

EXCERPTS FROM THE MINUTES OF THE 30TH REGULAR SESSION OF THE SANGGUNIAN BAYAN OF BACOR, CAVITE HELD AT THE SESSION HALL, BACOR MUNICIPAL HALL, BACOR, CAVITE ON THE 31ST DAY OF MARCH 2008.

PRESENT:

HON. MIGUEL N. BAUTISTA -----	Acting Presiding Officer
HON. ROLANDO S. REMULLA -----	Councilor
HON. AVELINO B. SOLIS -----	Councilor
HON. HUBERT V. GERVACIO -----	Councilor
HON. REYNALDO M. FABIAN -----	Councilor
HON. NORMITA D. CELESTINO -----	Councilor
HON. AVELINO S. DE CASTRO -----	Councilor
HON. BAYANI M. DE LEON -----	Councilor
HON. GIANNE LOUISE OLEGARIO -----	Councilor (SKF-Pres)
HON. CATHERINE SARINO -----	Councilor (ABC-Pres.)

**Municipal Ordinance No. 4-I
Series of 2008**

**AN ORDINANCE ENACTING THE GENERAL
ORDINANCE CODE OF BACOR.**

Sponsored by Councilor Hubert Gervacio

WHEREAS, pursuant to the powers of the Sangguniang Bayan of Bacor, Cavite, its members conducted a series of public hearings in aid of legislation intended to compile all the existing ordinances of the municipality and place them under one general ordinance, among others.

WHEREAS, the Sangguniang Bayan hired legal consultants for the purpose of determining the existence of any municipal ordinance pertaining to the above-mentioned issue and assist the Sangguniang Bayan in drafting the necessary legislation to address the same.

WHEREAS, after conducting the necessary consultations and public hearing, a draft ordinance entitled the "General Ordinance Code of Bacor" was presented to the Sangguniang Bayan for review and consideration.

WHEREAS, after a thorough deliberation on the merits of the said proposed municipal ordinance, the Sangguniang Bayan decided to suspend its Internal Rules and proceeded to vote on the said piece of legislation;

NOW, THEREFORE:

Be it ordained by the Sangguniang Bayan of Bacoor, Cavite in regular session assembled upon motion of Councilor Hubert Gervacio and unanimously seconded by all its members that:

Section 1. The General Ordinance Code of Bacoor is hereby unanimously enacted. A copy of the said municipal ordinance is attached hereto as **Annex "A"**.

Section 2. Should any provision of the said municipal ordinance be declared void, the remaining provisions of the above-mentioned ordinance not affected thereby shall remain valid and in effect.

Section 3. The said ordinance shall take effect immediately after its publication in a newspaper of general circulation.

Section 4. Let copies of the said municipal ordinance be sent to the Office of the Municipal Mayor and to all the concerned departments of the municipal government of Bacoor, Cavite.

ENACTED by the Sangguniang Bayan of Bacoor, Province of Cavite this 31st day of March, 2008.

Attested by:

ATTY. KHALID A. ATEGA JR.
Secretary to the Sangguniang Bayan

Certified by:

HON. ROSETTE M. FERNANDO
Vice Mayor/Presiding Officer

Approved by:

HON. STRIKE B. REVILLA
Municipal Mayor

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GENERAL ORDINANCE CODE OF BACOR

CHAPTER I GENERAL PROVISIONS

Article A. Short Title and Scope

Section 1A.01. Title. The ordinance shall be known as the “**General Ordinances Code of Bacoor, Cavite**”.

Section 1A.02. Scope. This Code covers all ordinances of general application in the Municipality of Bacoor, Cavite.

Article B. Rules of Construction

Section 1B.01. Words and Phrases. Words and Phrases embodied in this Code that are not specifically defined shall have the same meanings as those found in Black’s Law Dictionary as well as those contained in existing pertinent laws.

Section 1B.02. Construction of Codal Provisions. In interpreting the provisions of this Code, the following rules of statutory construction shall be observed unless otherwise inconsistent with the manifest intent of the Sangguniang Bayan or when such provisions would lead to absurd or highly improbable results when applied.

General Rule. All words and phrases shall be construed and understood according to the common and approved usage of the language but technical words and phrases and such other words in this Code which may have acquired a peculiar or appropriate meaning shall be construed and understood according to such technical, peculiar or appropriate meaning.

Gender and Number. Every word in this Code importing the masculine gender shall extend to both male and female. Every word importing the singular number shall extend and apply to several persons or things as well. Every word importing the plural number shall extend, and (be) applied, also to one person or thing.

Computation of Time. The time within which an act is to be done as provided in this Code, or in any rule or regulation issued pursuant to the provision thereof, when expressed in days shall be computed by excluding the first day and including the last day, except when the last day falls on (a) Sunday or a holiday, in which case, the same shall be excluded from the computations and the next business day shall be considered the last day.

a) **Tenses.** The use of any verb in the present tense shall include the future whenever applicable. The words “shall have been” shall include past and future cases. The use of the word “shall” in this code means that act being required to be done is mandatory, whereas when the word “may” is used, it means permissive.

b) **References.** All references to the “Chapter”, “Articles”, or “Section” are to chapter, articles or sections in this Code unless otherwise specified.

c) **Conflicting Provisions of Chapters.** If the provisions of different Chapters conflict with or contravene each other, the provision of each chapter shall prevail as to all specific matter and questions involved therein.

d) **Conflicting Provisions of Sections.** If the provisions of different Sections in the same chapter conflict with each other, the provision of the section which is last in point of sequence shall prevail.

Section 1B.03. Amendment and Integration of Additional Provisions. Any amendment to this Code may be introduced to the chapter, article or sections concerned. All ordinances or provisions thereof enacted subsequent to the date of effectivity of this code shall be complied in such way as to bear the corresponding chapter, article or section to which such ordinance or provisions pertains. Such new provision shall be integrated into the corresponding chapter, article or section whenever a new printing or reproduction of this Code is undertaken upon authorization of the Sanggunian.

Section 1B.04. Existing Rights. No rights accrued, action or proceeding commenced before the effectivity of this Code shall be adversely affected by any provision hereof. Thereafter, all procedures or actions to be taken shall conform to the provisions of this Code whenever possible.

Section 1B.05. Reference to Code. Whenever reference is made to any portions of this Code, such reference shall apply to all amendments and additions now or may hereafter be introduced.

Section 1B.06. Effect of Heading. The Chapter, Article and Section Headings do not in any manner affect the scope, meaning or intent of the provisions contained in this Code.

Section 1B.07. Relation to Prior Ordinance. The provisions of this Code which are substantially the same as the previous or existing ordinances particularly when dealing with the same subject matter shall be construed as "restatements" and not as new enactments.

Article C. Definitions

Section 1C.01. Meaning of Technical Terms. As used in this Code:

Amusement – is a pleasurable diversion and entertainment. It is synonymous to recreation, relaxation, avocation, pastime or fun

Amusement places – includes theaters cinemas, concert halls circuses and other places of amusement where one seeks admission to entertain himself by seeing or viewing the show or performance. They include those places where one seeks admission to entertain himself by direct participation.

Business – means commercial activity customarily engaged in as a means of livelihood and typically involving some independence of judgment and power of decision.

Calling – means one's regular business, trade, profession, vocation or employment which does not require the passing of an appropriate government board or bar examinations, such as professional actors, actresses, masseurs, commercial stewards and stewardesses and the like.

Capital – signifies the actual estate whether in money or property owned by an individual or corporation; it is a fund with which it transacts its business, which would be liable to its creditor, and which in a case of insolvency passes on to a receiver.

Capital Investment – is the capital which a person puts in any undertaking to which contributes to the common stock of the partnership, corporation, or any other juridical entity or association.

Charges – refers to pecuniary liability, as fees or rent against the property persons or organizations.

Corporation – includes joint-stock company, partnership, association, insurance company, or any other juridical entity, no matter how created.

Excessive – means that which is characterized by whatever is notably greater than what is moderate, reasonable, proper, usual, necessary and just.

Fee – means a charge fixed by law or agency for the services of a public officer.

Levy – means an imposition or collection of assessment, tax, tribute or fine.

License or Permit - is a right or permission granted in accordance with law by a competent authority to engage in some business or occupation or to engage in some transaction.

Market Premises – refer to any open space in the public market compound or part/s of the market lot consisting of bare ground not covered by market buildings usually occupied by transient vendors specially during market days.

Market Stalls - refers to any allotted space or booth in public market buildings where merchandise of any kind is sold or offered for sale.

Tax - means an enforced contribution, usually monetary in form, levied by the law making body on persons and property subject to its jurisdiction for the precise purpose of supporting government needs.

Occupation - means one's regular business or employment, or any activity which principally takes up one's time, thought or energies. It includes any calling, business, trade, profession or vocation.

Operator - includes the owner, manager, administrator, or any person who operates or is responsible for the operation of business establishments or undertakings,

Person – means natural or juridical beings, susceptible of rights and obligations or of being the subject of legal relations.

Privilege - means a right or immunity granted a peculiar benefit, advantage or favor.

Profession - means a calling which requires the passing of an appropriate government board or bar examination, such as the practice of law, medicine, public accountancy, engineering and the like.

Residents - refers to natural persons who have their habitual residence in the province, city or municipality where they exercise their civil rights and fulfill their civil obligations and to juridical persons for which the law or any other provisions creating or recognizing them fixes their residence in a particular province, city or municipality. In the absence of such law, juridical persons are residents of the province, city or municipality where their legal representation is established or where they exercise their principal functions.

Revenue - includes taxes, fees and charges that a state or its political subdivisions collects and receives into the treasury for public purposes.

Service - means duties, work or functions performed or discharged by a government officer, or by private persons contracted by the government, as the case maybe.

Night Club or Day Club - places frequented at night or daytime as the case may be, where foods, wines and drinks are served and music is furnished by the operator and the patrons are allowed to dance with their own partners or with hostesses furnished by the management.

Cabaret or Dance Hall - any place or establishment where dancing is permitted to the public in consideration of any admission, entrance or any other fee paid on, before or after the dancing, and where professional hostesses or dancers are employed.

Bars - beer gardens or any place where intoxicating and fermented liquors or malts are sold, disposed of, or given away for compensation, even without food, where the services of hostesses and/or waitresses are employed and where costumers are entertained by occasional dancing to music not rendered by a regular dance orchestra or musicians hired for the purpose, otherwise the place shall be considered and classified as a dance hall or night club. A "cocktail lounge" is considered a "bar" even if there is no hostess or waitress to entertain costumers.

CHAPTER II LEGISLATIVE RULES AND PROCEDURES

Article A. Session of the Sanggunian

Section 2A.01. Legislative Body. The legislative body of this local government of Bacoar, Cavite shall be known and called as "Sangguniang Bayan".

Section 2A.02 Presiding Officer. - The City Vice-Mayor shall be the presiding officer of the Sangguniang Bayan. He shall only vote to break a tie.

In the event of the inability of the Vice-Mayor to preside at a sanggunian session, the members present and constituting a quorum shall elect from among themselves a temporary presiding officer. He shall certify within ten (10) days from the passage of ordinances enacted and resolutions adopted by the sanggunian in the session over which he temporarily presided.

Section 2A.03 Inaugural Session. It shall be the duty of the Presiding Officer of the Sanggunian to call for an inaugural session of the said body within five (5) days after the election and assumption to office its members.

Section 2A.04 Adoption or Revision of Internal Rules of Procedures. During the inaugural session of the Sanggunian it shall, by resolution, fix the day, place and time of its regular sessions. Within (90) days thereafter, it shall formulate, adopt or revise its rules of procedure.

The rules of procedure which is also known as "Sanggunian Rules" shall embody, among others, the following:

The organization of the Sanggunian and the election of its officers as well as the creation of standing committees which shall include, but shall not be limited to,

1. The committee on appropriations, women and family, human rights, youth and sports development, environmental protection and cooperatives, the general jurisdiction of each committee, and the election of the chairman and members of the committee;
2. The order and calendar of business for each session;
3. The legislative process;
4. The parliamentary procedures which include the conduct of members during session;
5. The disciplining of members for disorderly behavior and absences without justifiable cause for four (4) consecutive sessions, for which they may be censured, reprimanded, or excluded from the session, suspended for not more than sixty (60) days or expelled; Provided, that the penalty for suspension or expulsion shall require the concurrence of at least two-third (2/3) vote of all the Sanggunian members: Provided, further, that a member convicted by final judgment to imprisonment of at least one (1) year from any crime involving turpitude shall be automatically expelled from the Sanggunian; and
6. Such other rules as this Sanggunian may adopt.

Section 2A.05 Regular Session. The Sanggunian shall hold a regular minimum number of once a week regular session.

Section 2A.06 Special Session. When public interest so demands, special sessions may be called by the Mayor or a majority of the members of the Sanggunian; provided, however, that a written notice to the members shall be served personally or left with a responsible person at the member's usual place residence at least twenty four (24) hours before the Special Session is held. Unless otherwise concurred in by two-thirds (2/3) vote of the members present, there being a quorum, no matter may be considered at a special session except those stated in the notice.

Section 2A.07 Calling the Session to Order. When the appointed time has come to start the regular session, the regular Presiding Officer, or his absence the temporary Presiding Officer elected to temporarily preside therein, shall call the session to order, with or without a quorum.

Should there be no quorum after calling the session to order, the majority of the members present, or the Presiding Officer "motu proprio" may perform any of the following:

- a) declare a recess until such time as a quorum is constituted; or
- b) upon motion and assent of a majority of those present, adjourn the session from day to day.

Section 2A.08 Open-Door Policy. The session of the Sanggunian shall be open to the public unless a closed-door session is decided or ordered by an affirmative vote of a majority of the members present therein, there being a quorum, in the public interest or for reasons of decency, morality or security.

Section 2A.09 Quorum. A "Majority of all the members of the Sanggunian who have been elected and qualified shall constitute a quorum to transact official business." (Sec . 53, RA 7160 and Art. 106, IRR)

Should a question of quorum be raised during a session, the presiding officer may declare a recess until such time as a quorum is constituted, or a majority of the members present may adjourn from day to day and may compel the immediate attendance of any member absent without justifiable cause by designating a member of the Sanggunian, to be assisted by a member of the police force assigned in this place to arrest and present the absent member of the session.

If there is still no quorum despite the enforcement of the above-stated remedial action, no business shall be transacted by the Sanggunian. The Presiding Officer, on his own volition or recognizance, or the members, thru a proper motion duly approved, shall then declare the session adjourned for lack of quorum.

Section 2A.10 One-Session Per Day Policy. No two (2) sessions, whether regular or special, may be held in a single day.

Section 2A.11 Tie Vote The regular presiding Officer shall vote only to break a tie. The temporary Presiding Officer taking the place of the regular Presiding Officer in the latter's absence, shall not vote except in case of a tie, but he shall certify within ten (10) days from their passage all ordinances and resolutions enacted or adopted by the Sanggunian which he presided.

Article B. Ordinances and Resolutions

Section 2B.01 Enactment of Ordinances and Adoption of Resolutions. In considering legislative measures, the Sanggunian shall observe the following rules:

1. Legislative actions of a general and permanent character shall be enacted in the form of ordinances while those which are temporary in character shall be passed in the form of resolutions. Matters relating to proprietary functions and to private concerns shall also be acted upon by resolutions.
2. Proposed ordinances and resolutions shall be in writing and shall contain an assigned number, a title or caption, an enacting clause and the date of its proposed effectivity. In addition, every proposed ordinance shall be accompanied by a brief explanatory note containing the justification for its approval.

3. A resolution shall be enacted in the same manner prescribed for an ordinance, except that it need not go through a third reading for its final consideration unless decided otherwise by the majority of all members of the Sanggunian.
4. No ordinance or resolution shall be considered in second reading in any regular session unless it has been reported out by the proper committee to which it was referred or it has been certified as urgent by the Mayor.
5. Any legislative matter duly certified by the Mayor as urgent, whether or not it is included in the "calendar of business," may be presented and considered by the body at the same session or meeting without the need of suspending rules.
6. The Secretary of the Sanggunian shall prepare copies of the proposed ordinance or resolution in the form it was passed on second reading, and shall distribute to each Sanggunian member a copy thereof, except that a measure certified by the mayor as urgent may be submitted for final voting immediately after the period of debate or amendment during the second reading.
7. No ordinance or resolution passed by the Sanggunian in a regular session or special session duly called for the purpose, shall be valid unless approved by a majority of the members present there being a quorum. Any ordinance or resolution authorizing or directing the payment of money creating liability, shall require the affirmative vote of a majority of all the Sanggunian members for its passage.
8. Upon the passage of all ordinances or resolutions directing the payment of money or creating liability, and at the request of any member, of any resolution or motion, the Sanggunian shall record the "ayes" and "nays". Each approved ordinance or resolution shall be stamped with the seal of the Sanggunian and recorded in a book kept for the purpose.

Section 2B.02 Approval of Ordinances or Resolutions. Every ordinance or resolution enacted or adopted by the Sanggunian shall be forwarded to the Mayor for approval. If the ordinance or resolution is approved by the Mayor, he shall affix his signature on every page thereof and on the last page thereof below the word "Approved" within ten (10) days after receipt by the Mayor of the Ordinance or resolution he shall return the same to the Sanggunian with either his approval or his veto. If he does not return within that time, the ordinance or resolution shall be deemed approved.

Article C. Veto Power

Section 2C.01 Veto Power. The Mayor may veto any ordinance or resolution on the ground that it is *ultra vires* or it would be prejudicial to the public welfare, particularly stating his reason thereon in writing.

The Mayor has the power to veto any particular item or items of appropriation ordinance, or of an ordinance or resolution directing the payment of money or creating liability. In such a case, the veto shall not affect the item/s which is/are not objected to. The vetoed item or items shall not take effect unless the Sanggunian overrides the veto in the manner provided in the succeeding paragraph; otherwise, the item or items in the

appropriation ordinance of the previous year corresponding to those vetoed shall be deemed re-enacted. The Sanggunian may override the veto of the Mayor by two-thirds (2/3) vote of all its members, thereby, making the ordinance or resolution effective even without the approval of the Mayor. The Mayor may veto an ordinance or resolution only once.

Article D. Effectivity and Posting of Ordinance and Resolutions

Section 2D.01. Effectivity. Unless otherwise stated in the ordinance or resolution, the same shall take effect after the lapse of ten (10) days from the date of its posting.

Section 2D.02 Posting. A copy of the ordinance enacted or resolutions adopted by the Sanggunian shall be posted on a bulletin board at the municipal hall and in at least two (2) conspicuous places such as a public market, church or chapel. The Secretary to the Sanggunian shall cause the posting of an ordinance or resolution not later than five (5) days after its approval.

Section 2D.03. Enforcement of Disapproved or Invalidated Ordinance, Resolution or Executive Order. Any attempt to enforce, promulgate or execute any ordinance, resolution or executive order after the disapproval thereof by the Mayor or after it has been invalidated by the Sanggunian Panlalawigan, shall be sufficient ground for the suspension or dismissal of the officer making such attempt.

Article E. Adoption of Resolution Pertaining to Temporary Closure of Roads, Streets, Alleys, Park, Plaza, or Public Square.

Section 2E.01 Temporary Closure. Any local road, alley, park or square may be temporarily closed during the actual emergency or fiesta celebrations, public rallies, agricultural or industrial fairs or undertaking of public works and highways, telecommunications and waterworks projects, the duration of which shall be specified by the Mayor in a written order as follows:

1. During fiesta celebrations – for a period not exceeding three (3) days.
2. During agricultural or industrial fairs or expositions – for a period as may be determined by the Mayor to be necessary and reasonable;
3. When public works projects or activities are being undertaken or a period as may be determined necessary for the safety, security, health or welfare of the public or when such closure is necessary to facilitate completion of the projects or activities;
4. The Mayor upon authorization by the Sanggunian, thru a resolution, may temporarily close and regulate the use of any local street, road, thoroughfare, or any other public place where shopping malls, Sunday markets, flea or night markets, or shopping areas may be established and where goods, merchandise, foodstuff, commodities or articles of commerce may be sold and dispensed to the general public.

Section 2E.02. Permanent Closure. No permanent closure of any local road, street, park or public square shall be effected unless there is an Ordinance enacted by the Sanggunian Bayan for that purpose and there exist a compelling reason or sufficient justification thereof such as but not limited to, change in land use, establishment of

infrastructure facilities, projects or such other justifiable reasons as public welfare may require and provided that such permanent closure shall be subject to the following rules and regulation:

1. The Ordinance authorizing the Mayor to order the permanent closure of such public properties must be approved by at least two thirds (2/3) of all the members of the Sanggunian.
2. Public hearings shall first be conducted before any Ordinance authorizing permanent closure of any local roads, alleys, park, or public square is enacted. Notices of such hearings and copies of the proposed Ordinance shall be posted for a minimum period of three (3) consecutive weeks in conspicuous places in the municipal hall or barangay halls in every barangay and within the vicinity of the street or park proposed to be closed.
3. A property permanently withdrawn from public use may be used or conveyed for any purpose for which other real property belonging to the municipal government may be lawfully used or conveyed.
4. No such way or place, or any part thereof, shall be permanently closed without making provisions for the maintenance of public safety therein.
5. As may be necessary, an adequate substitute for the public facility that is subject to closure shall be provided.
6. No freedom park shall be closed permanently without provision for its transfer or relocation to a new site.

Section 2E.03 Procedure for Indemnification

1. The Mayor shall cause to be served, together with the closure order, a personal notice to all persons adversely affected thereby, to file within thirty (30) days from service, a claim for indemnification. Such claim shall be filed with the Committee on Claims created for the purpose.
2. A claim shall be in the form of an affidavit stating the amount of damage, the kind of loss or damage suffered and the reason in support thereof. All pertinent receipts, papers and documents shall be attached to the claim.
3. Claims not filed within the thirty (30) day period stated in the notice shall be barred. However, for justifiable cause shown, the committee on claims may allow a late claim to be filed within such further period not exceeding thirty (30) days as it may set.
4. To ensure judicious determination of claims for indemnification and fair valuation of loss, damage or injuries suffered by the claimant, a Committee on Claims shall be created by Mayor immediately upon issuing the order of closure. The Committee shall be composed of the Treasurer as Chairman, and two (2) other members, preferably by the Assessor and the Planning and Development Coordinator.

5. The Committee on Claims shall determine and award the fair amount due the claimant as indemnity for loss, damage or injury suffered by reason of the closure, based on the proof submitted by the claimant and in standards formulated by the Committee, taking into consideration pertinent economic, social and other conditions in the locality.

Section 2E.04 Alternative Way or Route. No local road, street, alley, park or public square shall be closed, whether temporarily or permanently, without first providing the alternative way or route for the use of vehicles and pedestrians as access to and from their residence or established to the main road, which shall be so far as practicable be wide enough for use by fire trucks, ambulances and similar transport.

Article F. Applicability Clause

Section 2F.01. Applicability of Other Issuances. The Rules and Regulations implementing the Local Government Code of 1991 and other issuance of national government agencies pertaining to local legislation are hereby made an integral part of this Chapter.

Article G. Penalty Clause

Section 2G.01 Penalty Any person who violates any provision under this Chapter shall be punished with a fine of not more than Two Thousand Five Hundred Pesos (P2,500.00) or imprisonment of not more than six (6) months, or both such fine and imprisonment, at the discretion of the proper Court of law.

CHAPTER III CODE OF CONDUCT AND ETHICAL STANDARDS FOR LOCAL GOVERNMENT OFFICIALS AND EMPLOYEES

Article A. Declaration of Policy

Section 3A.01. Policy. It is the policy of this municipal government to promote a high standard of ethics in public service. All local official and employees shall at all times be accountable to the people and shall discharge their duties with the utmost responsibility, integrity, competence and loyalty, act with patriotism and justice, lead modest lives and uphold public interest over personal interest.

Section 3A.02. Definition of Terms. As used in this Chapter, the term:

Public Officials - include the Municipality's elective and appointive officials and employees, permanent or temporary, whether in the career on non-career service, including military and police personnel, whether or not they receive compensation, regardless of amount.

Gift - refers to a thing or a right disposed of gratuitously, or any act of liberality, in favor of another who accepts it, and shall include a simulated sale or an ostensibly onerous disposition thereof. It shall not include an unsolicited gift of normal or

insignificant value not given in anticipation of, or in exchange for, a favor from a public official or employee.

Receiving a Gift – includes the act of accepting, directly or indirectly, a gift from a person other than a member of his family or relative as defined in this Chapter, even in the occasion of a family celebration or national festivity like Christmas, if the value of the gift is neither nominal nor insignificant, or the gift is given in anticipation of, or in exchange for, a favor.

Loan – covers both simple loan and “commodatum” as well as guarantees, financing arrangements or accommodations extended to the public officials.

Substantial Stockholders – means any person who owns, directly or indirectly, shares of stock sufficient to elect a director of a corporation.

Family of Local Officials or Employees – means their spouses and unmarried children under eighteen (18) year of age.

Person – includes natural and juridical persons unless the context indicated otherwise.

Conflict of interest – arises when a local official or employee is a member of a board, an officer, or a substantial stockholder of a private corporation or owner or has a substantial interest in business, and the interest of such corporation or business, or his rights or duties therein may be opposed to or affected by the faithful performance of official duty.

Divestment – is the transfer of title or disposal of interest in property by voluntarily, completely and actually depriving or dispossessing oneself of his right or title to it in favor of a person or persons other than his spouse and relative as defined herein.

Relatives – refer to any and all persons related to a public official or employee within the fourth civil degree of consanguinity or affinity, including “bilas” “inso” and “balae.”

Article B. Norms of Conduct of Local Officials and Employees

Section 3B.01 Standard of Personal Conduct. Every public official and employee shall observe the following as standards of personal conduct in the discharge and execution of official duties.

1. **Commitment to Public Interest.** Local officials and employees shall always uphold the public interest over and above personal interest. All government resources and powers of their respective offices must be employed and used efficiently, effectively, honestly and economically particularly to avoid wastage in public funds and revenues.
2. **Professionalism.** Local officials and employees shall perform and discharge their duties with the highest degree of excellence, professionalism, intelligence and skill. They shall endeavor to discourage wrong perception of their roles as dispensers or peddlers of undue patronage.
3. **Justness and Sincerity.** Local officials and employees shall remain true to the people at all times. They must act with justness and sincerity and shall not discriminate against anyone, specially the poor, the underprivileged, senior

citizens, and persons with disabilities. They shall at all times respect the rights of others, and shall refrain from doing acts contrary to law, good morals, good customs, public policy, public order, public safety and public interest. They shall not dispense or extend undue favors on account of their offices to their relatives whether by consanguinity or affinity, except with respect to appointments of such relatives to positions considered strictly confidential or as member of their personal staff whose terms are co-terminus with theirs.

4. ***Political Neutrality.*** Local officials and employees shall provide services to everyone without unfair discrimination and regardless of party affiliation or preference.
5. ***Responsive to the Public.*** Local officials and employees shall extend prompt, courteous, and adequate service to the public. Unless otherwise provided by law, or when required by public interest, public officials and employees shall provide information on their policies and procedures in clear and understandable language, ensure openness of information, public consultations and hearings whenever appropriate, encourage suggestions, simplify and systematize policy, rules and procedures, avoid red tape and develop an understanding and appreciation of the socio economic conditions in the depressed rural and urban areas.
6. ***Nationalism and Patriotism.*** Local officials and employees shall at all times be loyal to the Republic and to the Filipino people. Promote the use of locally produced goods, resources and technology and encourage appreciation and pride of our country and people. They shall endeavor to maintain and defend Philippine sovereignty against foreign intrusion.
7. ***Commitment to Democracy.*** Local officials and employees shall commit themselves to the democratic way of life and values, maintain the principle of public accountability, and manifest by deeds the supremacy of civilian authority over the military. They shall at all times uphold the Constitution and put loyalty to country above loyalty to person or party.
8. ***Simple Living.*** Local officials and employees and their families shall lead modest lives appropriate to their positions and income. They shall not indulge in extravagant ostentatious display of wealth in any form.

Article C. Duties and Responsibilities of Local Officials and Employees

Section 3C.01 Duties, responsibilities and obligations. In the performance of their duties, all public officials and employees are under obligation to:

1. Act promptly on letter of request. All local officials and employees shall within fifteen (15) working days from receipt thereof, respond to letters, telegrams or other means of communications sent by the public. The reply must contain the action taken on the request.
2. Submit Annual Performance Report. All heads or other responsible officers of the municipal government shall within forty-five (45) working days from the end of the year, render a performance report of their respective offices. Such report shall be made open and available to the public within regular office hours.

3. Process documents and papers expeditiously. All official papers and documents must be processed and completed within a reasonable time from the preparation thereof and must contain, as far as practicable, not more than three (3) signatories, therein. In the absence of duly authorized signatories, the official next in rank or officer in charge shall sign for and in their behalf.
4. Act immediately on Public's Personal Transactions. All officials and employees must attend to anyone who wants to avail himself of the services of their offices and must, at all times, act promptly and expeditiously.
5. Make Document Accessible to the Public. All public documents must be made accessible to, and readily available for inspection by, the public within reasonable working hours.

Article D. Ethical Standards

Section 3D.01 Prohibited Acts and Transactions. In addition to acts and omissions of public officials and employees now prescribed in the Constitution and existing laws, the following shall constitute prohibited acts and transactions of any local officials and employees and hereby declared to be unlawful:

1. Financial and Material Interest. Local public officials and employees shall not, directly or indirectly, have any financial or material interest in any transaction requiring the approval of their office.
2. Outside Employment and other Activities related thereto. Local Officials and employees during their incumbency shall not:
 - a) Own, control, manage or accept employment as officer, employee, consultant, counsel, broker, agent, trustee or nominee in any private enterprise regulated, supervised or licensed by their office unless expressly allowed by law.
 - b) Engage in the practice of their profession unless authorized by the Constitution or law, or by an Ordinance or Resolution passed by the Sangguniang Bayan provided that such practice will not conflict or tend to conflict with their official functions; or
 - c) Recommend any person to any position in a private enterprise which has a regular or pending official transaction with their office.

These prohibitions shall continue to apply for a period of one (1) year after resignation, retirement, or separation from public office, except in the case of subparagraph (2)(b) above, but the professional concerned cannot practice his profession in connection with any other matter before the office he used to be with, in which case the one (1)-year prohibition shall likewise apply.

3. Disclosure and/or Misuse of Confidential Information. Local officials and employees shall not use or divulge confidential or classified information officially known to them by reason of their office and not made available to the public either:

- a) To further their private interest, or give undue advantage to anyone: or
- b) To prejudice the public interest.

4. Solicitation and Acceptance of Gifts. Local officials and employees shall not solicit, or accept, directly or indirectly. Any gift, gratuity, favor, entertainment, loan or anything of monetary value from any person in the course of their official duties or in connection with any operation being regulated by, or any transaction which may be affected by the functions of their office.

As to the gifts or grants from foreign governments, the following are allowed:

- a) Acceptance by a local official or employee of a gift of nominal value tendered and received as a souvenir or mark of courtesy;
- b) The acceptance by a local official or employee of a gift in the nature of a scholarship or fellowship grant or medical treatment; or
- c) The acceptance by a local official or employee of travel grants or expenses for travel taking place entirely outside the Philippines (such as allowances, transportation fees, food and lodging) of more than nominal value if such acceptance is appropriate or consistent with the interest of the Philippines by the head of office to which he belongs.

Article E. Transparency in Public Service

Section 3E.01 Statement of Assets and Liabilities and Net Worth; Disclosure of Business Interest and Financial Connection. All local officials and employees, except those who serve in an honorary capacity, laborers, or casual or temporary workers, shall file under oath their Statement of Assets, Liabilities and Net Worth and a Disclosure of Business Interest and Financial connections and those of their spouses and unmarried children under eighteen (18) years of age living in their households. The two documents shall contain information of the following:

- 1. real property, its improvements, acquisition costs, assessed value and current fair market value.
- 2. personal property and acquisition costs;
- 3. all other assets such as investments, cash on hand or in banks, stocks, bonds, and the like;
- 4. liabilities; and
- 5. all business interests and financial connections.

The documents must be filed:

- 1. within thirty (30) days after assumption of office;
- 2. on or before April 30 of every year thereafter; and
- 3. within thirty (30) days after separation from the office

All public officials and employees required under this Article to file the aforesaid documents shall execute within thirty (30) days from the date of assumption of office, the necessary authority in favor of the Ombudsman to obtain from all appropriate

government agencies, including the Bureau of Internal Revenue, such documents as may show their assets, liabilities, net worth and also their business interest and financial connections in previous years, including if possible the year when they first assumed office in the Government.

Husband and wife who are either local officials or employees may file the required statements jointly or separately.

The Statement of Assets, Liabilities and Net Worth and the Disclosure of Business Interest and Financial Connections shall be filed;

1. With the Deputy Ombudsman in Region IV, local officials and employees; and
2. With the Civil Service Commission, if all other officials and employees, as defined in Republic Act No. 3019, as amended.

Section 3E.02 Identification and Disclosure of Relatives. It shall be the duty of every local official or employees to identify and disclose, to the best of his knowledge and information, his relatives in the government in the form, manner and frequency prescribed by the Civil Service Commission.

Section 3E.03 Accessibility of Documents

1. Any and all statements filed under this chapter shall be made available for inspection at reasonable hours.
2. Such statements shall be made available for copying or reproduction after ten (10) working days from the time they are filed as required under existing laws;
3. Any person requesting a copy of a statement shall be required to pay a reasonable fee to cover the cost of reproduction and mailing of such statement, as well as the cost of certification.
4. Any statement file under this Chapter shall be available to the public for a period of ten (10) years after receipt of the statement. After such period, the statement must be destroyed unless needed in an ongoing investigation.

Section 3E.04 Other Prohibited Acts. It shall be unlawful for any person to obtain or use any statement filed under this Chapter for

1. Any purpose contrary to morals or public policy; or
2. Any commercial purpose other than through news and communications media for dissemination to the general public.

Article F. Conflict of Interest and Divestment

Section 3F.01 Resignation or Divestment. A local official or employee shall avoid conflict of interest at all times when conflict of interests arises, he shall resign his position in any private corporation or enterprise within thirty (30) days from his assumption of office or divest himself of his shareholdings or interest with thirty (30) days from such assumption.

The same rule shall apply where the local official or employee is a partner in partnership.

This requirement of divestment shall not apply to those who serve the government in an honorary capacity not to laborers and casual or temporary workers.

Article G. Penalties

Section 3G.01 Fines, Suspension or Removal, or Imprisonment. In prescribing penalties for offenders, the following rules and regulations shall be observed:

1. Any local official or employee regardless of whether or not he holds office or employment in a casual, temporary, hold-over, permanent or regular capacity, committing any violation of this Chapter shall be punished with a fine not exceeding the equivalent of six (6) months salary or suspension not exceeding one (1) year, or removal depending on the gravity of the offense after due notice and hearing by the appropriate body or agency. If the violation is punishable by a heavier penalty under existing law, he shall be prosecuted under that law.
2. Violation of Article D, E, and F of this Chapter shall be prosecuted and penalized under the provisions of Republic Act No. 6713.
3. Any violation hereof proven in a proper administrative proceeding shall be sufficient cause for removal or dismissal of a local official or employee, even if no criminal prosecution is instituted against him.
4. Private individuals who participate in conspiring as co-principals, accomplices or accessories with local officials or employees, in violation of this Chapter shall be subjected to the same penal liabilities as the public officials or employees and shall be tried jointly with them.

CHAPTER IV PUBLIC SAFETY: PEACE AND ORDER

Article A. Possession of Firecrackers

Section 4A.01 Regulated Acts. No person shall possess any destructive firecracker, such as, but not limited to "pla-pla", "baby dynamite", "judas belt", "sawa", "super lolo", irrespective of quantities, within the jurisdiction of the municipality, except as herein below allowed. Persons under the influence of alcohol or intoxicated with similar beverages or drugs are prohibited from using firecrackers.

Section 4A.02 Exemption. The lighting of firecrackers and pyrotechnics by any person above the age of fifteen (15) years old shall be allowed only from 11:30 p.m. of every December 31 of each year, until 12:30 pm of every January of the succeeding year, but only within the following designated zones:

4A.02.a Open spaces in the respective seventy three (73) Barangays of the Municipality of Bacoar, Cavite; or

4A.02.b. Open spaces in subdivisions and villages within the territorial jurisdiction of the Municipality of Bacoor, Cavite.

Section 4A.03. Definition As used in this Article:

"Firecracker" – refers to a paper cylinder, triangle or whatever form enclosing an explosive material used to make noise including what is locally known as "bawang", "atomic bomb", "jr. triangulo" or similar explosives which are destructive and dangerous to lives and properties.

Section 4A.04 Penalty. Violation of the provision of this Article shall be punished in accordance with the following, to wit:

1st Offense – Fine in the amount of Five Hundred Pesos (P500.00)

2nd Offense - Fine in the amount of One Thousand Pesos (P1,000.00) plus four (4) hours of community service.

3rd offense - Fine in the amount of Two Thousand pesos (P2,000.00) plus eight (8) hours of Community Service.

Article B. Wholesaling or Retailing of Liquors, Wines and other Distilled Spirits

Section 4B.01 Regulated Acts. No person shall sell, either in wholesaling or retailing any kind of liquors, wine and other distilled spirits (except denatured alcohol) unless (1) he shall file a written application for that purpose with the office of the Mayor, and (2) the said application is approved by the Mayor.

Section 4B.02 Administrative Provisions.

1. Any person desiring to engage in the business of wholesaling or retailing any kind of liquors, wines and/or other distilled spirits (except denatured alcohol) shall file a written application for that purpose with the office of the Mayor.
2. A permit by the Mayor to a permittee or licensee to engage in the business of wholesaling or retailing liquors, wines or other distilled spirits does not carry with it the right or privilege to serve also, or cause to be served also, to the customers the aforesaid drinks.

Section 4B.03 Penalty Any violation of the provisions of this Article shall be punished with a fine of not more than Two Thousand Five Hundred Pesos (P2,500.00) or imprisonment for not more than six (6) months at the discretion of the court.

Article C. Business Establishments Allowed to Serve Intoxicating Beverages

Section 4C.01 Regulated Acts. No person shall serve or allow the serving of any intoxicating drinks or beverages other than fermented liquors or beers, to customers in any business establishment unless the said establishment or place is duly licensed as a "Bar" or "Cocktail Lounge".

Section 4C.02 Administrative provisions

1. Any person desiring to establish a place of business where customers could be served with intoxicating drinks or beverages shall first secure a permit thereof from the Mayor to operate a "Bar" or "Cocktail Lounge";
2. No operator of a duly licensed "Bar" or "Cocktail Lounge" shall serve or allow to be served inside his establishment or parts thereof, any intoxicating drinks or beverages to persons who are below eighteen (18) years old.

Section 4C.03 Definition. As used in this Article:

Intoxicating Drinks or Beverages – refers to liquors, wines, and other distilled spirits other than fermented liquors such as "Beer", "Tuba" and similar domestic fermented beverages.

Bar – includes beer gardens or place where intoxicating and fermented liquors or malt are sold, disposed of, given away, or served to customers for compensation, even without foods, where the services of hostesses or waitresses are employed and where customers are entertained by occasional dancing to music not rendered by a regular dance orchestra or musicians hired for the purpose, otherwise the place shall be classified as a dance hall, night or day club. A "cocktail lounge" shall be classified as a dance hall, night or day club. A "cocktail lounge" is considered a "bar" even if there are no hostesses or waitresses to entertain customers.

Section 4C.04 Penalty. Any violation of the provisions of this Article shall be punished with a fine not more than Two Thousand Five Hundred Pesos (P2,500.00) or imprisonment of not more than Six (6) months, or both such fine and imprisonment, at the discretion of the Court.

Article D. Holding of Rallies, Demonstrations and Other Assemblies

Section 4D.01 Regulated Acts. No person shall hold, conduct or stage rally, demonstration or other similar assemblies for whatever legal purpose without first securing a permit from the Mayor and paying the corresponding fee imposed under existing tax ordinances.

Section 4D.02 Administrative Provisions

1. Any person or group of persons desiring to hold a rally, demonstration or other similar assemblies shall first obtain a permit from the Mayor before undertaking the activity. For the purpose, a written application in a prescribed form shall be submitted to the office of the Mayor. The application shall set forth the name and address of the applicant, organizer or sponsor of the activity, description of the activity, the place where the same will be conducted and such other pertinent information or data as maybe required.
2. Action by the Mayor on the application shall be considered as a ministerial duty and he can only deny the granting of the permit sought if the Station Commander of the local police or his authorized deputy will certify that the holding of such activity will pose a clear or imminent danger to public order and safety, or probable destruction to public and private properties. This is without

prejudice to the right of the applicant or aggrieved party to seek redress before the proper court of law.

3. The police officers assigned to such kind of assemblies shall observe the principle of maximum tolerance. Before any dispersal operations are conducted, there should first be held a dialogue between the law enforcers and the leader or spokesman of the other side. Should the leader or spokesman of the rallyists or demonstrators refuse to hold a dialogue and his group continues to act in defiance of law and public order, the law enforcers may then assert their authority and perform the necessary legitimate action as warranted by the circumstances.
4. The Mayor shall issue the necessary rules and regulations for the proper implementation of this Article.

Section 4D.03 Penalty. Any violation of the provisions of this Article shall be punished with a fine of not more than Two Thousand Five Hundred Pesos (P2,500.00) or imprisonment of not more than Six (6) months or both such fine and imprisonment, at the discretion of the Court.

Article E. Storing of Flammable Explosives or Highly Combustible Materials

Section 4E.01 Regulated Acts. No person shall keep or store in his place of business or elsewhere in this Municipality any flammable or highly combustible materials without first securing a permit therefor from the Mayor thru chief of the Fire Department and after paying the corresponding fees imposed under existing tax ordinances.

Section 4E.02. Administrative Provisions

1. The chief of the Fire Department or any official designated as such or his duly authorized representative shall have supervision over the location and manner of storing flammable or highly combustible materials in accordance with promulgated rules and regulations on fire prevention and protection. If in his judgment, the location and manner of storing such materials constitute a fire hazard, he shall issue an order to the possessor thereof directing that the same shall be stored somewhere else and be removed within twenty four (24) hours.
2. No permit shall be issued for the storage of gunpowder, dynamite, explosives, blasting supplies or ingredients therefore, unless there is prior clearance or authorization, issued by the Chief of the Fire Department or his authorized representative.

Section 4E.03 Applicability Clause. All other matter relating to fire inspection and issuance of permit thereof shall be governed by the pertinent provisions of PD 1185 (Fire Code of the Philippines) and other existing laws, rules and regulations.

Section 4E.04 Penalty. Any violation of the provisions of the Article shall be punished with a fine of more than Two Thousand Five Hundred Pesos (P2,500.00) or imprisonment of not more than Six (6) months or both such fine and imprisonment, at the discretion of the court.

Article F. Holding Parades

Section 4F.01 Regulated Act. No person shall hold any kind of parade, including circus, menagerie or torch parades using banners, floats or musical instruments in this municipality without first securing a permit therefore from the Mayor and paying the corresponding permit fee imposed under existing tax ordinances.

Section 4F.02 Exemption. Civic and military parades, funeral or religious processions are exempted from the provision of this Article.

Section 4F.03 Administrative Provisions. Any person desiring to hold a parade not exempted under Section 4F.02 hereof shall submit a written application in a prescribed form to the Office of the Mayor at least two (2) days before the schedule date of activity. Only after the said corresponding permit has been issued by the Mayor can the aforesaid activity be undertaken.

Section 4F.04 Penalty. Any violations of the provisions of the Article shall be punished by a fine of not more than Two Thousand Five Hundred Pesos (P2,500.00) or imprisonment of not more than Six (6) months, or both fine and imprisonment, at the discretion of the Court.

Article G. Possession or carrying of deadly Weapon

Section 4G.01 Regulated Act. No person shall possess or carry any kind of deadly weapon in any part of this municipality except within his residential home, privately owned real estate, office or place of work.

Section 4G.02 Definition. As used in this Article:

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

Section 4G.03 Exemptions. Exempted from the provisions of this Article are the following:

1. Military and police personnel who, under existing laws, are allowed to possess and carry firearms provided that they can show or have in their persons the necessary authorization from competent authorities.
2. Private individuals who are granted a license to possess firearms, provided that they can show or have in their person the proper authorization to also carry firearms outside their residence.
3. Person whose jobs require the use of such deadly weapons while going to and from their place of work, subject, however, to convincing proofs.

Section 4G.04 Penalty. Any violation of the provisions of this Article shall be punished with a fine of not more than Two Thousand Five Hundred Pesos (P2,500.00) or imprisonment of not more than six (6) months, or both such fine and imprisonment, at the discretion of the Court.

Article H. Regulating Construction of Humps or Placing Protuberances on Public Roads.

Section 4H.01 Regulated Acts. No person, natural or juridical, shall construct any kind of hump, or place any kind of protuberance on any public road, without first securing a permit therefore from the Mayor through the Municipal Engineer.

Section 4H.02 Administrative Provisions

1. Any person, natural or juridical, desiring to construct humps or place any kind or protuberance on any public road shall file an application for that purpose with the Office of the Municipal Engineer.
2. Upon receipt of the said application, the Municipal Engineer or his duly authorized representative shall coordinate with the Officer in Charge of Traffic Management to discuss the merits of the application. Thereafter, their joint or individual recommendation shall be submitted to the Mayor.
3. The Municipal Engineer and the Officer in Charge of Traffic Management shall issue the necessary additional rules and regulations or implementing guideline for the effective enforcement of this Article.

Section 4H.03 Penalty. Any violation of the provisions of this Article shall be punished by a fine of not more than Two Thousand Five hundred Pesos (P2,500.00) or imprisonment of not more than six (6) months or both such fine and imprisonment, at the discretion of the court.

Article I. Hawking and Peddling Ban on Public Roads, Sidewalks alley and Lanes.

Section 4I.01 Regulated Acts No person shall hawk or peddle any goods, wares or any article of commerce in any public road, sidewalk or alley, or portion thereof, without securing a permit therefore from the Mayor.

Section 4I.02 Exemption. During the Yuletide Season, town fiesta or on occasion or holding a trade fair, the Mayor may grant a permit for the temporary use of public roads, alleys and lanes for hawkers and peddlers provided such permit shall not exceed fifteen (15) days.

Section 4I.03 Rules and Regulations

1. No permit shall be granted by the Mayor for hawkers and peddlers to sell any article of commerce on any public road, sidewalk, alley or lane or portion thereof, except as otherwise provided in this Article.
2. The permit to be issued during the Yuletide Season, town fiesta or on the occasion of holding trade shall be subjected to the following conditions or requirements:
 - a) The hawking or peddling activity shall not impair or damage any private or public property, cause injury to, or adversely affect the rights of other persons;

- b) The hawking or peddling activity shall not obstruct, or cause obstruction to the ordinary flow of traffic;
- c) The rules on public safety, peace and order, zoning, health and sanitation, environmental management and other requirements under existing ordinances shall be complied with such other requisites as may hereafter be prescribed by the authorities concerned.

Section 4I.04 Penalty. Any violations of the provisions of the Article shall be punished by a fine not more than two Thousand Five Hundred Pesos (P2,500.00) or imprisonment of not more than six (6) months, or both such fine and imprisonment, at the discretion of the Court.

Article J. Curfew Hours for Minors

Section 4J.01 Curfew Hours. The period from ten o'clock in the evening (10:00 p.m.) to four o'clock in the morning (4:00 a.m.) is hereby declared as "curfew hours" for minors.

Section 4J.02 Regulated Acts. All minors shall be prohibited from loitering outside of his residential compound or premises and roam, wander, saunter around or loiter in any public road, park, plaza, or any public place in this municipality during the period of the curfew hours mentioned in the preceding section, unless otherwise exempted under the provision of this Article.

Section 4J.03 Definitions As use in this Article, the term:

Curfew Hours -- period between ten o'clock in the evening (10:00 p.m.) and four o'clock in the morning (4:00 a.m.) when minors are not allowed to stay outside of their residential compound or premises.

Public Roads - refer to national, provincial, municipal or barangay roads or street, including alleys or callejons.

Public Place -- refer to any place to which the public has access including parking lots; vacant private property not owned by the minor's parents or guardians; vacant property owned by the government, public cemeteries and such other places open to the public.

Section 4J.04 Exemptions. This Article shall not apply in the following circumstances:

1. When the minor is being accompanied by his parent, guardian or adult in charge of his custody.
2. When the minor is engaged in a lawful pursuit of livelihood or providing assistance in any lawful activity.
3. When the minor is going to, or coming from, scholastic functions like attending evening classes, commencement exercises, convocations, educational programs and similar activities.
4. When the minor is on an errand to save life or property like calling for the services of a physician, midwife, priest, police officers, fireman and other similar

circumstances. Members of the Sangguniang Kabataan are exempted from the provisions of this Section.

5. When the minor is going to, or coming from, any religious, social, civic or sports programs and similar activities.
6. When the minor is responding to emergency situations during the occurrence of natural or man made calamities.
7. When the minor can show proof, or explain to the satisfaction of the apprehending officer, that he has just arrived from travel and is on his way home and similar circumstances.
8. One (1) day before and after Christmas Day; New Year's day; Election Day and other similar events of public interest.
9. Two (2) days before and after the day of the town "Fiesta" or the "fiesta of the barangay where the minor resides.
10. When the minor has a "curfew pass" issued by the authorities concerned.
11. On such other dates or occasions when the Sanggunian Bayan decided, thru a resolution, to suspend the implementation of this Article.

Section 4J.05 Rules and Regulations

1. If a minor is convicted for violation of this Article, his parent or guardians or the person in charge of his custody if he has no parent or guardian, shall be responsible for the payment of the fine imposed herein.
2. Whenever a minor is apprehended for alleged violation of this Article, he shall be placed under temporary custody of the police officer on duty at the Police Headquarters but only for the remaining period of curfew hours and shall be released immediately thereafter without prejudice to the filing of the necessary charge before a Court of competent jurisdiction.
3. No person, natural or juridical, who has been granted Mayor's permit to operate a business or trader activity shall admit, or allow to stay, in his establishment any minor during the period of curfew except when the minor is employed as helper or working therein, or a member of the family of the operator, manager or person in-charge of such establishment.
4. Additional rules and regulations shall be issued by the Chief, Philippine National Police in this municipality, for the proper implementation of this Article.
5. The Mayor or his authorized representative; the Chief of the local PNP in this municipality or his authorized representative; and the Punong Barangay concerned are hereby authorized to issue the necessary "curfew pass" he issued shall be valid only within the barangay where he exercise his authority.

Section 4J.06 Penalty Any minor who violates the provisions of this Section shall suffer no penalty except temporary custody as provided above.

CHAPTER V REGULATIONS OF BUSINESS OR TRADE ACTIVITIES

Article A. Mayor's Permit to Operate or Engage in Business or Trade Activities

Section 5A.01 Regulated Acts. No person shall operate or engage in any business or trade activities without first securing a permit therefore from the Mayor and paying the corresponding permit fee imposed under existing tax ordinance including, but limited to, the following:

Group I.

1. Manufacturers, importers, producers of any article of commerce of whatever nature or kind, including brewers, distillers, rectifiers, repackers, compounders of liquor, distilled spirit and/or wines.
2. Retailers, independent wholesalers and distributors;
3. Exporters;
4. Manufacturing, producing, importing, wholesaling or retailing of essential commodities;
5. Cafes, cafeterias, ice cream and other refreshment parlors, soda fountain, bars, carinderias, restaurants or food caterers;
6. Other similar establishments.

Group II

1. Hotels and motels; apartelles or pension houses;
2. Lodging houses or boarding houses;
3. Privately owned public markets;
4. Real estate dealers (subdivisions operators or lessors of real estate);
5. Private cemeteries and memorial parks;
6. Operators of rice and corn mills engaged in the milling of the rice and corn belonging to others;
7. Cockpits;
8. Private Detective or Security Agency;

9. Fishpond, fishpens or fish breeding grounds;
10. Pawnshop;
11. Travel Agency;
12. Poultry or Piggery Farms; and
13. Other similar establishments.

Group III

1. Money shops, lending, investors, finance and investments companies, insurance companies and banks;
2. Dealers in fermented liquors, distilled spirits and/or wines, such as;
 - Wholesale dealer in foreign liquors
 - Wholesale dealers in domestic liquors
 - Retail dealers in foreign liquors
 - Retail dealers in domestic liquors
 - Retail dealer in fermented liquors
 - Wholesale dealers in fermented liquors
 - Retail dealers in tuba, basi and/or tapuy
3. Tobacco dealers such as:
 - Retail leaf tobacco dealers
 - Wholesale leaf tobacco dealers
 - Retail tobacco dealers; retails of cigar/cigarettes
 - Wholesale tobacco dealers; wholesale of cigars/cigarettes
4. Amusement places including those wherein the customer thereof participates without making bets or wagers such as the following:
 - Day and night club
 - Day club or night club
 - Cocktail Lounge
 - Cabaret or dance halls
 - Bath house, swimming pool, resort and other similar places
 - Skating rink
 - Steam bath, sauna and other similar establishments
 - Billiard or pool hall
 - Bowling alley
 - Circus, carnival or the like
 - Merry-go round, roller coaster, ferry's wheel, swing, shooting gallery and other similar contrivance
 - Boxing stadium
 - Race track
 - Theater and cinema houses
 - Amusement devices such as jukebox or apparatus for visual entertainment or for weighing persons
 - Golf links, polo field or pelota court

- Other similar establishment

Article B

Mayor's Permit to Operate a Business

Principally Rendering or Offering to Render Services for a Fee

Section 5B.01 Required Acts. No person shall operate or establish any business principally rendering or offering to render services for a fee to the public without first securing a permit therefore from the Mayor and paying the corresponding permit fee imposed under existing tax ordinances including, but not limited to, the following:

Group I

- Advertising agencies
- Assaying laboratories
- Barbershops
- Battery charging shops
- Beauty parlor
- Blacksmith
- Business agents and other independent contractors
- Cinematographic film owners, lessors or distributors
- Collecting agencies
- Commercial or immigration brokers
- Construction and/or repair shops of motor vehicles, bicycles and tricycles
- Dyeing establishments
- Funeral parlors
- Furniture repair shops
- Garage for a fee
- General engineering, general building and especially contractors, filing demolition and salvage work contractors.
- Goldsmith and silversmith
- House and/or sign painters
- Lathe machine shops
- Laundry shops
- Massage and therapeutic clinics
- Painting shops
- Parking lots (for a fee)
- Plastic lamination, photo static, white/blue printing, recopying or duplicating services; typing and mimeographing services
- Proprietors or operators of bulldozers and other heavy equipment made available to others for consideration
- Proprietors or operators of smelting plants, engraving plants and planting establishments
- Public warehouse or bodegas
- Repair of welding shops
- Saw mills under contract to saw or cut logs belonging to others
- Service stations
- Service establishments for the installation of water system, gas or electric light, biogas digester and similar services
- Shops for planing surfacing or re-cutting of lumber
- Shops for shearing animals
- Slendering or body building saloons
- Tailor or dress shops
- Upholstery shops

- Vaciador shops
- Vulcanizing shops

Group II

- Accounting services
- Belt and buckle shops
- Booking offices or local exchange
- Breeding of gamecocks and other sporting animals belonging to others
- Brokerages
- Business management services
- Consultancy services
- Recruitment and travel agency
- Dance studio
- Carpentry
- Drafting and architectural services
- Employment agencies
- Escort services
- Ice and cold storage
- Indentors or indent services
- Janitorial services
- Judo-karate schools
- Key smith
- Legal and notarial services
- Lumberyards
- Meteography services
- Messengerial services
- Medical, dental, optical or EENT clinics
- Perma press establishments
- Private hospitals
- Promotional services
- Pubic ferries
- Purchasing agencies
- Rental of equipment, furniture, bicycle, skates or equipment (light or heavy) for construction works
- Rental or sale of video cassettes or discs
- Repair shops for household appliances repair shops for office or school equipment such as typewriter, calculators, adding machine, computer and the like
- Repair shops for electrical or electronic equipment
- Roasting of calf, pig or fowls not sold for retail
- Sculpture shops
- Tinsmith
- Transportation terminals not allowed by bus operators
- Vocational schools including dancing, driving and computer programming schools
- Watch repair centers or shops
- Warehouse or forwarding services
- Other kinds of contracting establishments rendering services for a fee.

Article C. Definitions

Section 5C.01 Meaning of Words Used. When used in this Code, the terms:

Advertising Agency –includes all person who are engaged in the business of advertising for others by means of billboards, posters, placards, notices, sign directories, pamphlets, leaflets, handbills, electric or neon lights, airplanes, balloons or other media, whether in pictorial or reading form.

Brewer – Includes all persons who manufacture fermented liquors or any description for sale or deliver to others, but does not include manufacturers of tuba, tapuy or similar domestic fermented liquors whose daily produce does not exceed two hundred (200) gauge liters.

Carinderia – refers to any public eating place where foods already cooked are served at a price.

Cockpit – includes any place, compound, building or portion thereof where cockfights are held or not money bets are made on the result of such cockfights.

Collecting Agency - includes any person other than a practicing "attorney-at law" engaged in the business of collecting or suing debts or liabilities in his hands, for the said collection or suit, by subscribers or customers applying and paying therefore; while a "mercantile agency" is any person engaged in the business of gathering information as to the financial standing, liability or credit or persons engaged in business and reporting the same to subscribers and customers applying and paying therefore.

Compounder – comprises every person who without rectifying, purifying or refining distilled spirits, shall be mixing such spirits wine or other liquor with any materials except water, manufacture or any intoxicating beverage whatever.

Contractor- includes persons, natural or juridical not subject to professional tax whose activity consists essentially of the sale of all kinds of services for a fee, regardless of whether or not the performance of the service alls for the exercise or use of the physical or mental facilities of such contractor or his employees. As used in this code, the term "contractor" includes, but is not limited to the following:

- General Engineering, general building and specialty contractor as defined under applicable laws;
- Filing, demolition, and salvage works contractor;
- Proprietor or operator of mine drilling apparatus;
- Proprietor or operator of dockyards;
- Persons engaged in the installation of water and gas or electric lights, heat or power;
- Proprietor or operator of smelling plants;
- Engraving, planting and plastic lamination establishments;
- Proprietor or operator or establishments for repairing, repainting, upholstering, washing or greasing of vehicles, heavy equipment, vulcanizing, recapping and battery charging;
- Proprietor or operator of furniture shops and establishments for surfacing and re-cutting of lumber and sawmill under contract to saw or cut logs belonging to others;

- Proprietor or operator of dry-cleaning or dyeing establishments, steam laundries and laundries using washing machines;
- Proprietor or owner of shops for repair of any kind of mechanical and electrical devices, instruments, apparatus or furniture or shoe repairing by machine or any mechanical contrivance;
- Proprietor or operator of establishments or lots for parking purposes;
- Proprietor or operator of tailor shops, milliners and hatters, beauty parlors, barber shops, massage clinics, sauna, Turkish and Swedish baths, slandering and body building saloons and similar establishments;
- Photographic studios;
- Funeral parlors
- Proprietor or operator of arrastre or stevedoring, warehousing or forwarding establishments, master plumbers, smiths and house or sign painters;
- Printers, bookbinders, lithographers;
- Publisher except those engaged in the publication or printing of newspapers, magazines, review of bulletin which is not devoted principally to the publication of advertisements;
- Business agent, private detective or watchman agencies, commercial and immigration brokers and cinematographic film owners, lessors or distributors;

Corporation – includes partnerships, no matter how created or organized, joint stock companies, joint accounts (*cuentas en participacion*) association or insurance companies but does not include general professional partnerships and a joint venture or consortium formed for the purpose of undertaking construction projects or engaging in petroleum, coal, geothermal and other energy operations or consortium agreement under a service contract with the government. General professional partnerships formed by persons for the sole purpose of exercising their common profession, no part of the income of which is derived from engaging in any trade or business.

The term “foreign resident” when applied to a corporation means a foreign corporation not otherwise organized under the law of the Philippines but engaged in trade or business within the Philippines.

General Engineering Contractor – is a person whose principal contracting business is in connection with fixed works requiring specialized engineering knowledge and skill, including the following divisions or subjects; irrigation, drainage, water power, water supply, flood control, inland waterways, harbors, docks and wharves, shipyard and ports, dams, hydro electric projects, levees, river control and reclamation works, railroads, highways, streets and roads, tunnels, airports and airways, waste reduction plants, bridges, overpass, underpass and other similar works, pipeline and other system for the transmission of petroleum and other liquid or gaseous substances, land leveling and surfacing work.

General Building Contractor – is a person whose principal contracting business is in connection with any structure built, being built or to be built for the support, shelter or enclosure of any persons, animals, chattels or movable property of any kind, requiring in its construction the use of more than two unrelated building trades or crafts, or to do or superintend the whole or any part thereof. Such structure includes sewers and sewerage disposal plants and systems, parks, playground and other recreational works, refineries, chemical plants and similar industrial plants requiring specialized engineering knowledge and skill, power plants and other utility plants and installations, mines and metallurgical plants, cement and concrete works in connection with the

above-mentioned fixed works. A person who merely furnishes materials or supplies without fabricating them into, or consuming them in the performance of the work of the general building contractor does not necessarily fall within this definition.

Specialty Contractor – is a person whose operations pertain to the performance of construction work requiring special skill and whose principal contracting business involves the use of specialized building trades or crafts.

Dealer - means ones business is to buy and sell merchandise goods and chattels, as a merchant. He stands immediately between the producer or manufacturer and the consumer and depends for his profit not upon his commodities but upon the skill and foresight with which he watches the market.

Distillers of Spirits – comprise all who distill spirituous liquors by original and continuous distillation for mash, sap or syrup through continuous vessels and pipes until the manufacture thereof is complete.

Hotel – includes any house or building or portion thereof on which any person or persons may be regularly harbored or received as transient pt guests. A hotel shall be considered as living quarters and shall have privilege to accept any number of guests and to serve food to guests herein.

Importer –means any person who bring articles, goods, wares or merchandise of any kind or class into the Philippines from abroad for unloading therein, or which after such entry are consumed herein or incorporated into the general mass of property in the Philippines. In case of tax-free articles, brought or imported into the Philippines by persons, entities or exchanged in the Philippines to non-exempt private persons or entities, the purchaser or recipient shall be considered as the importer thereof.

Independent Wholesaler – means a person other than a manufacturer, producer or importer who buys commodities for resale to persons other than end-users regardless of the quantity of the transaction.

Lending Investor - includes all persons who make a practice of lending money for themselves or others at interest.

Lodging House – includes any house or building or portion thereof, in which any person or persons may be regularly harbored or received as transient for compensation. Taverns or Inns shall be considered as lodging houses.

Manufacturer – includes every person who, by physical or chemical process, alters the exterior or form or inner substance of any raw material or manufactured or partially manufactured product in such manner as to prepare it for special use or uses to which it could not have been put in its original condition, or who by any such process alters the quality of any such raw material or manufactured or partially manufactured products so as to reduce it to make marketable shape or prepare it for any of the use industry; or who buy any such process combines any such raw materials or products of the same or of different kinds and in such manner that the finished products of such process or manufacture can be put to a special use or uses to which such raw materials or manufactured or partially manufactured products in their original condition could not have been put, and who in addition after such raw material or manufactured or partially manufactured products, or combines the same to produce such finished products for the purpose of their sale or distribution to theirs and not for his own use or consumption.

Money Shop – is an extension service unit of a banking institution usually operating in public markets with authority to accept money for deposit and extend short-term loans for specific purposes.

Motel - includes any house or building or portion thereof in which any person or persons may be regularly harbored or received as transient or guests and which is provided with a common enclosed garage or individually enclosed garages where such transients or guests may park their motor vehicle.

Pawnbroker – includes every person engaged in granting loans or deposits or pledges or personal property on the condition of returning the same at stipulated prices; displaying at his place of business their gift or yellow balls exhibiting a sign or money to loan on personal property or deposit or pledge.

Real Estate Dealer - includes any person engaged in the business of buying, selling, exchanging or renting property as principal and holding himself out as full or part-time dealer in real estate or as an owner of rental property or properties rented or offered to rent for an aggregate amount of One Thousand Pesos (P1,000.00) or more a year, except owner of sugar lands subject to tax under Commonwealth Act No. 567.

Rectifier – comprises every person who rectifies, purifies or refines distilled spirits or wines by any process other than by original and continuous distillation from mash, wort, wash, sap or syrup through continuous closed vessels and pipes until the manufacture thereof is complete. Every wholesale or rental liquor dealer who has in his possession any still mash tub or who keeps any other manner refining distilled spirits shall also be regarded as a rectifier and as being engaged in the business of rectifying.

Repacking of Wines or Distilled Spirits – includes all persons who remove wines or distilled spirits from the original containers for repacking and selling the same at wholesale.

Restaurant – refers to any place which provides food to the public and accepts order from them at a price. This term includes “caterers”

Retail - means a sale where the purchaser buys the commodity for his own consumption, irrespective of the quantity of the commodity sold.

Retail Dealer in Fermented Liquor – includes every person except retail dealers in tuba, basi and tapuy, who for himself or on commission sells or offers for sale fermented liquors in quantities of five (5) liters or less and not for resale.

Retail Dealer in Liquor - includes every person, except a retail vino dealer, who for himself or on commission sells or offers for sale vino or distilled spirits (other than denatured alcohol) in quantities of five (5) liters or less at any one time and not for resale.

Retail Leaf Tobacco Dealer – includes very person, who for himself or on commission, sells leaf tobacco or offers the same for sale to any person except a registered dealer in leaf tobacco or a manufacturer of cigars, cigarettes or manufactured tobacco, but the term does not include a planter or producer so far as concerns the sale of lea tobacco of his own production.

Retail Tobacco dealer – includes every person, who for himself or on Commission, sells or offers for sale not more than two hundred (200) cigars, not more than eight hundred (800) cigarettes, or not more than five (5) kilograms of manufactured tobacco at any one time and not for resale.

Retail Vino Dealer – includes every person, who for himself or on commission, sells or offers for sale only domestic distilled spirits in quantities of five (5) liters or less at any one time and not for resale.

Article D. Rules and Regulations

Section 5D.01 Filing of Application for Mayor's Permit. A written application for a permit to operate, or engage in a business shall be filled with the Office of the Mayor in four (4) copies. The application form shall set forth the name and address of the applicant, the description or style of business, the place where the business shall be conducted and such other pertinent information or data as may hereafter be required.

Upon submission of the application, it shall be the duty of the proper authorities to verify the other requirements regarding the operation of the business or activity are complied with. The permit to operate shall be issued only upon such compliance and after the payment of the corresponding taxes and fees as required under existing tax ordinances.

Any false statement deliberately made by the applicant shall constitute sufficient ground for denying or revoking the permit issued by the Mayor, and the applicant or licensee may further be prosecuted in accordance with the provisions of this Code.

A Mayor's Permit shall be refused to any person on the following grounds; (1) the business establishment or undertaking does not conform with zoning regulations, safety, health and other requirements; (2) the person concerned is disqualified under the provision of law or ordinance to establish or operate the business for which a permit is being applied.

Section 5D.02 Separate Permit for Separate Business. There shall be a separate permit for very separate of distinct establishment or place where the business or trade activity is conducted. One line of business or activity does not become exempt (from securing a Mayor's Permit) by being conducted with some other business for which a permit has been granted or issued.

Section 5D.03 Issuance of Permit. Upon approval of the application for a Mayor's Permit two copies of the application duly signed by the Mayor shall be returned to the applicant. One copy shall be presented to the Office of the Treasurer as basis for the collection of permit fee and the corresponding business tax.

The Mayor's permit shall be issued by the Mayor or his duly authorized representative upon presentation of the receipts for the payment of the Mayor's Permit fee and the business tax and upon compliance of such other requirements for its issuance.

Every permit issued by the Mayor shall state the name and residence of the applicant, his nationality and civil status; nature of the registration i.e. whether the business is a sole proprietorship, corporation or partnership, location of the business, date of issue and application of the permit, and such other information as may be necessary.

Section 5D.04. Posting of Permit. Every permittee or licensee shall keep the permit conspicuously posted at all times in the place of business or office, or if the individual has no place of business, shall keep the permit in his person. The permit shall be immediately produced upon demand by the Mayor or his duly authorized representatives.

Section 5D.05. Duration and Renewal of Permit. The Mayor's permit shall be granted for a period of not more than one (1) year and shall expire on the thirty first (31st) of December following the date of issuance unless revoked or surrendered earlier. It shall have continuing validity only upon renewal hereof and payment of the corresponding fee.

Section 5D.06 Revocation of Permit. When a person doing business under the provision of the Code violates any provision thereof, refuse to pay the tax or fee imposed by existing tax ordinances; abuses his privilege to do business to the injury of public morals of peace; when the place where such business is established is being conducted in disorderly or unlawful manner; is a nuisance or is permitted to be used as a resort for disorderly conduct; criminals or woman of ill-repute, the mayor, after investigation, may revoke the permit that he issued. Such revocation shall operate to forfeit all sums which may have been in respect of said privilege, in addition to the fine and imprisonment that may be imposed by the Court for violation of any provision of this Code or ordinance governing the establishment and maintenance of business and to prohibit the exercise thereof by the person whose privilege is revoked, until restored by the Sanggunian.

Section 5D.07 Compliance with Other Requirements. The issuance of Mayor's permit shall not exempt the licensee or permittee from the fulfillment of other requirements in connection with the application of the business or in the conduct of an activity prescribed under this Code, other ordinances or national laws of local application.

Section 5D.08 Penalty. Any violation of the provisions of this Article shall be punished by a fine of not more than Two Thousand Five Hundred pesos (P2,500.00) or imprisonment of not more than six (6) months or both such fine and imprisonment, at the discretion of the Court.

Article E. Regulation on the Practiced of Occupation or Calling

Section 5E.01 Regulated Acts. No person shall practice any kind of "Occupation or calling" without first paying the corresponding "Occupation or calling fee" imposed under existing tax ordinance of this municipality.

Section 5E.02 Definitions. As used in this Article, the term:

Calling means one's regular business, trade, vocation or employment which does not require the passing of an appropriate government board or bar examination, such as professional actors, actresses, hostesses, masseurs, commercial stewards, stewardesses and the like.

Occupation means one's regular business or employment or an activity which principally takes one's time, thought and energies. It includes any calling, business, trade, profession or vocation.

Section 5E.03 Rules and Regulations.

1. Every person who has paid the corresponding "occupation or calling fee" shall be entitled to practice his "occupation or calling" without being subjected to any other tax, license or fee for the practice of such occupation or calling except certain regulatory fees.
2. Every individual or occupation employing a person subject to the "occupation or calling fee" imposed herein shall require payment by that person of such fee before employment and annually thereafter.
3. Every person subject to the "occupation and calling fee" imposed herein shall write receipts, tax returns, report or similar documents the number of the official receipt issued to him.
4. One line of occupation or calling does not become exempt from the payment of the required occupation or calling fee by being conducted with another line of occupation or calling.
5. The Mayor, through his Department heads, shall issue additional rules and regulations or implementing guidelines for the proper enforcement of this Article.

Section 5E.04 Exemption. Persons who are employed in the government services are exempted from the provisions of this Article.

Article F. Regulation on the Practice of Professions.

Section 5F.01 Regulated Acts. No person shall practice any profession, without first paying the professional tax imposed under existing tax ordinances of this municipality.

Section 5F.02 Definition. As used in this Article, the term

Profession means a calling which required the passing of an appropriate government board or bar examination, such as the practice of law, medicine, public accountancy, engineering and the like.

Section 5F.03 Rules and Regulations.

1. Every person who has paid the corresponding professional tax shall be entitled to practice his profession without being subjected to any other national or local tax, license or fee for the practice of such profession.
2. Any individual or corporation employing a person subject to professional tax shall require payment by that person of the tax on his profession before employment and annually thereafter.
3. Any person subject to the professional tax shall write in deeds, receipts, prescriptions, reports, book of accounts, plans and designs, survey and maps, as the case may be, the number of the official receipts issued to him.
4. The "professionals" referred to in this Article are only those who have passed the bar examinations, or any other board or other examinations conducted by the

Professional Regulatory Commission (PRC), or its equivalent as determined by law. One line of profession does not become exempt from the payment of the professional tax by being conducted with another line of profession. Thus, a lawyer who is also a Certified Public Accountant must pay the professional tax imposed for lawyers and that fixed for CPAs, if he is to practice both professions.

5. The Municipal Treasurer or his duly authorized representatives shall require from such professionals their current and annual registration cards issued by competent authority. The Professional Regulatory Commission (PRC) shall likewise require the professional presentation of proof of payment of the professional tax before registration of professionals or renewal of their licenses.
6. Additional rules and regulations or implementing guidelines for the proper enforcement of this Article may hereafter be issued by the Mayor thru his Department Heads concerned.

Section 5F.04 Exemption. Persons who are employed in the government service are exempted from the provisions of this Article.

Section 5F.05 Penalty. Any violation of the provisions of this Article shall be punished by a fine of not more than Two Thousand Five Hundred pesos (P2,500.00) or imprisonment of not more than Six (6) months, or both such fine and imprisonment, at the discretion of the Court.

Article G. Franchise on the Operation of Motorized Tricycle for Hire

Section 5G.01 Regulated Acts. No person, natural or juridical, shall operate any motorized tricycle for hire in this municipality, without first securing a "franchise" therefore from the Sanggunian Bayan and paying the corresponding fee imposed under existing tax ordinances.

Section 5G.02 Definitions. As used in this Article, the term:

Franchise – refers to a special privilege conferred by the municipal government or an individual or corporation which does not belong to the citizens by common right. It is the nature of a private contract between the municipal government and the grantee which cannot be granted by implication.

Motorized Tricycle - is a vehicle composed of a motorcycle fitted with a single wheel sidecar or a motorcycle with a two wheel cab operated to render transport service to the general public for a fee.

Motorized Tricycle Operator's Permit – (MTO) is a document granting franchise or license to a person, natural or juridical, allowing such person to operate motorized tricycle for hire over specified zones.

Zones - is a contiguous land area or block, say a subdivision or a barangay, where the tricycle for hire may operate without a fixed origin destination.

Section 5G.03. Creation of a Municipal Tricycle Franchising and Regulatory Board (MTFRB). There is hereby created a Municipal Tricycle Franchising and Regulatory Board to be composed of the following:

Municipal Vice Mayor	Chairman
Sanggunian Bayan Representatives	Vice Chairman
Municipal Engineer	Member
Municipal Planning and Dev't Coordinator	Member
Chief, Licensing and Inspection Section	Member
President, Tricycle Operators and Drivers Association, if any	Member
Chief of PNP	Member
Secretary to the Sanggunian	Head, Secretariat

Section 5G.04 Powers, Duties and Functions of the Municipal Tricycle Franchising and Regulatory Board (MTFRB). The Municipal Tricycle and Franchising and Regulatory Board (MTFRB) shall perform the following powers, duties and functions:

1. Accept and process applications for tricycle franchising;
2. Issue or grant the " Motorized Tricycle Operator's Permit (MTOP) to qualified applicant, subject to the provisions of the existing ordinances, rule and regulations on that matter;
3. Recommended to the Sanggunian Bayan the amount of fares or adjusted fare increases periodically to be imposed in a particular zone or fixed route;
4. Recommended to the Sangguniang Bayan other reasonable fees and related charges in the regulation of tricycles-for-hire, after conducting a public hearing for that purpose;
5. Promulgate rules and regulations for the proper enforcement of this Article which shall continue to be in full force and effect until revoked or modified by the Sangguniang Bayan.
6. Perform such other duties and functions as may hereafter be authorized by the Sangguniang Bayan.

Section 5G.05 Internal Rules of Procedures. The MTFRB shall formulate and adopt its own internal rules or procedure including its regular meetings and necessary standing committees.

Section 5G.06 Rules and Regulations.

1. Only Filipino citizens and partnerships or corporation with sixty percent (60%) Filipino equity shall be granted the MTOP. No MTOP shall be granted unless the applicant is in possession of units with valid registration papers from the Land Transportation Office (LTO);

2. The grantee of the MTOP shall carry common carrier insurance sufficient to answer for liability it may incur to passengers and third parties in case of accidents;
3. Operators of tricycle for hire shall employ drivers duly licensed by the Land Transportation Office (LTO);
4. Operators who intend to stop service completely, or suspend device for more than one (1) month, shall report in writing such termination or suspension to the Sangguniang Bayan;
5. Each tricycle unit granted an MTOP shall be assigned and bear an identification number aside from its LTO license plate number;
6. In addition to the driver's license issued by the LTO all tricycle for hire are hereby required to register and secure an identification number for the Office of the Chief Philippine National Police.
7. All drivers of tricycle for hire are hereby required to wear shoes, polo shirt or t-shirt with collar and long pants.
8. All applicants for an MTOP shall pay to the Municipal Treasurer the following fees:
 - a. Local Supervision Fee of Sixty Six Pesos (P66.00) per unit
 - b. Filing Fee of Two Hundred Fifty Pesos (P250.00) for regular franchise or Three Hundred Fifty Pesos (P350.00) for franchise holding Special Permits for the first five (5) units, plus twenty-five Pesos (P25.00) for every unit in excess thereof.
 - c. A side car number fee in the amount of Ninety Pesos (P90.00) per unit.
9. The MTOP shall be valid for Two (2) years subject to renewal on the second week of February and every subsequent 2nd week to the end of the said month. The body number and local supervision fee shall be renewed yearly.
10. In accordance with Ordinance No. 11 Series of 2004, tricycle fare shall be regulated as follows:

Basic fare for the first kilometer	P5.50
Additional fare for every succeeding kilometer	P0.50
11. Tricycle for hire shall have only a five (5)-passenger capacity, including driver.
12. Operator of tricycle for hire are hereby required to post in a conspicuous but appropriate part of the tricycle the schedule of fare.
13. The routes of these tricycles shall be limited to their respective jurisdiction as indicated by the colors assigned to them, except those holding Special permits or those using their units for personal functions or emergencies. These colors shall be displayed by attaching their color-coded stickers on the tricycle units.

14. Additional rules and regulations shall be issued by the Municipal Tricycle Franchising and Regulatory Board (MTFRB) for the proper enforcement of this Article.

Section 5G.07 Procedure.

1. In order to apply for a franchise and for the renewal of body number, the operator shall secure an endorsement from the local Tricycle Operators and Drivers Association (TODA) and the Federation of Tricycle Operators and Drivers Association of Bacoar (FETODAB), an endorsement from the FETODAB to the Tricycle Regulatory Unit (TRU) and a drug test of the tricycle's driver from the Local Transportation Office (LTO) or any certified medical establishments to the TRU for assessment.
2. The assessment from the TRU shall be paid at the Municipal Treasurer's Office.
3. The Franchise and Body Number sticker shall be released upon the issuance of the receipt of payment from the Treasurer's Office.
4. Each tricycle authorized to operate within the limits of the Municipality shall be required to post inside the tricycle the unit schedule of fares payable by passengers. Likewise, the said schedule shall be required to be posted to conspicuous places of every tricycle terminal.
5. The terminals of each TODA are established as follows:

TODA	TERMINAL	COLOR CODE
Addas Village II	Along Addas Rd.	Gray
Andrea Village	Gate	Brown
Aniban		Sky Blue
Bacoar Public Market	Main Gate *Special Permit	Sea Blue
Bayanan	Molino Rd. cor Bayanan	Midnight Blue
Camella Springville	Gate	Maroon
	Central Phase I	
Cityhomes	First Ave. cor Molino Rd (Bukana)	Lavender
Gawaran Subd.	Terminal	Green
CSIS	S. Revilla Terminal	Navy Blue
Justinville Subd.	Gate	Olive Green
Mabolo		Pink
Mambog	Imus Terminal	Green-Yellow
Mary Homes	Gate	Violet
Meadowood Village	Gate	Yellow-Orange
Molino Homes	Molino Homes cor Molino Rd (Bukana)	Moss Green
Molino Shell	Molino Rd cor Pag-asa Rd	Red
	Playground (bounding bacoar-imus)	
Niog	Niog Road (beside Jollibee)	Lime Green
North camella	Clubhouse	Yellow
Springville	Beside Chapel	
Panapaan	Panapaan cor Aguinaldo	Blue Green
	Hi-way	
	Panapaan cor Evangelista	

Perpetual Subd.	Imus Terminal	Flesh
Queen's Row		Magenta
RFC Supermarket	SPECIAL PERMIT	Peach
Salinas		Tangerine
SM Bacoar	E. Gomez cor Watawat (Old fire station)	Orange
Soldier Hills	Molino Rd. cor Soldier Hills Phase I and Phase III	White
Town and Country	Losrios St. cor Octavio St. Madrid cor Faura St. (Phase II and IV)	Yellow Green
Wood Estate Vill II	Gate Clubhouse	Tan
Zapote Public Market	Main Gate SPECIAL PERMIT	Peach

Section 5G.08 Reservations. Nothing in this Article shall be construed to diminish the authority of the Sangguniang Bayan to issue, amend, revise, renew, suspend or cancel any MTOP and prescribe the appropriate terms and conditions therefore, determine, fix, prescribed or periodically adjust fares or rates for the service provided in a zone or fixed route after public hearing; prescribe and regulate zones of service in coordination with the barangay, fix, impose and collect and periodically review and adjust but not oftener than once every three (3) years, reasonable fees and other regulated charges in the regulation of tricycle for hire; establish and prescribe the conditions and qualities of service to the public.

Section 5G.09 Penalties. Those found to be operating without the proper license shall be fined Two Thousand Five Hundred Pesos (P2,500.00). Those with delayed payments shall be fined Five Hundred Pesos (P500.00). Those violating the schedule of fares shall be punished by a fine of Five Hundred Pesos (P500.00).

Anyone found violating the established routes shall be fined Five Hundred Pesos (P500.00) and be given a warning on the first offense. On the second offense, a fine of One Thousand Five Hundred Pesos (P1,500.00) and the suspension of TOP shall be imposed. The third offense shall incur a penalty of Two Thousand Five Hundred Pesos (P2,500.00) and revocation on the offender's MTOP.

CHAPTER VI HEALTH, SANITATION AND ENVIRONMENTAL MANAGEMENT

Article A. Health Examination and Foods Handlers

Section 6A.01. Regulated Acts. No person shall engage in an occupation or work in any establishment the nature of which has something to do with the preparation of food, or foodstuffs; whether cooked or in raw form, that are intended for public consumption without first securing a Medical Certificate from the Municipal Health Officer of his duly authorized representative and paying the corresponding fees imposed under existing tax ordinances, including but not limited to the following:

1. Food handlers and processors, Chefs, or cooks;
2. Dance instructors/instructresses; hostesses; bartenders; waitresses; hospitality girls or entertainers including singers or dancers;

3. Barbers, beauticians; hairdressers; manicurists; attendants in hospital or clinics, sauna baths, slandering saloons and the like;
4. Masseurs; masseuse; massage clinic attendants;
5. Other similar occupation or callings.

Section 6A.02. Rules and Regulations

1. Individuals mentioned in the preceding section are hereby required to undergo a physical health examination annually to be conducted by the Municipal Health Officer or his duly authorized representative.
2. Operators of business establishments shall see to it that their employees who are required to undergo the aforementioned physical health examination have been issued the necessary Medical Certificate.
3. The Municipal Health Officer shall keep a record of the physical health examination conducted and the copies of the medical certificates issued, indicating therein the names of the applicants, the date and the purpose for which the examination was made, and other relevant information.
4. The Municipal Health Officer shall issue the additional rules and regulations or implementing guidelines for the proper enforcement of this Article.

Section 6A.03. Penalty Any violation of the provisions of this Article shall be punished by a fine of not less than Two Thousand Five Hundred Pesos (P2,500.00), or imprisonment of not less than Six (6) months, or both fine and imprisonment at the discretion of the Court.

Article B. Disposal of Garbage, Filth and Other Waste Matters

Section 6B.01. Regulated Acts. No person shall dispose of any bags of garbage, filth, or other waste matters, in public places and such other place not duly designated by the Sangguniang Bayan as a garbage disposal area.

Section 6B.02. Definition. As used in this Article:

Public Place – refers to any place to which the public has access including streets, highways, parks, plazas, alley, sidewalk, esteros, canals, and such other place open to the public.

Section 6B.03. Rules and Regulations.

- 1] All educational and other similar institutions, whether public or private; all commercial and industrial establishments such as hotels, restaurants, hospitals, cinema houses, public markets, department stores, groceries and the like; all public conveyances; all residential houses; and all other similar establishments shall undertake the cleaning of their own estate, yards and immediate premises.
- 2] All garbage, filth, and other waste matters shall be placed in a proper receptacle for the collection and disposal thereof by garbage collectors.

- 3] The Municipal Health Officer shall issue the necessary additional rules and regulations.

Section 6B.04. Penalty. Any person who violates any provision of this Article shall be punished by a fine of not more than Two Thousand Five Hundred Pesos (P2,500.00), or imprisonment of not more than Six (6) months, or both fine and imprisonment at the discretion of the Court, without prejudiced to the imposition of a higher penalty under the provisions of PD 825 and other laws. If the violator is a corporation, or other corporate entities, the penalty shall be imposed upon the president, manager, director or persons responsible for its operation.

Article C. Advertisement by Means of Signboards and Billboards

Section 6C.01. Regulated Acts. No person shall install or display any signboard or billboard in this municipality without first securing a permit therefore from the mayor and paying the corresponding fees on advertisement as required under existing ordinances of this municipality or the barangay concerned.

Section 6C.02. Administrative Provisions. Any person desiring to install any signboard or billboard shall file a written application on the required form and submit the necessary plans and descriptions of the signboard or billboard to the Building Official of this municipality.

The "Building Official" shall issue the necessary rules and regulations for the proper implementation of this Article.

Section 6C.03. Applicability Clause. The provisions of PD 1096 (National Building Code) and its implementing rules and regulations pertaining to the installation of signs, signboard or billboards are hereby adopted and made an integral part of this Article.

Section 6C.04. Penalty. Any person who violates any provision of this Article shall be punished by a fine of not more than Two Thousand Five Hundred Pesos (P2,500.00), or imprisonment of not more than Six (6) months, or both fine and imprisonment, at the discretion of the court.

Article D. Advertisement by means of Posters,

Placards, Painting on Walls, Slides in Movies, Handbills and Leaflets

Section 6D.01. Regulated Acts. No person shall advertise thru posting; displaying by means of placards or slides in movies, painting on walls of buildings or other structure and neither by means of handbills or leaflets without first securing a permit therefore from the Mayor and paying the corresponding fees being required under existing tax ordinances of this municipality.

Section 6D.02. Administrative Provisions. Any person desiring to advertise by means of posters, placards, slides in movies, painting on walls or other structure, handbills and leaflets shall file a written application, together with the description of the things to be advertised or text of the advertisement itself, with the Office of the Mayor which shall process the same and issue the corresponding permit upon payment of the required fees therefore.

Section 6D.03. Penalty. Any person who violates any provision of this Article shall be punished by a fine of not more than Two Thousand Five Hundred Pesos (P2,500.00) or

imprisonment of not more than One (1) year, or both fine and imprisonment, at the discretion of the Court.

Article E. Regulations on the Use of Public Roads, Parks and Plaza

Section 6E.01. Regulated Acts. No person shall use any sidewalk portion of any public road, park or plaza for the drying of whatever kind of cereals, buri palms or other agricultural products or for other similar purposes.

Section 6E.02. Definitions. As used in this Article –

- | | | |
|---------------------|---|--|
| <i>Public Roads</i> | - | includes national, provincial, city, municipal or barangay roads |
| <i>Park</i> | - | means an expanse of public land use for recreation |
| <i>Plaza</i> | - | means an open public square owned by the government. |

Section 6E.03. Penalty Any person who violates any provision of this Article shall be punished by a fine of not more than Two Thousand Five Hundred (P2,500.00) or imprisonment of not more than One (1) year, or both fine and imprisonment, at the discretion of the Court.

Article F. Vandalism of Public and Private Properties

Section 6F.01. Regulated Acts. No person shall wantonly or deliberately deface or destroy any public or private property, or portion thereof, though any kind or form of vandalism including writing or painting unnecessary letters, words, signs or symbols on any portion of edifices or structures.

Section 6F.02 Penalty. Any person who violates any provision of this Article shall be punished by a fine of not more than Two Thousand five Hundred Pesos (P2,500.00) or imprisonment of not more than One (1) year, or both fine and imprisonment, at the discretion of the Court.

Article G. Protection of the Environment from Astray Animals.

Section 6G.01. Regulated Acts. No person shall wittingly or unwittingly, set loose or let go astray any "dog", "swine", "cattle", "goat" and other members of the bovine family in any public or private place, whether fettered or not.

Section 6G.02. Definitions. As used in this Article:

Astray Animal – means an animal which is set loose or not under the complete control of its owner, or the one in charge, or in the possession thereof, or found roaming around, in public or private whether fettered or not.

Cattle – includes horse, mule, ass, carabao, cow and other domesticated members of the bovine family.

Private Place- includes private-owned streets, yards, rice fields, farmlands and lots owned by an individual other than the owner of the animals.

Public Place – includes national, provincial, municipal or barangay roads, parks, plaza and such other places open to the public.

Swine – includes hogs or pigs

Section 6G.03. Impounding of Astray Animals. Animals caught astray shall be impounded in a corral or place duly designated for such purpose. Impounded animals shall be released to its owner only upon payment of the corresponding poundage fees imposed under existing tax ordinance of this municipality.

Section 6G.04. Administrative Provisions.

- 1] Not later than the following day after the animal is impounded, a notice of such impounding shall be posted in at least three (3) conspicuous places including the public market for a period of five (5) days within which the owner of the animal is required to claim and establish ownership thereof.
- 2] If no person shall claim ownership of the animal after the expiration of five (5) days from date of its impounding, it shall be sold to public auction under the following procedures:
 - a) The Municipal Treasurer shall post a notice for the public auction in at least three (3) conspicuous places including the public market for a period of three (3) days. During the auction sale, the animal shall be sold to the highest bidder. Within two (2) days after the auction sale, the Treasurer shall submit a written report of its proceedings to the Mayor.
 - b) The owner of the animal may stop the said sale by paying at any time, before or during the auction sale, the poundage fee due and the cost of the advertisement and conduct of sale, to the Municipal Treasurer.
 - c) The process of the sale shall be applied to satisfy the cost of impounding advertisement and conduct of sale. The residue over these costs shall accrue to the General Fund.
 - d) In case impounded animal is not disposed of during the public auction sale, the same shall be considered sold to the municipal government for the amount equivalent to the poundage fees due, cost of impounding, advertisement, and auction sale.

Section 6G.05. Applicability. This article shall apply only in barangays where there is no existing barangay ordinance dealing on the same subject matter. In case a barangay has an existing barangay ordinance duly reviewed by the Sangguniang Bayan, which also pertains to the impounding of astray animals and collection of poundage fees thereof, the said barangay ordinance shall prevail over this Article in the spirit of decentralization and in order to enhance the role of the barangay government in nation building.

Section 6G.06. Penalty. Any person who violates any provision of this Article shall be punished by a fine of not more than Two Thousand Five Hundred Pesos (P2,500.00) or imprisonment of not more than Six (6) months, or both fine and imprisonment at the discretion of the Court.

Article H. Ban on Smoking at Certain
Public Places and Business Establishments.

Section 6H.01. Regulated Acts. No person shall smoke any cigar or cigarette in the following places:

- 1.) Inside the screening room of theaters or cinema houses, or in other portions of the theater designated by the person in charge thereof as a "no smoking" area;
- 2.) Inside the room of hospitals, clinics, and similar places or in other places therein designated by the person in-charge of those institutions as a "no smoking" area;
- 3.) Inside the classrooms of school, colleges or other similar educational institutions, and other places therein designated by the person in-charge of such institutions as a "no smoking" area;
- 4.) Rooms or portion of other public places and government offices that has been designated as a "no smoking" area by its operator, manager, administrator, or any person in-charge thereof.
- 5.) Inside public utility vehicles plying within the jurisdiction of this municipality.

Section 6H.02. Rules and Regulations. It shall be the responsibility of the person in charge of the operation or administration of a movie house or cinema theater, hospital, clinic, school, College or other educational institution, and other public places or government offices to put a sign that would inform the public that the particular place has been designated as a "no smoking" area.

Section 6H.03. Penalty. Any person who violates any provision of this Article shall be punished by a fine of not more than Two Thousand Five Hundred Pesos (P2,500.00) or imprisonment of not more than Six (6) months, or both fine and imprisonment, at the discretion of the Court.

Article I. Constructions of Pens or Corrals
For Cattle, Swine, Chicken, Duck or Other Domestic Animals of Fowls.

Section 6I.01. Regulated Acts. No person shall construct any kind of pen or coral for cattle, swine, chicken, duck and other domestic animals or fowls within this municipality without securing a permit therefore from the Mayor and paying the corresponding fee imposed under existing tax ordinances.

Section 6I.02. Administrative Provisions. Before an application for a permit is acted upon, the Mayor or his duly authorized representative shall inspect the premises where the pen or corral shall be constructed to determine whether the site and the construction of the pen or corral conforms to existing laws, ordinances, rules and regulations on health, sanitation and zoning.

Section 6I.03. Penalty. Any person who violates any provision of this Article shall be punished by a fine of not more than Two Thousand Five Hundred Pesos (P2,500.00) or imprisonment of not more than Six (6) months, or both fine and imprisonment at the discretion of the Court.

Article I. Anti-Littering

Section 6J.01. Regulated Acts. No person shall litter, wittingly or unwittingly, any trash, rubbish, scum, cigarette butt, or any kind of waste matter of whatever form, on any public place in this municipality.

Section 6J.02. Definition. As used in this Article, the term:

Public Place – includes roads, alleys, lanes, pathways, sidewalks of streets, parks, plazas, and other places open to public.

Section 6J.03. Penalty. Any person who violates any provision of this Article shall be punished by a fine of not less than Two thousand Five Hundred Pesos (P2,500.00) or imprisonment of not more than Six (6) months, or both fine and imprisonment, at the discretion of the Court.

Article K. Pissing Ban in Public Places

Section 6K.01. Regulated Acts. It is hereby declared unlawful for any person to piss, pee or urinate, in any public place in this municipality, except in appropriate places such as restroom, toilet or lavatory.

Section 6K.02. Definitions. As used in this Article, the term:

Piss or Pee – refers to the act of discharging urine from the bladders.

Public Place – includes roads, streets, alleys, lanes, pathways, parks, plazas, sidewalks and parts or portion of buildings, walls or fences, and such other places, which are open to public.

Section 6K.03. Penalty. Any person who violates any provision of this Article shall be punished by a fine of not less than Two Thousand Five hundred Pesos (P2,500.00) or imprisonment or not more than Six (6) months, or both fine and imprisonment, at the discretion of the Court.

CHAPTER VII PUBLIC MORALITY

Article A. Illegal Gambling

Section 7A.01. Prohibited Acts. No person shall operate, maintain, or conduct any game of chance, including "jueteng", "monte", "baklay" (Sakla), "tupada" (illegal cockfight), "masiao", "cara y cruz" and other games of chance, scheme or hazard wherein bets or wagers consisting of money, articles or representatives of value are made, or in exploitation or use of any other mechanical devices or contrivances to determine by chance the loses or winner thereof.

Section 7A.02. Rules and Regulations.

- 1.) No person shall allow any form of gambling mentioned and embraced in the preceding Section to be conducted or carried on in any real properties that he owns or under his administration and control.

- 2.) No person shall participate, directly or indirectly, in any gambling referred to in Section 7A.01 hereof.
- 3.) No person shall possess any ticket, paper or matter containing letters, figures, signs or symbols which pertain to or are connected with the game of "jueteng", "masiao", or similar games prohibited herein, nor possess cards, chips and other gambling paraphernalia which have been used, or about to be used, in any illegal gambling mentioned herein. Mere possession of those things before, during and immediately after the conduct of such illegal gambling shall be considered as a "prima facie" evidence for purposes of this Article.

Section 7A.03. Exemptions.

- 1.) Conduct or holding of "bingo socials", "popularity contest", or "raffles" and similar fund-raising activities are exempted from the provisions of this Article, provided, that a permit therefore has been secured from the Mayor thru the Department of Social Welfare and Development. Fund-raising sponsored by the Sangguniang Barangay are exempted from securing a permit from the Mayor or the Department of Social Welfare and Development when said activities shall be undertaken within the territorial jurisdiction of that barangay.

Section 7A.04. Applicability Clause. All other matters pertaining to illegal gambling not herein specified shall be governed by the provisions of existing laws, ordinances, rules and regulations.

Section 7A.05. Penalty. Any person who violates any provision of this Article shall be punished by a fine of not more than Two Thousand Five Hundred Pesos (P2,500.00) or imprisonment of not more than Six (6) months, or both fine and imprisonment, at the discretion of the Court without prejudiced to the imposition of a higher penalty under the provision of existing laws.

Article B. Betting on Sports Contest.

Section 7B.01. Regulated Acts. No person shall bet or wager money or any object, article or representative of value upon the result of any boxing contest, basketball game, or other kinds of sports competition.

Section 7B.02. Penalty Any person who violates any provision of the preceding Section shall be punished by a fine of not more than Two Thousand Five Hundred Pesos (P2,500.00) or imprisonment of not more than Six (6) months, or both fine and imprisonment, at the discretion of the Court.

Article C. Loitering

Section 7C.01. Regulated Acts. No person shall loiter in any public place in this municipality in such a manner as to:

- 1.) Create or cause to be created a danger of a breach of the peace.
- 2.) Create or cause to be created any disturbance or annoyance to the comfort and repose of any person;

- 3.) Obstruct the free passage of pedestrian or vehicles; or,
- 4.) Molest, or interface with the lawful activity of any other person in such public place.

Section 7C.02. Definitions. As used in this Article:

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

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

Section 7C.03. Rules and Regulations. Any police officer may, in the exercise of reasonable judgment, decide that the presence of any person in any public place is causing or is likely to cause any of the conditions enumerated in Section 7C.01 hereof and he may if he deems it necessary for the preservation of the public peace and safety, order that person to leave that place.

Section 7C.04. Penalty. Any person who violates any provision of this Article shall be punished by a fine of not more than Two Thousand Five Hundred Pesos (P2,500.00) or imprisonment of not more than Six (6) months, or both fine and imprisonment, at the discretion of the Court.

Article D. Indecent Exposure in Public Places

Section 7D.01. Prohibited Acts. A person who intentionally exposes his or her genitals, breasts, or buttocks to one or more persons with the reasonable expectation that the said act/s will be viewed by another in a public place shall be deemed to have committed the offense of indecent exposure as penalized and defined herein. Indecent exposure is also committed by a person who, having control over a public place wherein any member of the public is invited or is allowed to enter, knowingly allows the exposure of the genitals, breasts, or buttocks of any person/s within or upon such public place.

Section 7D.02. Definition of Terms. As used in this Article:

"Exposing the genitals, breasts, or buttocks" -- means displaying the pubic hair, anus, vulva, genitals or any display of the female or male breasts with less than a fully opaque covering of any part of the nipple and areola. The term also pertains to the removal of shirts in public by men such that the upper torso is exposed.

Public Place - means any place to which the public has access including streets, schools, highways, parks, plazas, alleys or sidewalks and such other places open to the public. It also includes parking lots or other private property that is open to the public such as shopping malls, places of worship, or private markets. However, the said term does not include hospitals, maternity clinics, or morgues where the exposure of body parts is necessary for medical purposes.

Section 7D.03. Rules and Regulations. Any police officer, barangay official, or official/personnel of the local government of the Municipality of Bacoar may, after taking a picture of the offender/s in the act of indecently exposing themselves, arrest the offender and bring him/her to the nearest police station for the filing of the necessary charges for violating this Article. In case the offender is a minor, representatives of the Municipal Social Welfare and Development Office shall be summoned immediately by the arresting officer in order to ensure that the various rights of the child are protected and that his/her parent/s or guardian/s are summoned posthaste.

Section 7D.04. Penalty. Any person who violates any provision of this Article shall be punished by a fine of not more than Two Thousand Five Hundred Pesos (P2,500.00) or imprisonment of not more than Six (6) months, or both fine and imprisonment, at the discretion of the Court. In case the offender is a minor, or a person of unsound mind, a fine of not more than Two Thousand Five Hundred Pesos (P2,500.00) shall be paid by the parent/s or guardian/s of the offender at the discretion of the proper Court of law.

Article E. Public Intoxication or Drunkenness

Section 7E.01. Prohibited Acts. Any person who drinks any alcoholic beverage – even if not yet inebriated – on any road, sidewalk, public transportation, park, alley, bridge, overpass or any other place that is open to, or accessible to the public, is deemed to have committed the offense of public intoxication or drunkenness.

Section 7E.02. Definition of Terms. As used in this Article:

Alcoholic beverages – means any type of beer, wine, and other distilled spirits intended to cause intoxication regardless of the amount of alcohol found within the said substance or whether the said intoxicating substance was mixed with a non-alcoholic beverage such as softdrinks or fruit juices.

Section 7E.03. Penalty. Any person who violates any provision of this Article shall be punished by a fine of not more than Two Thousand Five Hundred Pesos (P2,500.00) or imprisonment of not more than Six (6) months, or both fine and imprisonment, at the discretion of the Court.

Article F. Possession of Obscene or Pornographic Materials

Section 7F.01. Prohibited Acts. No person shall possess any obscene or pornographic materials including books, magazines, pamphlets, pictures or other representations, however made, within this municipality.

Section 7F.02. Rules and Regulations.

- 1.) No operator of movie or cinema houses shall allow the exhibition in the movie screen of his establishment any pornographic film or movie not approved for public showing by competent authorities.
- 2.) No operator of business establishments shall sell or rent to the public any kind of pornographic video films.

- 3.) Additional rules and regulations shall be issued by the Mayor for the proper implementation of this Article.

Section 7F.03. Exemptions. Paintings, engravings, sculptures, pictures, sketches, drawings, or other objects which merely represent made figures but not represent a lascivious act and exhibited exclusively for scientific, educational or artistic purposes without immoral or malicious intent shall not be covered from the provisions of this Article.

Section 7F.04 Penalty. Any person who violates any provision of this Article shall be punished by a fine of not more than Two Thousand Five Hundred Pesos (P2,500.00) or imprisonment of not more than Six (6) months, or both fine and imprisonment, at the discretion of the Court.

CHAPTER VIII

PUBLIC UTILITIES

Article A. Public Markets

Section 8A.01. Definitions. As used in this Article:

Public Markets - are public services or utilities as much as the public supply and sale of electricity, water and public transportation are (1.) A market is a public market when it is dedicated to the service of the general public and is operated under government control and supervision as a public utility, whether it be owned by the government or by any instrumentally thereof, or by any private individual. (2.) Public markets refer also to any place, building or structure of any kind designated as such by the local legislative body (Sanggunian) except public streets, plazas, and the like.

Market Premises – refers to an open space in the market compound; part of the market lot consisting of bare ground, not covered by market buildings, usually occupied by transient vendors specially during market days.

Market Stall – refers to any allotted space or both in the public market where merchandise of any kind is sold or offered for sale.

Market Section – refers to a subdivision of the market housing one class or group of allied goods, commodities or merchandise.

Section 8A.02. Market Charges or Fees. There shall be collected from lessees of market stall, occupants of market premises or transient vendors a market rental fee or entrance fee, at such rates as may be prescribed by the Sanggunian in a tax ordinance duly enacted for that purpose.

Section 8A.03. Adjudication of Vacant Market Stalls. The adjudication of vacant or newly constructed market stalls shall be in accordance with the provisions of a duly enacted ordinance and the rules and regulations on this matter promulgated by the Sangguniang Bayan.

Section 8A.04. Lease Period. The contract of lease for a market stall shall not be less than one (1) year, but not more than fifty (50) years, renewable upon its expiration,

unless a more reasonable and appropriate lease period is prescribed by the Sanggunian in a new ordinance amending this Section.

Section 8A.05. Application for Lease. The application for lease of market stalls shall be accomplished under oath in a prescribed form and submitted to the Chairman, Market Committee, by the applicant, either in person or thru his attorney.

Section 8A.06. Creation of a Market Committee – There shall be created by the Sanggunian a permanent Market Committee which shall conduct the drawing of lots and opening of bids in connection with the adjudication of vacant or newly constructed stalls in the public market.

Section 8A.07. Preference of Filipino Citizens Over Alien Applicants. Applicants who are Filipino citizens shall have preference in the lease of public market stalls. If on the last day set for filing the applications, there is no application from a Filipino Citizen, the posting of the notice of vacancy prescribed in this Chapter shall be repeated for another ten (10) days. If after the expiration of that period, there is still no Filipino applicant, then the stall affected may be leases to any alien applicant who first filed an application. If there are several alien applicants the adjudication of the stall shall be made thru drawing of lots to be conducted by the Market Committee.

In case there is only one Filipino applicant, the stall applied for shall be adjudicated to him. If there are several Filipino applicants for the same stall, the adjudication of the stall shall be made thru drawing of lots to be conducted by the Market Committee on the date and hour specified in the notice. The result of the drawing of lots shall be reported immediately by the committee to the Mayor for appropriate action.

Section 8A.08. Vacancy of Stalls. If any reason a stall holder or lease discontinues or is required to discontinue his business before his lease contract expires, such stall shall be considered vacant and its occupancy thereafter shall be disposed of in the manner herein prescribed.

Section 8A.09. Partnership with Stall Holder. Any market stallholder who enters into a business partnership with any party after he acquired the right to lease such stall has no authority to transfer to his partner the right to occupy the stall. In case of death or any legal disability of such stallholder to continue in his business, the surviving partner may be authorized to continue occupying the stall for a period of not exceeding sixty (60) days within which to wind up the business of the partnership. If the survivor is qualified to occupy a stall under the provisions hereof, and the spouse, parent, son, daughter or relative within the third degree by consanguinity or affinity of the deceased is not applying for the stall, he shall be given the preference to continue occupying the stall concerned if he applies for it.

Section 8A.10. Lease to Personally Administer His Stall. Any person who has been awarded the right to lease a market stall in accordance with the provision hereof, shall occupy, administer and be present personally at his stall or stalls. He may employ helpers who must be citizens of the Philippines, including but not limited to his spouse, parents and children who are actually living with him and who are not disqualified under the provisions hereof. The person to be employed as helpers shall, under no circumstances, be person with whom the stallholder has any commercial relation or transaction.

Section 8A.11. Dummies: Sub-lease of Stalls. In any case where the person registered to be the holder or lessee of a stall/s, booth/s, in the public market, is found to be in reality not the person who is actually occupying said stall/s, booth/s, the lease of such stall/s, booth/s, shall be canceled, if upon investigation such stall holder shall be found to have sub-leased his stall/s, booth/s, to another person or to have connived with such person so that the latter may, for any reason, be able to occupy the said stall/s, booth/s.

Section 8A.12. Rules and Regulations.

- 1.) The peddling or sale outside the public market site or premises of foodstuffs, which easily deteriorate like fish, crabs, oysters, seashells, and meat, is hereby prohibited.
- 2.) No person shall utilize the public market or any part thereof for residential purpose.
- 3.) It shall be unlawful for any person to peddle, hawk, sell or offer for sale, or expose for sale, any article in the passageway (pasillo) used by purchaser in the market premises.
- 4.) It shall be unlawful for any person to resist, obstruct, annoy or impede any market employee or personnel in the performance of his duties, nor shall parents allow their children to play in or around their stalls or booths in the market premises.
- 5.) It shall be unlawful for any person to drink, serve or dispense liquor, or any intoxicating drinks beverages, within the premises of the public market at any time of the day.
- 6.) No merchandise or article shall be sold, offered for sale or expose for sale in the public market unless the same was legally acquired by the vendor or stall holder and that taxes of any kind due thereon has been paid.
- 7.) It shall be unlawful for any lessee to remove, construct or alter the original structure of any stall, electrical wiring, or water connection without prior permit from the market administrator or person in charge of the public market.
- 8.) The municipal government shall not be responsible to the occupants of stall for any loss or damage cause by the fire theft, robbery, "force majeure" or any other cause. All articles or merchandise left in the public market during closure time shall be at the risk of the stallholder or owner thereof.
- 9.) All articles abandoned in any public market building in violation of any provisions of this Article or any regulation or rule on the management of the market, shall deemed a nuisance. It shall be the duty of the Market Administrator or his subordinate to take custody thereof. In case the Articles are claimed within twenty-four hours, thereafter they shall be returned to their original owners upon payment of actual expenses incurred in their safekeeping, unless they have so deteriorated as to constitute a menace to public health, in which case they shall be disposed of in the manner directed by the Market Administrator who may also in his discretion, cause the criminal prosecution of the guilty party, or merely warn him against future violation. In case where the articles have not deteriorated and are not claimed within the time herein fixed,

the said articles shall be sold at public auction, and the proceed thereof shall be disposed in accordance with law.

Section 8A.13. Applicability Clause. Pertinent provisions of existing laws, ordinances, rules and regulations pertaining to the administration of the public market are hereby adopted as part of this Article.

Section 8A.14. Penalty. Any person who violates any provision of this Article shall be punished by a fine of not more than Two Thousand Five Hundred Pesos (P2,500.00) or imprisonment of not more than Six (6) months, or both fine and imprisonment, at the discretion of the Court.

Article B. Slaughterhouse

Section 8B.01. Permit to Slaughter. Before any animal is slaughtered for public consumption, a permit therefore shall be secured from the Municipal Health Officer or duly authorized representative who will determine whether the animal or fowl is fit for human consumption, upon payment to the Municipal Treasurer of the corresponding permit fee prescribed under existing tax ordinances.

Section 8B.02. Prohibition. Permit to slaughter shall not be granted nor the corresponding fee collected on animals condemned by the Municipal Health Officer.

Section 8B.03. Administrative Provisions

- 1.) The slaughter of any kind of animal intended for sale shall be done only in the municipal slaughter house designated as such by the Sanggunian. The slaughter of animals intended for home consumption may be done elsewhere, except large cattle which shall be slaughtered only in the municipal slaughterhouse. The animal slaughtered for home consumption shall not be sold or offered for sale.
- 2.) Before issuing the permit for slaughter of large cattle, the Municipal Treasurer shall require for branded cattle, the production of the certificates of ownership if the owner is the applicant, or the original certificate of ownership and certificate of transfer showing the title in the name of the person applying for the permit if he is not the original owner. If the applicant is not the original owner, and there is no certificate of transfer made in his favor, one such certificate shall be issued and the corresponding fee be collected therefore. For unbranded cattle that have not yet reached the age of branding the Municipal Treasurer shall require such evidence as may be satisfactory to him regarding the ownership of the animals for which permit to slaughter has been requested. For unbranded cattle of the required age, the necessary certificate of ownership and/or transfer shall be issued, and the corresponding fees collected therefore before the slaughter permit is granted.
- 3.) Before any animal is slaughtered for public consumption, a permit therefore shall be secured from the Municipal Health Officer or his duly authorized representative preferably the Municipal Veterinarian or the Meat Inspector. If any, the permit shall bear the date and month of issue and the stamp of the Municipal Health Officer, as well as the page of the book in which the said permit number is entered and wherein the name of the permittee, the kind and sex of the animal to be slaughtered appears.

Section 8B.04. Penalty. Any person who violates provision of this Article shall be punished by a fine of not more than Two Thousand Five Hundred Pesos (P2,500.00) or imprisonment of not more than Six (6) months, or both fine and imprisonment, at the discretion of the Court.

Article C. Public Cemetery Administration

Section 8C.01. Lease of Burial Lot. There shall be collected a rental fee for every burial lot consisting of five (5) square meters (2x2.5 sqm.) in the amount prescribed by the Sanggunian in a tax ordinance enacted for that purpose. The lease period for every burial lot shall be five (5) years, renewable upon its expiration at the option of the lessee.

Section 8C.02. Sale of Burial Lot. Should the Sanggunian decide to set aside portions of the public cemetery for sale, the conditions of the sale and the amount thereof shall be stipulated in another ordinance.

Section 8C.03. Administrative Provisions.

- 1.) Permit to Construct. Any construction of whatever kind or nature in the public cemetery, whether for permanent or temporary use, shall only be allowed after the approval of a permit issued by the Mayor upon the recommendation of the Municipal Health Officer.
- 2.) Renewal of Lease. In case a lessee intends to renew the lease after its termination, he must inform the Municipal Treasurer within thirty (30) days before the expiry date of the leases and shall pay the corresponding rental fees therefore. It shall also be the duty of the Municipal Treasurer to prepare and submit to the Mayor a list of the leases that are to expire five(5) days prior to the expiration date. The Municipal Treasurer shall send a reminder to the lessee of the expiration of such lease, two (2) weeks prior to the expiration date of the lease.
- 3.) Registry. The Municipal Treasurer shall keep a registry of account of the public cemetery, together with such additional information as may be required by the Sanggunian.

Section 8C.04. Penalty. Any person who violates any provision of this Article shall be punished by a fine of not more than Two Thousand Five Hundred Pesos (P2,500.00) or imprisonment of not more than Six (6) months, or both fine and imprisonment, at the discretion of the Court.

CHAPTER IX GAMES AND AMUSEMENTS

Article A. Regulations on Cockpits and Cockfights Conducted Therein

Section 9A.01. Regulated Acts. No person shall operate or maintain any cockpit in this municipality without first securing a license therefore and no person shall officiate or take part in any kind of duly authorized cock fights being conducted therein either as "promoter", "pit manager", "gaffers", "referee", "bet manager", or "bet taker" without a permit therefore from the Mayor.

Section 9A.02. Administrative Provisions.

- 1.) Only licensed cockpit officials shall officiate in all kinds of cockfights in this municipality.
- 2.) No operator of a cockpit shall employ or allow to participate in a cockfight any gaffer, referee, bet taker, promoter, bet manager, or pit manager who has not secured a Mayor's permit.
- 3.) No person shall accept any bet in duly authorized cockfights without the corresponding money at his disposal to respond to the bet in case he loses.
- 4.) No person shall talk to, interfere with, or in any way obstruct the act of the handler (soltador) while the latter is releasing his fighting cock; neither shall any person talk to, interfere with, or in any way hamper the referee while the latter is overseeing the cockfight in progress especially when he is in the act of rendering, or about to render, his decision in consummated cockfighting match.

Section 9A.03. Definitions. As used in this Article:

Promoter – refers to a person licensed as such, who is engaged in the convening, meeting, holding and celebration of specially programmed and arranged cockfighting like local and international derbies or competitions, special mains or matched setto or encounters, pintakasi and ordinary cockfights inside a duly licensed cockpit.

Pit Manager – refers to a person who professionally, regularly and habitually manages a cockpit and cockfights therein. He may or may not be the owner of the cockpit himself.

Gaffer – (Mananari) refers to a person who is knowledgeable in the technique of arming fighting cocks with gaff on either or both legs of the cocks.

Referee – (Sentenciador) refers to a person who watches and oversees the progress of the cockfight and decides its result by announcing the winner or declaring a draw or no contest game.

Bet Manager – (Kasador) refers to a person who calls and takes care of bets from owner of both gamecocks and those of other bettors before he orders commencement of the cockfight and thereafter distributes winning bets after deducting a certain commission.

Bet Taker – (Kristo) refers to a person who participates in cockfights with the use of money or other things of value, bets with other bettors or through other bet-takers and wins or loses his bets depending upon the result of the cockfight as announced by the referee or "sentenciador".

Handler – (Soltador) refers to a person who personally takes physical custody and control inside the arena of a pitted gamecock and who actually releases the same for actual fight and combat in cockfight.

Section 9A.04. Penalty. Any violation of the provision of this Article shall be punished by a fine of not more than Two Thousand Five Hundred Pesos (P2,500.00) or imprisonment of not more than Six (6) months, or both fine and imprisonment, at the discretion of the Court.

Article B. Operation of Slot Machines

Section 9B.01. Regulated Acts. No person shall establish or operate any business or place of amusement utilizing "slot machines" including what is commonly known as "jackpot machine" and other similar devices or contrivances within the jurisdiction of this municipality.

Section 9B.02. Definitions. As used in this Article:

Slot Machine – includes any machine, device or contrivance whereby the customer, player or user has to drop a coin, token or slug representing money of any denomination in order to have a chance of winning money, or its equivalent, as a prize.

Section 9B.03. Penalty. Any violation of the provision of this Article shall be punished by a fine of not more than Two Thousand Five Hundred Pesos (P2,500.00) or imprisonment of not more than Six (6) months, or both fine and imprisonment, at the discretion of the Court.

Article C. Operation of Billiard or Pool Hall

Section 9C.01. Regulated Acts. No person shall operate any billiard or pool hall in this municipality without first securing a permit therefore from the Mayor and paying the corresponding tax under existing tax ordinances.

Section 9C.02. Rules and Regulations.

- 1.) No permit shall be issued to any person to operate a billiard hall with more than three (3) billiard tables.
- 2.) No permit shall be issued to any person to operate a pool hall with more than three (3) pool tables.
- 3.) No wager or bets shall be allowed by the operator of billiard or pool halls to be conducted therein by the players or other persons inside that establishments.
- 4.) Other necessary rules and regulations that are not inconsistent herewith may be issued by the Mayor for the proper implementation of this Article.

Section 9C.03. Penalty. Any violation of the provision of this Article shall be punished by a fine of not more than Two Thousand Five Hundred Pesos (P2,500.00) or imprisonment of not more than Six (6) months, or both fine and imprisonment, at the discretion of the Court.

Article D. Operation of Video Game Arcades

Section 9D.01. Regulated Acts. No video games arcades and shops within the jurisdiction of the Municipality of Bacoor shall open from 9:00 AM to 6:00 PM, Mondays through Fridays, EXCEPT Saturdays, Sundays and public holidays in which video games arcades/shops can be open from morning till evening.

Section 9D.02. Penalty. Operators, managers, Cashiers, Technicians and other personnel involved in the operation of video games arcades found to be violating the provisions of this section shall, upon conviction thereof, be punished by a fine of not less than One Thousand Pesos (P1,000.00) not more than Two Thousand Five Hundred Pesos (2,500.00) or an imprisonment of not less than one (1) month or not more than Six (6) months, or both fine and imprisonment at the discretion of the court.

Any video games arcades and shops found to be repeatedly violating the provisions of this section shall upon its third violation, be permanently closed by the Municipal Government of Bacoor.

CHAPTER X MISCELLANEOUS PROVISIONS

Article A. Operation of Transport Services For-a-Fee

Section 10A.01. Regulated Acts. No person, private or juridical, shall engage in the business of rendering or offering to rendering or offering to render "transport services for-a-fee" in this municipality without first securing a permit therefore from the Mayor and paying the corresponding fee imposed under existing tax ordinances.

Section 10A.02. Definition. As used in this Article.

Transport Services For-a-Fee- refers to the operation of business rendering or offering to render transport services utilizing motor vehicles, including motorized tricycle, and charging a fee thereof except those operators of " passenger busses" and "passenger jeepney or AUV's" which have been granted a "certificate of public convenience " or franchise to operate in this municipality or those vehicles merely pass thru this municipality.

Section 10A.03. Administrative provisions.

- 1.) No permit to operate a business of rendering or offering to render transport services for-a-fee shall be issued unless the motor vehicle being used or to be used has been duly registered with the Land Transportation Office (LTO).
- 2.) A numbered plate, metal or otherwise, or sticker shall be provided by the Office of the Municipal Treasurer to be paid at cost by the applicant.
- 3.) The Municipal Treasurer shall keep a registry of all the transport vehicles being issued a numbered plate or sticker such as its make and brand, the name and address of the operator and such other pertinent information as may be required.
- 4.) The Mayor, in coordination with the Land Transportation Franchising and Regulatory Board (LTFRB), and other concerned agencies shall issue the necessary rules and regulations for the proper implementation of this Article.

Section 10A.04. Penalty. Any person who violates the provisions of this Article shall be punished by a fine not more than Two Thousand Five Hundred Pesos (P2,500.00) or imprisonment of not more than Six (6) months, or both fine and imprisonment, at the discretion of the Court.

Article B. Registration and Transfer of Large Cattle

Section 10B. 01. Regulated Acts. Owners of large cattle are hereby required to register his ownership thereof with the Office of the Municipal Treasurer and pay the corresponding fees being imposed under the existing tax ordinances.

Section 10B.02. Definition

Large Cattle. Includes a two-year-old horse, mule, ass, carabao, and other domesticated members of the bovine family.

Section 10B.03. Administrative Provisions.

- 1) The owner of two-year old large cattle is hereby required to register the said cattle with the Office of the Treasurer. All branded and counter-branded animals presented to the Municipal Treasurer shall be reported in a book showing among others, the name and resident of the owner, and the class, color, sex, brand and other identifying marks of the cattle.
- 2) The transfer of large cattle, regardless of age, the use of brand, shall likewise be registered with the Office of the Municipal Treasurer. The entry in the registry book shall set forth among others, the name and residence of the owners and purchaser, the consideration of purchase price of the animal in cases of sale of transfer, and the class, color, age, sex, brand, and other identifying marks of the large cattle.
- 3) If the large cattle is sold and the ownership is transferred to another person, the names and residences of the vendor or transferor and the vendee or transferee, and/or reference by number to the original certificate of ownership with the name of the local unit that issued it shall be made or certificate of transfer shall be issued by the Municipal Treasurer except upon production of the original certificate of ownership and certificate of transfer and such other documents that show title of the owner.

Section 10B.04. Penalty. Any person who violates the provisions of this Article shall be punished by a fine of not more than Two thousand Five Hundred Pesos (P2,500.00) or imprisonment of not more than Six (6) months, or both fine and imprisonment, at the discretion of the Court.

Article C. Registration of Clubs, Associations, or Fraternities.

Section 10C.01. Required Acts. All heads of religious, civic, social, or sports organizations, including clubs, associations or fraternities are hereby required to register the name of their organization or association with the Office of the Mayor and pay the corresponding fee being imposed under existing tax ordinances.

Section 10C.02. Administrative Provisions.

- 1.) It shall be the duty of the officer of the organization covered under this Article, thru their President or Chairman, to register the name of their organization with the Office of the Mayor.
- 2.) The application for registration shall be accompanied by a copy of the organization's Constitutions and By-Laws or in the absence of which a joint affidavit to be executed by two officers of the said organization stating

therein the purpose or purposes for which the organization is established or formed, together with a copy of the list of all its members including their respective addresses.

Section 10C.03 Exemption. Political organizations including the Sangguniang Kabataan (SK), Panlungsod na Pederasyon ng mga Sangguniang Kabataan (PPSK), Liga ng mga Barangay, and Barangay Brigades are exempted from provisions of this Article.

Section 10C.04. Privileges of Registered Organizations. Religious, civic, social and/or sports organizations including clubs, federations or fraternities desiring to hold benefit shows, balls, programs, exhibitions, contests, bingo socials, and other kind of fund raising activities may be issued a Special Mayor's Permit free of charge. Provided that the said organization or intended for the purpose that will redound to the welfare of the public; that it shall not in any manner violate existing ordinances, rules and regulations.

For purpose of this Article, the term religious organization refers only to associations of person promoting a religious belief. It does not include "churches", "sect", or any kind of religion.

Section 10C.05. Penalty. Any person who violates the provisions of this Article shall be punished by a fine of not more than Two Thousand Five Hundred Pesos (P2,500.00) or imprisonment of not more than Six (6) months, or both fine and imprisonment, at the discretion of the Court.

Article D. Temporary Use of Sidewalks and Alleys

Section 10D.01. Regulated Acts. No person shall use and/or occupy any sidewalk or alley or portion thereof, which is owned by this municipality, in connection with any construction works or other allowable purposes, without securing a permit therefore from the Mayor and paying the corresponding permit fee imposed under existing tax ordinances.

Section 10D.02. Administrative Provisions. The period of use and/or occupancy of sidewalk or alley or portion thereof shall commence from the time the permit is issued and shall terminate upon the completion of the construction work or upon cancellation of the permit thereof.

Section 10D.03. Penalty. Any person who violates the provisions of this Article shall be punished by a fine of not more than Two Thousand Five Hundred Pesos (P2,500.00) or imprisonment of not more than Six (6) months, or both fine and imprisonment at the discretion of the Court.

Article E. Operation of Movie Houses, Cinema Theaters and Other Show Houses

Section 10E.01. Regulated Acts. No person shall operate any movie house, cinema theater and other kinds of show houses in this municipality without first securing a permit therefore from the Mayor and paying the corresponding tax or fee imposed under existing tax ordinances.

Section 10E.02. Rules and Regulations

- 1) No person below seven (7) years old shall be admitted inside any movie houses or cinema theater during screening hour unless accompanied by his parent, guardian, or any adult person.
- 2) No operator or manager of any movie houses or cinema theater shall admit or allow the admission of patrons or moviegoers beyond the number of the theater's seating capacity.
- 3) No person shall be allowed to stand on any portion of the theater's side and center aisles.
- 4) Exhibition of commercial slides or film trailers shall not be more than fifteen (15) minutes before or after every film showing.
- 5) Additional rules and regulations not inconsistent with the above provisions may be issued by the Mayor or his duly authorized department head for the proper implementation of this Article.

Section 10E.03. Penalty. Any person who violates the provisions of this Article shall be punished by a fine of not more than Two Thousand Five Hundred Pesos (P 2,500.00) or imprisonment of not more than Six (6) months, or both fine and imprisonment, at the discretion of the Court.

Article F. Showing of Video-Movies For-a-Fee

Section 10F.01. Regulated Acts. No person shall operate any business of showing video-movie for-a-fee without first securing a permit therefore from the Mayor and paying the corresponding tax or fee imposed under existing tax ordinances of this Municipality.

Section 10F.02. Definitions. As used in this Article.

Video-movies – refers to the movies recorded in videotapes and being shown thru the use of video players including, but not limited to, "Betamax", "Betacord", " VHS", "JVC", and other brand or trademarks.

Showing of Video-Movies for-a-fee- refers to the showing of video movies in a suitable place where the public is admitted after paying the corresponding admission fee.

Section 10F.03. Rules and Regulations.

- 1) Children below seven (7) years old shall not be admitted inside the screening room during the video-movie showing.
- 2) Admission of patrons or moviegoers shall not be beyond the hall's seating capacity.
- 3) Standing on any portion of the hall's side shall not be allowed.

- 4) Commercial or public advertisement recorded in videotapes shall not be shown without securing a permit therefor and paying the corresponding tax and advertisement.
- 5) Pornographic movies particularly those rated as " X" double "XX", or triple "XXX" shall not be allowed to be shown.
- 6) Persons below fifteen (15) years old shall not admitted to view any movie rated as " For Adults Only".
- 7) Additional rules and regulations not inconsistent with intents and purposes of this Article shall be issued by the Mayor or his duly authorized department heads for the proper implementation of this Article.

Section 10F.04. Penalty. Any person who violates the provisions of this Article shall be punished by a fine of not more than Two Thousand Five Hundred Pesos (P 2,500.00) or imprisonment of not more that Six (6) months , or both fine and imprisonment, at the discretion of the Court.

Article G. Operation of Resorts and Rental of Cottages.

Section 10G.01. Regulated Acts. No person, private or juridical, shall establish or operate any kind of resort nor engage in the business of renting cottages without first securing a permit therefore from the Mayor and paying the corresponding tax or fee imposed under existing tax ordinances of this municipality.

Section 10G.02. Definitions. As used in this Article:

Resorts – refer to a place which is open to the public near or at or having a body of water, including swimming pool where guest are allowed to swim for-a-fee and usually having a temporary place of abode for patrons, guest or customers.

Cottages - refers to a building usually constructed of light materials inside a resort compound being rented for-a-fee to patrons, guest, or customers.

Section 10G.03. Rules and Regulations.

- 1) Operator of resorts shall keep a registry or record of its guests, patrons, or customers renting its cottages for at lease one (1) day , or fraction thereof, which shall be open for inspection by the Mayor or his duly authorized representative and the local Chief of Philippine Police. The registry or record contain the following: name and residence of the guests; patrons or customers; number of Community Tax Certificate or Alien Certificate of registration. If an alien; date and place of issue; number of ID card and such other data as may be required later by the authorities concerned.
- 2) Operator of said establishment shall furnish the Office of the Mayor a list of all persons under his employ, whether they are on salary, wages, or commission basis, including a copy of their bio-data.

- 3) Operator or managers of said establishments shall not allow anybody to be inside the cottage other than those listed in the registry as the companions, guests or visitors of the person renting the cottage.
- 4) Operators of said establishment shall also keep a separate registry or record of the names, residence, nationality and other relevant data of all the visitors or guests of the person renting the cottage. Waiters/waitresses and other employees of the operators are excluded from these requirements.
- 5) Operators of said establishment shall not use his privilege to conduct business in an unlawful manner or allow establishment or portion thereof to be used by criminals, or woman of ill-repute as front for prostitutions or venue for other illegal activities.
- 6) Other necessary rules and regulations may be issued by the Mayor or the department head duly authorized to implement the provisions of this Article.

Section 10G.04. Penalty. Any person who violates the provisions of this Article shall be punished by a fine of not more than Two Thousand Five Hundred (P 2,500.00) Pesos or imprisonment of not more than Six (6) months, or both fine and imprisonment, at the discretion of the Court.

Article H. Regulations on the Use of Public Roads, Sidewalks, Allies, or Lanes.

Section 10H.01. Regulated Acts. No person shall use any public roads, sidewalks, allies, lanes or parts thereof for purposes of trading, bathing or laundering or other similar purposes.

Section 10H.02. Definitions. As used in this Article, the term:

Public Roads- Include national, provincial, municipal, and barangay roads.

Sidewalks – Refer to narrow pathway at the sides of a road intended for the used of the pedestrians.

Allies - Refer to a narrow street, passage way or byway.

Lanes - . Refer to a narrow pathway or byway.

Section 10H.03. Penalty. Any person who violated the provisions of this Article shall be punished by a fine of not more than Two Thousand Five Hundred (P 2,500.00) Pesos or imprisonment of not more than six (6) months, or both fine and imprisonment, at the discretion of the Court.

Article I. Miscellaneous Rules and Regulations

Section 10I.01. Rules and Regulations on the following establishments

- 1) **On Cafes, Cafeterias, Refreshment Bars, Carinderias, Soda Fountain Bars, or Food Caterers.** No operators of the above-mentioned establishments shall employ any cook or food dispenser without a Food Handler's Certificate from the Municipal Health Officer or appropriate Health Certificate from the

Municipal Health Officer renewable every year, preferably on the birth month of the permittee. Establishments selling cooked and readily edible food shall have them adequately covered and protected from dust, flies, and other insects, and shall follow strictly the rules and regulations on sanitation promulgated by the authorities concerned.

- 2) **On Sauna Bath, Massage Clinics, Barber Shops, Beauty Parlors, and Similar Establishments.** Said shops shall not be allowed to operate with masseurs, barbers, and beauticians not having secured the corresponding medical certificate from the Municipal Officer.

- 3) **On Hotels, Motels, Apartelles, Boarding Houses, Taverns or Inns, and Similar Establishments.**

- a) No permit shall be issued to operators of hotels, motels, apartelles, lodging houses, boarding houses, taverns or inn and other similar establishments without the recommendation of the Chief of the Fire Department and the Municipal Health Officer or his duly authorized representatives. The officers shall include in their recommendation a statement that they have inspected the place and found it to have complied with the rules and regulations being implemented by their respective offices.

- b. The said establishments shall keep a registry or record of its guests, patrons, lodgers, customers, or boarders, as the case may be, which shall be open to inspection by the Mayor or his authorized representative. The registry or record shall contain the following: name and permanent residence of guests, Community Tax Certificate number, date and place of issue, or number of ID Card and such other data as may be required.

Article I. Requirements in the Construction of School Buildings.

Section 10J.01. Regulated Acts. No person shall construct or cause the construction of any private or public school buildings without first securing a building permit therefore from the Mayor thru the Municipal Engineer.

Section 10J.02. Rules and Regulations.

- 1) Any person, natural or juridical, shall first secure the corresponding building permit before he undertakes the construction of any private or public school building in this municipality.
- 2) Private or public school buildings to be constructed shall meet the following minimum standards, among others, to wit:
 - a) School building with one classroom:
 - One (1) toilet cubicle for male user having at least one (1) urinal and at least one (1) toilet bowl.
 - One (1) toilet cubicle for female users with at least one (1) toilet bowl.
 - b) School building with two (2) or more classrooms:
 - At least one (1) facility for every two (2) classrooms. Each toilet facility shall have a cubicle for male and female users.
 - For male users-one (1) urinal and one (1) toilet bowl.

-For female users-at least one (1) toilet bowl.

- 3) The Municipal Engineer shall issue the necessary additional rules and regulations for the proper implementation of this Article which shall be deemed valid and enforceable until revoked, amended, or modified either by the Mayor or the Sangguniang Bayan.

Section 10J.03. Penalty. Any person who violates the provisions of this Article shall be punished by a fine of not more than Two Thousand Five Hundred Pesos (P 2,500.00) or imprisonment of not more than Six (6) months, or both fine and imprisonment, at the discretion of the Court.

Article K. Regulations on Cottage Industries

Section 10K.01. Definitions. As used in this Article, the term:

Cottage Industry - refers to a modest economic activity of a person, firm corporation, or cooperative for profit using primarily indigenous raw materials in the production of various articles involved craftsmanship, artistic skills and traditions of the country. Also, the total assets of the industry shall not exceed Two Hundred Fifty Thousand Pesos (P 250,000.00) at the time of registration. This may be classified as follows:

- a. Handicraft Industry – shall mean the sector requiring artistic skills in the production of utility merchandise, articles and items of personal use that generally have artistic features typical of a country;
- b. Metal Craft Industry – shall mean that sector using metals or its alloys as principal raw material component in producing articles such as brass wares, cutlery items, fabricated tools, implements, and equipment and other requiring a certain degree of craftsmanship in the making thereof including the making of jewelry items involving the use of metals and/or it alloys in combination with semi-precious or artificial stones;
- c. Furniture Industry – shall mean that sector producing articles such as beds, chairs, tables, shelves, sofas, cabinets, and other material component or a combination thereof including the use of upholstery materials;
- d. Garment Industry – shall mean that sector consisting of ready made apparel or ready to wear garments including such related production activities like knitting, crocheting, embroidery, beadwork, and the weaving of native clothing materials or fabrics;
- e. Ceramic Industry – shall mean that sector consisting of such products or articles such as potteries, hollow blocks, tiles, firebricks, clay stove and other products using clay cement and/or plaster of Paris as raw material component;
- f. Food Processing Industry – shall mean that sector consisting of such products and/or food items arising from processing activities requiring knowledge or expertise on food technology and food preservation;
- g. Complementation Industry – shall mean that sector of production or manufacture of articles which complement or form part of a separate or incomplete articles that make it whole a complete and/or replace missing or parts

of tools, implement, equipment, or assemblies including manufacture or fabrication of component parts, machine parts, electronics and radio parts, watch component and others;

- h. Other related craft or industries-shall mean that sector whose product lines or items of manufacture are not classified elsewhere or defined under P.D.1788.

Section 10K.02. Location of Cottage Industry. May be located within a residential area subject to the following conditions;

1. Workers shall be limited at a maximum number of ten (10) otherwise it shall be located outside the residential area;
2. Amount of capitalization shall not exceed Two Hundred Fifty Thousand Pesos (P250,000.00) at the time of placation for a located clearance otherwise the industry shall be required to locate residential area;
3. Type of equipment to be used shall consist only of hand drive tools and simple electrical/mechanical devices of which they number of units shall not exceed fifty-five (55) decibels on daytime and fifty (50) decibels on the evening.

Section 10K.03. Floor Area. Cottage Industries located within a residential area shall occupy not more than thirty (30%) percent of the area of the dwelling unit. On the other hand, for cottage industries proposed to be located outside of the residential area, no minimum area requirement is prescribed.

- a) Parking – Space for parking and loading/unloading shall be provided within the premises. No on-street parking shall be allowed.
- b) Storage – Storage shall be provided for industries located outside areas.
- c) Fire Protection – Protective measures shall be provided pursuant to the provisions of P.D. 1185 (Fire Code of the Philippines).
- d) Waste Disposal/Trash Removal – The collection and disposal of industry waste shall be the responsibility of the operators and shall be in accordance with P.D. 856 (Sanitation Code of the Philippines).

Section 10K.04. Utility Requirements.

- a) Water Supply – Water Supply shall be provided and/or connected to a public or community water supply system.
- b) Electronic/Power Supply - - Power supply shall be provided and connected to a public or community power system.

Section 10K.05. Expansion. For all cottage industries within and outside residential areas, there shall be no expansion of structure or addition of equipment without prior notice/permit from the Zoning Administrator.

Article L. Regulations on Poultry and Piggery Farms

Section 10L.01. Definitions

1. **Piggery Farm** – shall refer to any parcel of land devoted to the raising or breeding of pigs/swine generally under the management of the tenant or owner.
2. **Poultry Farm** – shall refer to a plot of land devoted to the raising of domesticated fowls and which serve as source of eggs and meat for human consumption. It includes chickens, ducks, geese, quails, pigeons, and other birds.
3. **Fowl** – shall refer to a bird kept for eggs or meat.
4. **Brooding** – shall mean the process of keeping the young pigs warm without necessarily separating them from the dam (female parent) or for chicks, it is the process of supplying heat from the time they are taken down from the incubator up to the time they can self-control their heat requirement through thermo-regulating process.
5. **Heads** – for piggery, it shall refer to the number of sows/pits for fattening or for poultry, it refers to the number of fowls.
6. **Fattening** – shall refer to the process whereby the hogs are fattened up to 200 pounds primarily for slaughter.
7. **Sow** - shall refer to female swine.

Section 10L. 02. Location of Piggery and Poultry Farm. A piggery or poultry site shall preferably be located in rural areas or in duly designated agri-business areas. The piggery and poultry farm shall be at least five hundred (500) to one thousand (1,000) meters away from the build-up areas (residential, commercial; institutional and industrial). The site shall be away from the path of immediate five (5) to ten (10) years urban expansion.

The piggery shall be five hundred (500) meters away from the major roads and/or highways. For the poultry farms, it shall be two hundred (200) meters away from major roads and/or highways.

Major roads refer to any city, provincial and national roads that link regional/provincial and town centers and serving as the main transportation arteries.

Section 10L.03. Waste Disposal The shall be a defined system of waste disposal pursuant to the provisions of P.D.856 (Sanitation Code) and pertinent rules and regulations of the National Pollution Control Commission.

Article M. Regulation on Funeral Parlors,
Memorial Chapels and Mortuaries.

Section 10M.01. Definition of Terms. As used in this Code, the term:

Mortuary - refers to a funeral establishment with chapels, embalming facilities and offering funeral services.

Memorial Chapel - refers to a funeral establishments with chapels, and funeral services without embalming facilities.

Funeral Parlor - refers to a funeral establishments offering funeral services without embalming facilities.

Chapel - is a place where the deceased is temporarily laid to rest for viewing by mourners. It is also called "Reposing" and/or "Slumber Rooms".

Section 10M.02. General Guidelines.

a) Funeral Parlors/ memorial chapel/ mortuaries shall not be allowed within residential areas. Compatible uses are commercial, institutional and industrial zones.

b) No funeral establishment/s shall be allowed in flood prone areas.

c) Funeral establishment/s shall be at a minimum radial distance of five hundred (500) meters from existing hospitals.

d) Funeral establishment/s shall be at minimum radial distance of fifty (50) meters from existing food centers, restaurants, wet and dry slaughterhouses and food processing centers.

Article N. Regulation on Rice Mills and Corn Mills

Section 10N.01. Definitions. As used in this Code, the term:

Rice Mill – shall refer to the machine, comprised of several components and germs of the palay with polished rice as the main product. This may be classified as follows:

a) **Single-Pass Rice Mill** - shall refer to the class of mills, where by the rice hull, bran and germ are removed in one passing. Rice mills under this class are compact unit consisting only of huller and a polisher, hulling and polishing are therefore, done simultaneously in a single operation. The capacity ranges from 200 – 2,000 kilograms per hour with sixty percent (60%) sixty-three percent (63%) milling recovery. The following type of rice mills fall under this classification.

"Kiskisan" Rice Mills – shall refer to the steel huller rice mills which hulls and polishes the rice simultaneously in one compartment and in one passing, with a capacity of two fifty (250) to four hundred (400) kilograms per hour with sixty five percent (65%) milling recovery.

Small and portable Rubber Rolls

Small Centrifugal/Impact type Rice Mills.

- b) Multi-Pass Rice Mill** – shall refer to the class of where rice hull, the bran and germ are removed in more than one pass. Rice mills under this class consist of the huller and polisher/s. The capacity ranger from 2,500 -10,000 kilograms per hour with sixty-three percent (63%) to sixty-sever percent (67%) milling recovery. This is further classified as follows:

Under-Runner Disc Rice Mill or Cone Type Rice Mill - shall refer to a rice mill whose huller consist of two stone discs, one of which is placed on top of the other, with the upper disc fixed, while the bottom disc which can be adjusted upward and downward is rotating, having a sixty-three percent (63%) to sixty-five percent (65%) milling recovery.

Rubber Roll Rice Mill – shall refer to that type of rice mill whose huller consists of two identical rubber rolls. Set side by side inwardly rotating in opposite direction speed. The faster rolls is fixed while the other roll is adjustable side wards. The capacity is high as compared to the other types; 2,500 – 10,000 kilograms per hour with sixty-five percent (65%) to sixty-seven percent (67%) milling recovery.

Centrifugal/Impact Type of Rice Mill – shall refer to the rice mill whose huller consists of a high-speed impeller which throws the palay against the stationary rubber ring at a great speed opening of the hull. The milling recovery has as lower capacity.

Corn Mill – shall refer to the machine consisting of several steps the purpose of which is to remove and separate corn bran, germ and cap (degermination) and grind the endosperm to produce corn grits as its main product. This is classified into two groups:

- a) Single Pass Corn Mill** – shall refer to that corn mill which removes and separates the bran, germ and cap and produces corn grits in one passing. Corn mills under this class are compact units which produces limited grit sizes with a capacity of 125 to 1,500 kilograms per hour and sixty-two percent (62%) milling recovery. The following types of corn mills fall under this classification.

Roller Corn Mill - with only one set of steel roller with separate (hollow notched) surfaces and which rotates in opposite directions.

Grinder Corn Mill – with only one set of grinding plates where crushing action takes place. One plate is stationary while the other is rotating. The gap between grinding plates determines the sizes of the corn grits to be produced.

- b) Multi-Pass Corn Mill** - Shall refer to that corn mill which removes and separates the bran, germ and cap and which produces corn grits in more than one passing. Corn mills under this class employ more than one set of steel rollers or grinding plates. This has as capacity of 2,000 to 6,000 kilograms per hour with sixty-three percent (63%) milling recovery.

Roller Corn mills with two or more set of steel rollers.

Grinder Corn mill with two or more sets of grinding plates.

Huller – shall mean the machine assembly consisting of several components, the only purpose of which is to remove unwanted parts from the paddy with minimum damage to bran and breakage to the brown rice.

Polisher – shall refer to the machine assembly consisting of several components the only purpose of which is to remove and separate the bran the germ from the rice to produce polished rice as its main product.

Total Milling Recovery – shall mean the weight of rice obtained in a milling operation expressed as a percentage of the original paddy weight.

Section 10N.02 General Guidelines. Space for parking loading/unloading and maneuver shall be provided.

If the mill is to be constructed along major thoroughfares, a twenty (20) meters setback shall be observed.

All new rice mills and corn mills shall be constructed in areas designated as sites for agricultural or agro-industrial purposes only.

Construction of rice mill and corn mill shall be conformity with National Building Code and the rules and regulations promulgated by the National Pollution Control Commission.

The provision of P.D.1185 (Fire Code of the Philippines) shall be also be observed for fire protection and prevention.

Article O. Regulation on Cockpits

Section 10O.01. Definition of Terms. As used in this code the term:

Cockpit – refers to a place, structure or area for the cockfighting game, strongly build and spacious enough to accommodate appropriate number of spectators who watch the game.

Cockfighting – refers to the commonly known as “Cockfighting Derby”, “Pintakasi”, or “Concerto” in different Philippine localities.

Cockfight – refers to the actual fight or physical combat of two (2) fitted or every matched game cocks, with bets on either side.

Section 10O.02. General Guidelines. Only one cockpit shall be allowed in this municipality until such time that its population exceeded One Hundred Thousand (P 100,000.00) Pesos.

The site shall be located outside the municipal proper and served by a road.

It shall be located at least two hundred (200) meters away from any existing residential or commercial area, school buildings, churches, or other public buildings to protect them from noise arising from the game activity.

Cockpit shall be located at least Two Hundred (200) meters from the national highway to prevent congestion and obstruction to regular traffic load.

Minimum setback of building from property in accordance with the provision of the National Building Code.

An easement or right-of-way prescribed by the Water Code must be maintained, if a cockpit is within the course of a, drainage way channel or stream.

Parallel plan strips or green way shall be provided.

A planting screen or buffer three (3) to five (5) meters wide along the perimeter of the site shall be provided to protect adjacent land users from nuisance.

Parking space shall be one (1) slot per fifty (50) square meters of gross floor area.

The arena shall be at least seventy (70) to one hundred (100) square meters, either circular or square.

CHAPTER XI FINAL PROVISIONS

Article A. General Penal Provision

Section 11A.01. Penalty. Any violation of the provisions of this Code, or of the rules and regulations under the authority of this Code, but not covered by a specific penalty hereof shall be punished by a fine of not exceeding Two Thousand Five Hundred (P 2,500.00) Pesos or imprisonment of not exceeding Six (6) months, or both fine and imprisonment, at the discretion of the Court.

If the violation is committed by any juridical entity, the President, General Manager, or any person entrusted with the Administration thereof at the time of the commission of the offense shall be held responsible or liable thereof.

Section 11A.02. Compromise Settlement Fee. The Mayor is hereby authorized to enter into an out-of-Court or extrajudicial settlement of any offense committed in violation of any provision of this Code, subject, however, to the following conditions, viz:

1. The offense committed does not involved fraud;
2. The offender shall pay to the Municipal Treasurer a "compromise settlement fee" of not less than Two Hundred (P200.00) Pesos but not more Two Thousand (P 2,000.00) Pesos as may be agreed upon by both parties.
3. The payment of the " Compromise Settlement Fee" herein mentioned shall not relieve the offender from the payment of the corresponding tax fee or charged otherwise provided under existing tax ordinances, if he is liable therefor.
4. No other third party shall be adversely affected by the Compromise Agreement.

Article B. Separability, Applicability, Repealing and Effectivity Clauses.

Section 11B.01. Separability Clause. If, any provision, section or part of this Code is declared invalid, of suspended or revoked by a competent jurisdiction, such judgment shall not impair an affected provisions.

Section 11B.02. Applicability Clause. All other related matters not specifically provided in this Code shall be governed by the pertinent provisions of existing applicable laws or Ordinances.

Section 11B.03. Repealing Clause. All Ordinances, rules and regulations parts thereof, in conflict with, or inconsistent with any provisions of this Code are hereby repealed or modified accordingly.

Section 11B.04. Effectivity. This Code shall take effect on _____