



Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City Government of Pasig

Ordinance No. 53
Series of 2022

AN ORDINANCE AMENDING THE 2008 SANITARY CODE OF PASIG CITY, FURTHER MODIFYING THE SANITARY PERMIT AND HEALTH CERTIFICATE APPLICATION AND ISSUANCE PROCESS FOR COVERED ESTABLISHMENTS.

Author: Councilor Raymund Francis S. Rustia and Councilor Simon Gerard R. Tantoco
Co-Authors: Entire Council

Raymund Rustia
WHEREAS, Republic Act No. 7160, also known as the Local Government Code of 1991, states that every local government unit shall exercise the powers to ensure, support, and enhance, among others, economic prosperity and social justice, promote full employment among their residents, maintain peace and order, and preserve the comfort and convenience of their inhabitants;

Simon Gerard R. Tantoco
WHEREAS, to safeguard human health, safety, and general public welfare, the City requires all Business Establishments in Pasig to secure a Sanitary Permit in order to legally operate their businesses;

Raymund Rustia
WHEREAS, Ordinance No. 15, Series of 2008, or an Ordinance Adopting the Sanitation Code of Pasig City, Providing for Its Implementation, Rules, and Regulations, Penalties for Its Violations and For Other Purposes, was promulgated as the governing local statute for conduct of sanitary inspections, applications of Sanitary Permits, and other related activities;

Simon Gerard R. Tantoco
WHEREAS, Joint Memorandum Circular No. 01, Series of 2021 or the Guidelines for Processing Business Permits, Related Clearances and Licenses in All Cities and Municipalities was issued by the Anti-Red Tape Authority (ARTA), Department of the Interior and the Local Government (DILG), the Department of Information and Communication Technology (DICT), and the Department of Trade and Industry (DTI) in order to implement the streamlining requirements for local government units under the provisions of Republic Act No. 11032, or the ease of Doing Business and Efficient Government Service Delivery Act of 2018;

Simon Gerard R. Tantoco
WHEREAS, pursuant to JMC No. 01, Series of 2021, mandates local government units to streamline the processes connected with the application and issuance of Sanitary Permits and Health Certificates for business establishments and its employees, respectively;

Simon Gerard R. Tantoco
WHEREAS, in Clause 8.2.3 (d) and Annex "5" of the same JMC No. 01, Series of 2021, it states that "LGUs shall require a Sanitary Permit only for businesses covered in the Sanitation Code of the Philippines", which are the following: (a) Food Establishments; (b) Markets and Abattoirs; (c) Public Laundry;



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(d) Schools and Health Services; (e) Industrial Establishments; (f) Public Swimming or Bathing Places; (g) Bus Terminals and Service Stations; (h) Dance Halls and Night Clubs; (i) Tonsorial and Beauty Establishments; (j) Massage Clinics and Sauna Bath Establishments; (k) Hotels, Motels, Apartments, Lodging, Boarding or Tenement Houses and Condominiums; (l) Ports, Airport, and Aviation Services; and (m) Burial Grounds;

WHEREAS, further, Clause 8.2.3 (e) of JMC No. 01, Series of 2021 states that "LGUs shall not require the Health Certificate of employees for the issuance of the Sanitary Permit of a business establishment unless such are required in the Sanitation Code of the Philippines";

WHEREAS, as a result of the developments in Anti-Red Tape, Ease of Doing Business, and business streamlining since the promulgation of Ordinance No 15, Series of 2008, and the circumstances caused by the CoronaVirus Pandemic, which demand responsiveness, better sustainability, and resiliency for business processes and streamlining — revisions and amendments must be undertaken to address these developments in the sanitary permit process, including application, issuance, grading, monitoring, and removal of the same;

NOW, THEREFORE, be it **ORDAINED** as it is **ORDAINED** by the Sangguniang Panlungsod of Pasig, in session duly assembled, the following:

SECTION 1. PURPOSE; REVISION AND AMENDMENTS TO THE PASIG CITY SANITARY CODE. – The amendments introduced herein shall form part of Ordinance No. 15, Series of 2008, otherwise known as "An Ordinance Adopting the Sanitation Code of Pasig City, Providing for Its Implementation, Rules and Regulations, Penalties for its Violations and for Other Purpose," as amended in Ordinance No. 20, Series of 2012, otherwise known as "An Ordinance Amending Chapter II Section 7; Chapter IV Section 12, 18 & 21 (C); Chapter XVIII Penal Provisions for Sections 8, 9, 10 and 18 (A) of Ordinance No. 15, Series of 2008, Otherwise Known as the Sanitation Code of the Pasig City (hereinafter referred to as the "Code", for brevity).

All provisions currently in operation which are not expressly repealed or which are not inconsistent with the foregoing shall remain valid and subsisting.

SECTION 2. SCOPE. – The provisions of this Ordinance shall apply to all Covered Establishments within the territorial jurisdiction of Pasig City. All existing and subsequent issuances of the National Government shall continue to be applicable regardless of the provisions of this Ordinance, including but not limited to issuances from the Department of Health which shall be deemed incorporated into the Code without need for amendment.



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SECTION 3. RECONCILIATORY CLAUSE. – The amendment of City Ordinance No. 15, Series of 2008 shall reconcile all existing Laws, Rules and Regulations, namely:

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- (a) Presidential Decree No. 856 – Code on Sanitation of the Philippines, promulgated on 23 December 1975;
 - (b) Ordinance No. 15, Series of 2008, otherwise known as “An Ordinance Adopting the Sanitation Code of Pasig City, Providing for Its Implementation, Rules and Regulations, Penalties for its Violations and for Other Purpose, promulgated on 29 May 2008;
 - (c) Joint Memorandum Circular No. 01, Series of 2021 of the Anti-Red Tape Authority (ARTA), Department of Interior and Local Government (DILG), Department of Trade and Industry (DTI) and Department of Information and Communications Technology (DICT), or the “Guidelines for Processing Business Permits, Related Clearances and Licenses in All Cities and Municipalities,” dated 13 April 2021;
 - (d) Republic Act No. 10032 or “An Act Promoting ease of Doing Business and Efficient Delivery of Government Services, Amending for the Purpose Republic Act No. 9485, Otherwise Known as the Anti-Red Tape Act of 2007, and for Other Purposes,” otherwise known as the Ease of Doing Business and Efficient Government Service Delivery Act of 2018, promulgated 24 July 2017;
 - (e) Republic Act No. 9485 or “An Act to Improve Efficiency in the Delivery of Government Service to the Public by Reducing Bureaucratic Red Tape, Preventing Graft and Corruption, and Providing Penalties Therefor,” otherwise known as the Anti-Red Tape Act of 2007, promulgated on 19 February 2007;
 - (f) Pasig Ordinance No. 52, or “An Ordinance Enacting the Revised Pasig Revenue Code Providing Penalties Thereof,” otherwise known as the 2017 Pasig Revenue Code (amended 2020), promulgated on 12 October 2017;
 - (g) Pasig City Citizen’s Charter.

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SECTION 4. DEFINITION OF TERMS. – The following definitions shall be added or shall supersede the existing or similar definitions in the Code, to wit:

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- (a) **CITY HEALTH DEPARTMENT** – The department responsible for the application of a prescribed health measure in the City Government of Pasig, including but not limited to the issuance of a Sanitary Permit.
- (b) **CITY HEALTH OFFICER** – The designated officer-in-charge or the appointed department head of the City Health Department, or his/her authorized representative.
- (c) **BUSINESS ESTABLISHMENTS** – An individual, partnership, corporation, or cooperative regularly engaged in trade or commercial activity as a means of livelihood or with a view to profit in Pasig City. This definition shall also include those persons legally authorized to practice their profession and maintain or operate a clinic or office. The same shall be classified as Covered Establishments or Exempted Establishments for purposes of the Sanitary Permit requirement.
- (d) **SANITARY PERMIT** – The permission or certification in writing of the City Health Officer or his/her duly authorized representative that the Covered Establishment complies with the existing sanitation requirements upon evaluation or inspection conducted in accordance with Presidential Decree Nos. 522 and 856, and its implementing rules and regulations, as well as the provisions of this Ordinance.
- (e) **HEALTH CERTIFICATE** – A requirement for the issuance of a Sanitary Permit for Covered Establishments, which is a certification in writing using the prescribed form issued by the City Health Officer to a person after passing the required physical and medical examinations and immunizations.
- (f) **MINIMUM SANITARY REQUIREMENTS (MSR)** – The minimum requirements required under P.D. No. 856 for Covered Establishments defined by this Ordinance before and during their operations to safeguard public health.
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SECTION 5. COVERED ESTABLISHMENTS. – Pursuant to Clause 8.2.3 (d) and Annex “5” of the same JMC No. 01, Series of 2021, only the following are considered Covered Establishments and required to secure a Sanitary Permit from the City Health Department before any business operation:

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(a) Food Establishments (general definition for those establishments where food or drinks are manufactured, processed, stored, sold and/or served. For purpose of this establishment, the definition shall include Food Service Establishments that serve food or drinks that may or may not have been prepared elsewhere such as a coffee shop, canteen, cafeteria, parlor, etc.);

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(b) Wet Markets and Abattoirs;

(c) Public Laundry;

(d) Schools and Health Services;

(e) Industrial Establishments;

(f) Public Swimming or Bathing Places;

(g) Bus Terminals and Service Stations;

(h) Dance Halls and Night Clubs;

(i) Tonsorial and Beauty Establishments;

(j) Massage Clinics and Sauna Bath Establishments;

(k) Hotels, Motels, Apartments, Lodging, Boarding or Tenement Houses and Condominium;

(l) Ports and Aviation Services; and

(m) Burial Grounds

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SECTION 6. EXEMPT ESTABLISHMENTS. – All other Business Establishments not covered by the immediately preceding Section shall be exempt from securing a Sanitary Permit for the operations of their businesses.

SECTION 7. REQUIREMENTS FOR A SANITARY PERMIT FOR COVERED ESTABLISHMENTS. – The following shall be the requirements for a validly issued Sanitary Permit:

(a) Health Certificate for Employees; and

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- (b) Minimum Sanitary Requirements – as defined in Section 4(f) of this Ordinance, without prejudice to any other present or subsequent other sanitary requirements of the local or national government.

The City Health Department through its Sanitary Unit shall prepare the list of MSRs for inspection which shall be shown and communicated to the covered establishments so that they may prepare and preserve the same before and after inspection.

SECTION 8. GENERAL GUIDELINES FOR THE APPLICATION OF A SANITARY PERMIT IN COVERED ESTABLISHMENTS. – The following shall serve as the guidelines to be adhered to by the parties involved in the application for a Sanitary Permit:

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- (a) The City Government of Pasig, through the BPLD, shall provide a single or unified application form for business registration, with such form serving as the application form for the Business Permit, the FSIC for business, the Locational Clearance or its Clearance or its equivalent, the Sanitary Permit, and the Environmental Permit.
- (b) The Sanitary Permit shall be issued together with the Business Permit, along with other ancillary permits, with necessary inspections connected herein to be conducted after the permits have been issued as part of the year-round annual inspections. Contrary findings during the annual inspections shall be basis for possible revocation of the permits.
- (c) The requirement of a Sanitary Permit shall only be applicable for businesses covered in Section 5 of this Code. The City Government of Pasig shall likewise not require the Health Certificate of employees for the issuance of a Sanitary Permit of a business establishment unless such are required in this Code or in the Sanitary Code of the Philippines.
- (d) Upon new registration, renewal of business license, and/or upon scheduled inspection based on the schedule as enumerated in the Code or in any schedule system based on risk models to be issued by the Department of Health, a Sanitary Inspector shall conduct a Sanitary Inspection for purposes of conferring upon an applicant the Sanitary Permit, after payment of fees as included in the Tax Order of Payment (TOP). Said Sanitary Permit is valid for one (1) year, subject to renewal.
- (e) Persons employed in all Covered Establishments located within the jurisdiction of Pasig City are required to secure a health certificate before they will be allowed to take up work in their respective establishments.
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SECTION 9. REQUIREMENTS FOR APPLICATION OF A SANITARY PERMIT. - Applicants for a Sanitary Permit as required in the Code shall submit the following to the City Health Department:

(To be submitted in original copies)

Section 9.1. Minimum Sanitary Requirements (MSR), whichever is applicable:

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- (a) Pest Control Agreement (for Establishments required to undergo Chemical Pest Control) or Pest Control Certificate;
 - (b) Applicable Pest Control Method (To be assessed during Post Inspection);
 - (c) Membership Association/ Federation of Licensed Pest Applicator;
 - (d) Material Information Data Sheet (Industrial Company);
 - (e) Clearance from Social Hygiene Clinic;
 - (f) Food Safety Compliance Officer (FSCO) Certificate;
 - (g) DENR/ LLDA License to Operate;
 - (h) DENR approved disposal site certificate;
 - (i) DOH License / Accreditation;
 - (j) License of Embalmer;
 - (k) Random Swab Test Result of Equipment and Rooms (Surgical Services, Delivery Service, Nursery and Intensive Care Unit);
 - (l) Certificate of Potability of Drinking Water;
 - a. Microbiological Water Analysis Result (Monthly or Every Other Month)
 - b. Physical and Chemical Analysis Result (Once a Year or Twice a Year)
 - (m) For Water Refilling Station
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- Cam Form*
- a. Plans and Specifications
 - b. Certificate of Training of Water Refilling Station Operator (40 hours basic certification course conducted by the DOH or DOH Accredited Professional Organization and Institution
 - c. Other Employees of Water Refilling Station (20 hours Water Sanitation Classes to be conducted by the City Health Department (as a pre-requisite for the issuance of the Health Certificate)
 - d. Operating Permit Issued by the DOH-Regional Office (for refuse/solid waste collection service)
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Section 9.2. Health Certificate of all employees, which shall be comprised of the following:

FOOD ESTABLISHMENTS MARKET AND ABATTOIRS	ALL OTHER COVERED ESTABLISHMENTS
(a) Payment of Health Certificate and validation of medical results if not conducted by the City	(a) Payment of Health Certificate and validation of medical results if not conducted by the City
(b) Chest X-Ray with Validity of one (1) year	(b) Chest X-Ray with Validity of one (1) year
(c) Urinalysis with validity of two (2) months	-
(d) Fecalalysis with validity of two (2) months	-

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Employees working under a Work-From-Home Set-Up shall be exempted from the medical examination requirement until such time that he/she resumes regular, office-based set-up wherein regular medical examinations are required. Documentary proof must be furnished by the company to avail of this exemption, listing the period of time and schedule for the set-up.

SECTION 10. PENALTIES. – The following provisions shall be included in addition to the existing penalties in the Code:

Section 10.1. For the commission of a fourth and succeeding offenses of any of the listed violations in this Code, the following penalties shall be imposed:

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1. Fine of Five Thousand Pesos (PhP5,000.00) for every violation committed per year;
2. Explanation Letter for each violation committed; and
3. Closure of business establishment and cessation of all operations until payment of all fees, fines, and upon obtaining the favorable recommendation of the Business Permits and Licensing Department to resume its business operations.

The meting out of these penalties shall be without prejudice to any other violation/s that may be imposed upon the food establishment by either a local or national regulatory office.

Section 10.2. Tampering and falsification of personal health documents (medical examinations) and Permits/ Certificates submitted in compliance with the Minimum Sanitary Requirements.

After it is established that fraudulent documents were submitted to secure Sanitary Permit and Health Certificate, the following shall be imposed:

First Offense

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| Individual: | A fine of Five Hundred Pesos (P500.00) and a stern warning. |
| Establishment: | A fine of One Thousand Pesos (P1,000.00) and a stern warning. |

Second Offense

- | | |
|----------------|---|
| Individual: | A fine of One Thousand Pesos (P1,000.00) and a stern warning. |
| Establishment: | A fine of Two Thousand Pesos (P2,000.00) plus an additional sanction of a 30-day suspension of operation. |

Third Offense

- | | |
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| Individual: | A fine of One Thousand Five Hundred Pesos (P1,500.00) and a stern warning. |
| Establishment: | A fine of Five Thousand Pesos (P5,000.00) plus an additional sanction of a 60-day suspension of operation. |



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Succeeding Penalties

Individual: Blacklisted to secure Health Certificate within Pasig City.

Establishment: Permanent Closure of establishment unless lifted by the City Council.

Section 10.3. Penalty for Non-Compliance. Applicable penalty for Sanitary Permit and Health Certificate of Revised Revenue Code of Pasig City 2017 (Amended 2020) will apply.

SECTION 11. SEPARABILITY CLAUSE. – Should any article, section or regulation of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any portion thereof other than the article, section or regulation so declared to be unconstitutional or invalid.

SECTION 12. REPEALING CLAUSE. – All ordinances or portions of ordinances in conflict with this Ordinance, or inconsistent with the regulations of this Ordinance, are hereby repealed to the extent necessary to give this Ordinance full force and effect.

SECTION 13. RETROACTIVITY. – All establishments with existing penalties shall be subject to the new penalties enumerated herein.

SECTION 14. EFFECTIVITY CLAUSE. – This Ordinance shall take effect immediately upon its approval, after the conduct of a public hearing as mandated by law.

APPROVED, this 15th day of **December 2022** at Pasig City.


HON. RAYMUND FRANCIS S. RUSTIA
City Councilor


HON. CORAZON M. RAYMUNDO
City Councilor


HON. SIMON GERARD R. TANTOCO
City Councilor


HON. SYVEL ASILO-GURILAN
City Councilor



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HON. PAUL ROMAN C. SANTIAGO
City Councilor

HON. NOEL L. AGUSTIN
City Councilor

HON. RODERICK MARIO U. GONZALES
City Councilor

Official Leave

HON. QUIN A. CRUZ
City Councilor

HON. REGINO S. BALDERRAMA
City Councilor

HON. MARION ROSALIO M. MARTIRES
City Councilor

Official Business

HON. RIGOR J. ENRIQUEZ
LIGA President

Official Leave

HON. GEORGIA LYNNE P. CLEMENTE
SK Fed. President

UMAAGOS ANG PAG-ASA

HON. MARIA LUISA M. DE LEON
City Councilor
Minority Floor Leader

HON. MARK GIL M. DELOS SANTOS
City Councilor
Majority Floor Leader

Attested by:

HON. ROBERT VINCENT JUDE B. JAWORSKI, JR.
City Vice-Mayor
Presiding Officer



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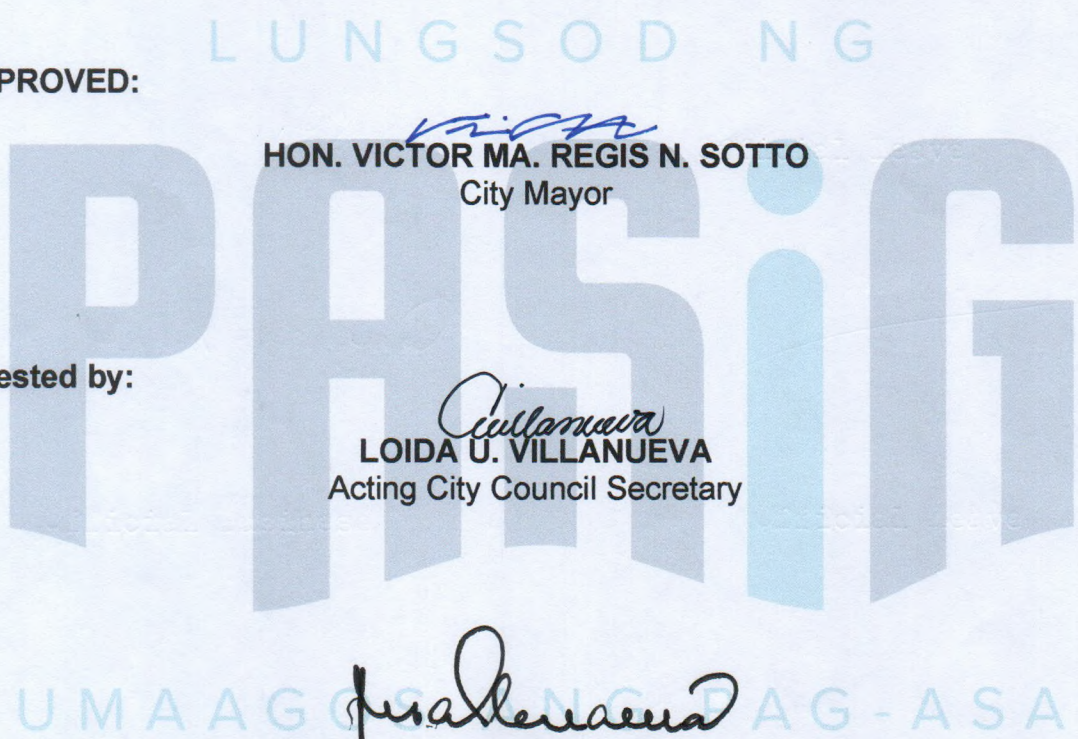
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APPROVED:

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HON. VICTOR MA. REGIS N. SOTTO
City Mayor

Attested by:

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LOIDA U. VILLANUEVA
Acting City Council Secretary



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