offense :	Fine of Three Hundred Pesos (P300.00) and suspension of Health Certificate until appropriate tests are done.
	Second and Sub-sequent Offense :	Fine of Five Hundred Pesos (P500.00) and revocation or non-renewal of Health Certificate.
	ESTABLISHMENT OFFENDER:	
	First Offense :	Fine of minimum of One Thousand Pesos (P1,000.00) to maximum of Two Thousand Pesos (P2,000.00) per establishment involved.
	Second and Subsequent Offense :	Fine of minimum of Two Thousand Pesos (P2,000.00) to maximum of Five Thousand Pesos (P5,000.00) per establishment and revocation of business permit.
25.	For violation of Section 47, Chapter XI of this Code, the penalty shall be the immediate closure of the facility and confiscation of all animals found therein for the benefit of the City Government.	
26.	For violation of Section 46, Chapter XI of this Code, the penalties are as follows:	
	First Offense :	Fine of Two Thousand Pesos (P2,000.00) and appropriate warning.
	Second Offense :	Fine of Five Thousand Pesos (P5,000.00) and immediate closure of the facility and confiscation of the game cocks for the benefit of the City Government.
27.	For violation of Section 49 and 51, Chapter XII of this Code, the penal provisions for violation of Section 4, Chapter II and Section 21, Chapter IV of this Code shall apply.	
28.	For violation of Section 50, Chapter XII and 53, Chapter XIII of this Code, the penalties are as follows:	
	First Offense :	Appropriate warning and grace period of fifteen (15) days to comply.
	Second Offense :	Suspension of sanitary permit for not more than one (1) month.
	Third Offense :	Revocation of business permit.

- SECTION 58. Any person who shall interfere or hinder, or oppose any officer or member of the City Health Office of the City of Mandaluyong in performance of their duty in the implementation of this Sanitation Code, or shall tear down, mutilate, deface, or alter any billboard, streamer, poster or similar notices affixed to the premises in the enforcement of these Sanitation Code shall be guilty of misdemeanor and punishable upon conviction by imprisonment for a period not exceeding six (6) months, or a fine not less than Five Thousand Pesos (P5,000.00), or both, upon the discretion of the court.

CHAPTER XVIII FINAL PROVISIONS

- SECTION 59. IMPLEMENTING AUTHORITY. The City Health Office is hereby mandated as the lead agency tasked to implement and enforce the City of Mandaluyong Sanitation Code of 2005. For this purpose it may enlist the support of the Business Permit and Licensing Office, SWAESCO, PNP, and any other government agency as it may deem necessary.
- SECTION 60. No City Government Employee/s shall be allowed to transact directly with any establishment for the facilitation of issuance of Health Certificate/s and business permits.
- SECTION 61. APPLICABILITY OF SANITATION CODE OF THE PHILIPPINES AND OTHER LAWS. The Sanitation Code of the Philippines and its Implementing Rules and Regulations and other laws shall apply to all matters not provided in this Code.
- SECTION 62. SEPARABILITY CLAUSE. If for any reason, any part or provision of this Code shall be held unconstitutional or invalid, other parts or provisions hereof which are not affected shall continue to be in full force and effect.
- SECTION 63. REPEALING CLAUSE. All ordinances and administrative circulars and executive orders, or parts thereof which are inconsistent with any of the provisions of this Code are hereby repealed or amended accordingly.
- SECTION 64. EFFECTIVITY. This Ordinance shall take effect after publication once in a newspaper of general circulation and its posting for three (3) consecutive weeks in all conspicuous places in the City Hall or in the Bulletin Board.

ENACTED on this 12th day of September, 2005 in the City of Mandaluyong.

I HEREBY CERTIFY THAT THE FOREGOING ORDINANCE WAS ADOPTED AND APPROVED BY THE SANGGUNIANG PANLUNGSOD OF MANDALUYONG IN REGULAR SESSION HELD ON THE DATE AND PLACE FIRST ABOVE GIVEN.


JIMMY D. LACEBAL
Sanggunian Secretary

ATTESTED:


JESUS C. CRUZ
City Vice Mayor &
Presiding Officer

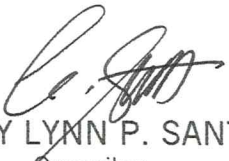
APPROVED:


NEPTALI M. GONZALES II
City Mayor

Date: **SEP 21 2005**



DANILO L. DE GUZMAN
Councilor



CHERRY LYNN P. SANTOS
Councilor



JONATHAN D.C. ABALOS
Councilor



EDWARD G. BARTOLOME
Councilor



LUISITO E. ESPINOSA
Councilor



RENATO B. STA. MARIA
Councilor



TERESITA C. PILLAS
Councilor



NOEL E. BERNARDO
Councilor



EPIFANIO C. DE GUZMAN
Councilor



ROBERTO J. FRANCISCO
Councilor



GERARDO B. PE
Councilor



MICHAEL R. OCAMPO
Councilor



JUAN A. AMON
ABC President



THOMASIN KAE I. DOMINGUEZ (Absent)
SK Federation President



DANILO L. DE GUZMAN
Councilor



CHERRY LYNN P. SANTOS
Councilor



JONATHAN D.C. ABALOS
Councilor



EDWARD G. BARTOLOME
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TERESITA C. PILLAS
Councilor



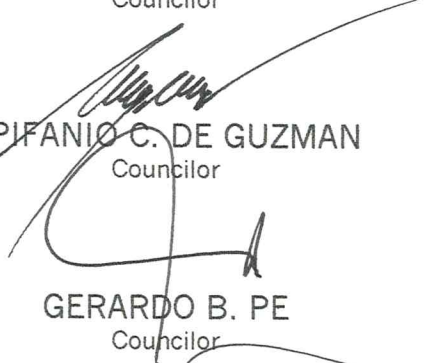
NOEL E. BERNARDO
Councilor



EPIFANIO C. DE GUZMAN
Councilor



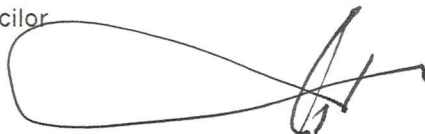
ROBERTO J. FRANCISCO
Councilor



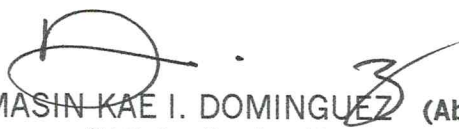
GERARDO B. PE
Councilor



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Councilor



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