

**REPUBLIKA NG PILIPINAS
TANGGAPAN NG SANGGUNIANG PANLUNGSOD
LUNGSOD NG BAKOLOD
-oOo-**

**CITY ORDINANCE NO. 881
February 6, 2019**

AN ORDINANCE IMPLEMENTING THE ZERO OPEN DEFECATION (ZOD) IN ALL BARANGAYS IN THE CITY OF BACOLOD, IMPOSING FINES AND PENALTIES FOR VIOLATIONS AND PROVIDING FUNDS THEREOF.

WHEREAS, the 1987 Constitution of the Republic of the Philippines declare that the state shall protect and promote the right to health of the people and instill health consciousness among them;

WHEREAS, the Local Government Code of 1991 (RA 7160) accords every local government unit power and authority to promote general welfare within its territorial jurisdiction including the promotion of health and safety of its constituents;

WHEREAS, Administrative Order No. 2010-0021 signed last June 25, 2010 issued by Department of Health has indicated in the objectives that at least 60% of all barangays should be declared zero open defecation status and all barangays nationwide by year 2022;

WHEREAS, the Bacolod City Government is vigilant as to the effects of unsanitary disposal of human wastes in health and well-being of its citizens;

NOW, THEREFORE, be it enacted by the Sangguniang Panlungsod in session assembled, that:

Section 1. TITLE. This ordinance shall be known as “**AN ORDINANCE IMPLEMENTING THE ZERO OPEN DEFECATION (ZOD) IN ALL BARANGAYS IN THE CITY OF BACOLOD, IMPOSING FINES AND PENALTIES FOR VIOLATIONS AND PROVIDING FUNDS THEREOF.**”

Section 2. OBJECTIVE. To promote zero open defecation, to safeguard public health and well-being of all the constituents by allocating funds annually for sustainable sanitation programs relative hereto. The expected output of the campaign is initially the total elimination of open defecation and eventually to reach total sanitation with every household having its own improved toilet facility in the barangay, water supply services, personal and domestic hygiene systems.

Section 3. COVERAGE. This ordinance shall be applicable to all persons, natural or juridical, resident or non-resident within the territorial jurisdiction of the City of Bacolod.

Section 4. DEFINITION OF TERMS.

- a. **Zero Open Defecation (ZOD)** – refers to when no feces are openly visible or exposed to the environment. Achieving ZOD might involve the use of any form of toilets that prevent exposure of feces to the environment with provision for moving up the sanitation ladder.



- b. **Defecate** – to excrete/discharge fecal waste from the body or to have a bowel movement.
- c. **Open Defecation** – the manner of excreting/discharging fecal waste on a place, site or location other than the toilet/comfort room or restroom and leaving it exposed to the environment.
- d. **Public Places** – all places that are accessible or open to the people in a community or places for collective use regardless of ownership which include outdoor spaces for gatherings but not limited to playgrounds, public squares or plazas, school grounds, church grounds and the like.
- e. **Community Service** – refers to the services rendered to the community for public service.

Section 5. PROHIBITED ACTS. The following acts are declared unlawful, prohibited and deemed punishable by this ordinance:

- a. Open defecation in open places as defined in Section 4 of this Ordinance.
- b. Throwing, leaving or depositing fecal waste in open places exposed to the environment.

Section 6. FINES AND PENALTIES. All persons, natural or juridical, resident or non-resident within the territorial jurisdiction of the City of Bacolod found to be violating this ordinance shall be administratively fined as follows:

- a. First Offense – Three Hundred Pesos (Php 300.00) or One (1) day of Community Service to be rendered in the barangay.
- b. Second Offense – Five Hundred Pesos (Php 500.00) or two (2) days of Community Service to be rendered in the barangay.
- c. Third and Succeeding Offenses – One Thousand Pesos (Php 1,000.00) or five (5) days of Community Service to be rendered in the barangay.

Section 7. CREATION OF BARANGAY SANITATION CONTROL TEAM. The Barangay Sanitation Control Team shall be created and be composed of the following:

Chairman : Punong Barangay

Vice Chairman : Barangay Kagawad, Chairman, Committee on Health and Sanitation

Handwritten signatures and initials in black ink, including a large 'B' and other illegible marks.

Members : Barangay Nutrition Scholars
Barangay Health Workers
Purok Presidents

Section 8. DUTIES AND RESPONSIBILITIES OF BARANGAY SANITATION CONTROL TEAM.

- a. Creation and implementation of Barangay Sanitation Program.
- b. Assist in the enforcement of this Ordinance, interrogation of the violators and imposing fines and penalties which may be deemed necessary.
- c. Undertake information campaign in the barangay.
- d. The Barangay Health Workers shall make a periodic accomplishment report for submission to the City Mayor's Office and the City Health Office.

Section 9. FUNDING. The Bacolod City Government shall allocate funds in the amount of Five Hundred Thousand Pesos (P 500,000.00) to defray the cost of information dissemination and education materials, briefing, meals and transportation, and monitoring of activities.

Section 10. SEPARABILITY CLAUSE. If any provisions of this Ordinance or any part thereof be declared invalid or unconstitutional, the remaining provisions not affected shall continue in full force and effect.

Section 11. REPEALING CLAUSE. All ordinances, resolutions, executive orders, or regulations and other issuances inconsistent with the provisions and/or purposes of this Ordinance are hereby repealed, amended or modified accordingly.

Section 12. EFFECTIVITY CLAUSE. This Ordinance shall take effect immediately upon approval.

CARRIED BY THE VOTE OF:

Affirmative:

Councilors : Caesar Z. Distrito, Cindy T. Rojas, Renecito S. Novero, Em L. Ang, Elmer T. Sy, Ana Marie V. Palermo, Wilson C. Gamboa, Jr., Bartolome N. Orola, Sr., Sonya M. Verdeflor, Lady Gles Gonzales-Pallen, Ayesha Joy Y. Villafior.

Negative : N o n e .

Official Leave : Councilor Ricardo L. Tan.

Absent : N o n e .

Author : Councilor Em L. Ang.



Passed : February 6, 2019 (136th Regular Session of the 9th Council).

Comments : Passed.
Councilors Dindo C. Ramos and Claudio Jesus Raymundo A. Puentevella were not around when this ordinance was passed.


EL CID M. FAMILIARAN
Vice Mayor
Presiding Officer

ATTESTED:


ATTY. VICENTE C. PETIERRE III
Secretary to the Sanggunian

APPROVED: Feb 14, 2019.


EVELIO R. LEONARDIA
City Mayor

VCP/CGT/jbz

SP
LEGISLATIVE SERVICE SECTION
DATE Feb. 18/19 TIME 9:20 AM
BY juvillita