

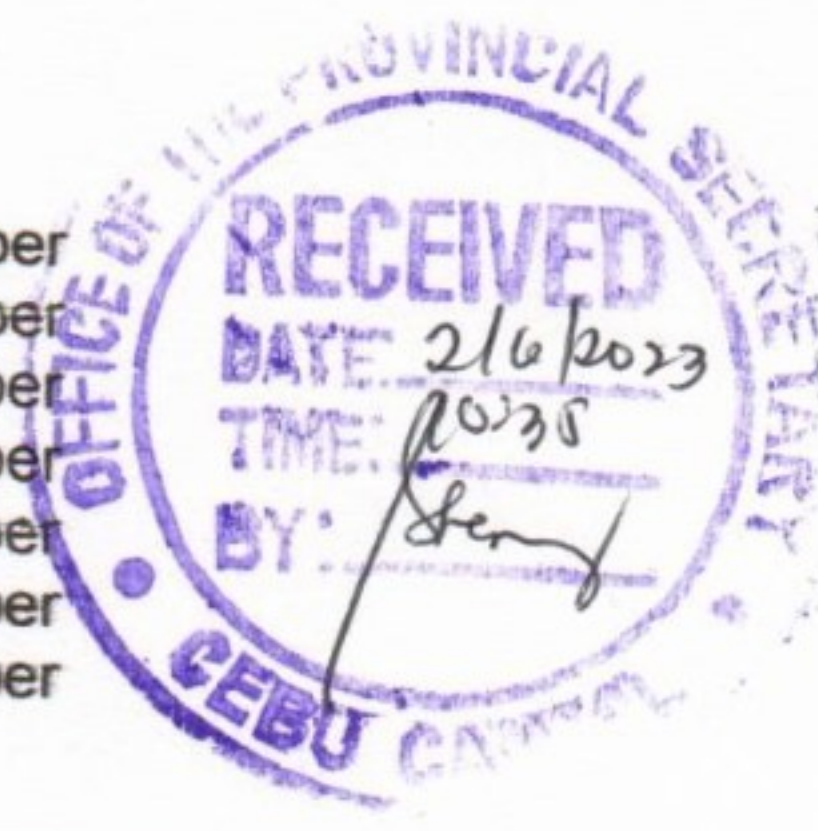


EXCERPT FROM THE MINUTES OF THE 23RD REGULAR SESSION OF THE 5TH SANGGUNIANG PANLUNGSOD (SP) HELD AT THE SP SESSION HALL, LEGISLATIVE BUILDING, EAST POBLACION, CITY OF NAGA, CEBU ON DECEMBER 14, 2022.

PRESENT:

HON. VIRGILIO M. CHIONG
HON. CLINT ISIDRO A. CHIONG
HON. CARMELINO N. CRUZ, JR.
HON. ALEXANDER R. LARA
HON. AURELIO B. ALINSONORIN
HON. CHARMAINE R. NAVARRO
HON. RAY A. MANABAT
HON. JUSTINO L. DAKAY
HON. DOMINADOR A. LIBOR
HON. LETECIA F. ABANGAN
HON. KERSY C. BAFLOR

- Vice Mayor /Presiding Officer
- Presiding Officer Pro Tempore
- Majority Floor Leader
- Sangguniang Panlungsod Member
- Sangguniang Panlungsod Member
- Sangguniang Panlungsod Member
- Sangguniang Panlungsod Member
- Sangguniang Panlungsod Member
- Sangguniang Panlungsod Member
- Sangguniang Panlungsod Member
- SK Federation President



ON OFFICIAL BUSINESS:

HON. SCOTT JUVENAL A. CHIONG - Assistant Majority Floor Leader/Liga ng mga Barangay President

ON LEAVE:

HON. LUZMINDA R. LAPITAN - Sangguniang Panlungsod Member

ORDINANCE NO. 2022-09

Hon. Luzminda R. Lapitan - Sponsor
Chairperson, Committee on Public Health and Sanitation

ADOPTING AND IMPLEMENTING THE ZERO OPEN DEFECATION (ZOD) ORDINANCE, IMPOSING FINES AND PENALTIES FOR VIOLATIONS THEREOF, AND PROVIDING FUNDS FOR THIS PURPOSE

EXPLANATORY NOTE

Section 15, Article II (Declaration of Principle and State Policies) of the 1987 Philippine Constitution declares that the State shall protect and promote the right to health of the people and instill consciousness among them.

Section 16 of Republic Act (RA) 7160 otherwise known as the Local Government Code of 1991 empowers every local government unit (LGU) to promote the general welfare within its territorial jurisdiction including the promotion of health and safety of its constituents.

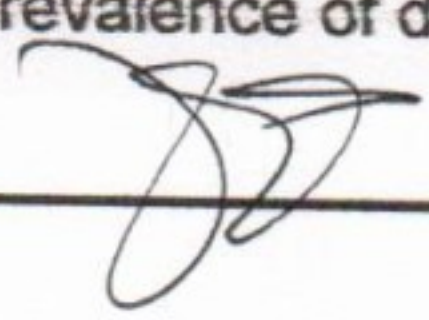
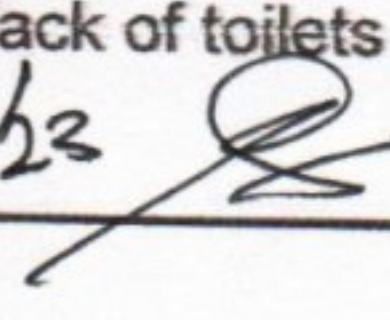
Improper excreta disposal has been identified as the main culprit in the transmission and spread of gastrointestinal infections, and is responsible for water sources contamination that lead to the outbreak of diseases such as cholera and gastroenteritis.

On June 25, 2010, the Department of Health (DOH) issued Administrative Order (AO) 2010-0021, titled: "Sustainable Sanitation as a National Policy and a National Priority Program of the DOH," which aims to achieve Zero Open Defecation (ZOD) status and attain universal access to safe and adequate sanitary facilities by 2028.

On November 15, 2019, the DOH likewise issued AO No. 2019-0054, known as "Guidelines on the Implementation of the Philippine Approach to Sustainable Sanitation (PhATSS)" with the primary objectives specified hereunder as follows:

- Provide the implementing guidelines to operationalize the national policy on sustainable sanitation (DOH A.O. 2010-0021) and achieve the Sustainable Development Goals (SDG) on sanitation;
- Guide local health offices in assisting local sanitation planners and stakeholders in the formulation of local plans and interventions and assist LGUs to help them respond to the challenge of increasing access, especially of the poor, to sustainable sanitation, in a guided and progressive manner;
- Provide LGUs a practical sanitation program strategy to gradually achieve sustainable sanitation; and
- Contribute to the reduction of risks and diseases related to environmental sanitation as well as progressively achieve the SDG targets on sanitation in the Philippines.

Pursuant to the above-mentioned health policies, this Sanggunian hereby adopts this legislative measure to fully achieve the ZOD programs of the DOH and minimize, if not totally curb, the high prevalence of diseases caused by lack of toilets in the barangays.

 2/6/23 

BE IT ORDAINED, as it is hereby **ORDAINED** by the Sangguniang Panlungsod of the City of Naga, Cebu, in a session duly assembled, that:

SECTION 1. SHORT TITLE. This Ordinance shall be known as **"ZERO OPEN DEFECATION (ZOD) ORDINANCE OF THE CITY OF NAGA, CEBU."**

SECTION 2. OBJECTIVE. To promote the ZOD program, to safeguard public health and well-being of the city's constituents and allocate appropriate funding annually for sustainable sanitation programs relative thereto.

SECTION 3. COVERAGE. This Ordinance shall be applicable to all persons, natural or juridical, resident or non-resident within the territorial jurisdiction of the City of Naga, Cebu.

SECTION 4. DEFINITION OF TERMS. For the purpose of this Ordinance, the following terms shall mean:

- Zero Open Defecation (ZOD) - 100% absence of open defecation practice.
- Open Defecation - The manner of excreting/discharging fecal waste on a place, site or location other than the toilet/comfort room or restroom and leaving it exposed to the environment.
- Defecate - to excrete/discharge fecal waste from the body or to have bowel movement.
- Feces - refers to human waste or human excreta.
- Sanitary Toilets - refers to sanitation facilities or a piece of hardware used for the collection or disposal of human urine and feces.
- Public Place/s - all places that are accessible or open to the people in a community or places for collective use regardless of ownership which include outdoor spaces for gatherings but not limited to playgrounds, public squares or plaza, church, grounds and the like.
- Community Service - refers to the services rendered to the community for public service.

SECTION 5. GENERAL & ADMINISTRATIVE PROVISIONS. Every household within the territorial jurisdiction of this LGU shall have a sanitary toilet that they can use to ensure proper disposal of human waste in order to prevent the occurrence of diseases caused by open defecation.

SECTION 6. PROHIBITED ACTS. The following acts are declared unlawful, prohibited and deemed punished by this Ordinance:

- To defecate in open places as defined in Section 4 of this Ordinance;
- Throwing, leaving or depositing fecal waste to include diaper, napkins, and tissue papers in open places exposed to the environment; and
- Throwing human waste in waterways to include rivers, creeks, drainage, and canals that will contaminate the water source or surface water.

SECTION 7. FINE AND PENALTIES. The following penalties shall be imposed:

- First offense : A fine of One Thousand Pesos (₱1,000.00)
- Second offense: A fine of Two Thousand Pesos (₱2,000.00)
- Third offense and subsequent offenses: A fine of Three Thousand Pesos (₱3,000.00)

SECTION 8. CREATION OF THE BARANGAY SANITATION CONTROL TEAM IN EACH BARANGAY. The Barangay Sanitation Control Team shall be composed of the following:

Chairman : Sangguniang Barangay - Committee on Health
Vice Chairman: Barangay Health Workers (BHW) President
Members : Barangay Nurses/Midwives
Barangay Nutrition Scholar
Barangay Health Workers
Purok Presidents
Secretariat : Barangay Nurses/Midwives

The following are the duties and responsibilities of the Barangay Sanitation Control Team:

1. Identify community toilets for use in the neighborhood;
2. Create a barangay action plan towards sustainable sanitation where ZOD is emphasized;
3. Assist in the enforcement of this Ordinance;
4. Undertake information campaign in the barangay; and
5. Make a monthly accomplishment report for submission to the City Health Office.

SECTION 9. CREATION OF THE CITY ZOD VERIFICATION TEAM. The composition is as follows:

Chairman : Sanitation Inspector
Vice Chairman: City Health Officer
Members : Sangguniang Panlungsod (SP) Committee Chairperson on Public Health and Sanitation
City Planning and Development Coordinator CPDC Focal Person for ZOD
City Social Welfare and Development (CSWD) Focal Person for ZOD
City Environment and Natural Resources (C-ENRO) Focal Person for ZOD
Liga ng mga Barangay President Focal Person for ZOD
Office of the Building Official (OBO) Focal Person for ZOD
BHW (Federation President)
Purok Federation Office
Barangay Nutrition Scholar (BNS) President
Secretariat: Sanitation Inspector

The following are the duties and responsibilities of the City ZOD Verification Team:

1. To ensure compliance of toilet construction for new applicants of building permit, occupancy permit and electrical permit;
2. Consolidate and analyze data as basis for city reports and accomplishments;
3. Provide policy recommendations pursuant to ZOD Ordinance;
4. Assist in the enforcement of this Ordinance, investigation of violence and imposing fines and penalties which may be deemed necessary;
5. To undertake information campaign in the city and;
6. Conduct periodic visits in the barangay to verify reports versus actual claim of ZOD status using the ZOD verification form.

SECTION 10. FUNDING. The City Government shall appropriate a minimum funding of One Million Pesos (P1,000,000.00) per year with the City Health Office (CHO) as the lead implementing office of this Ordinance as part of its programs, projects and activities.

SECTION 11. IMPLEMENTATION/COORDINATION. The CHO shall implement this Ordinance in coordination with the City of Naga Police Station, ZOD Verification Team and Barangay Sanitation Control Team.

SECTION 12. SEPARABILITY CLAUSE. If for any reason, any section or provision of this Ordinance is declared invalid or unconstitutional, the other sections or provisions not affected thereby shall remain valid and subsisting.

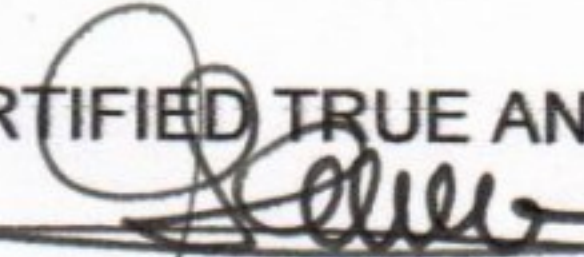
SECTION 13. REPEALING CLAUSE. All ordinances, resolutions, orders, issuances, rules, regulations, or parts thereof, which are inconsistent with any of the provisions of this Ordinance are hereby repealed, amended or modified accordingly.

SECTION 14. EFFECTIVITY. This Ordinance shall take effect immediately after its approval and compliance with the publication/posting requirements of RA 7160 or the Local Government Code of 1991.


ENACTED BY THE SANGGUNIANG PANLUNGSOD OF THE CITY OF NAGA, CEBU, in its 23rd Regular Session held on the 14th day of December 2022.

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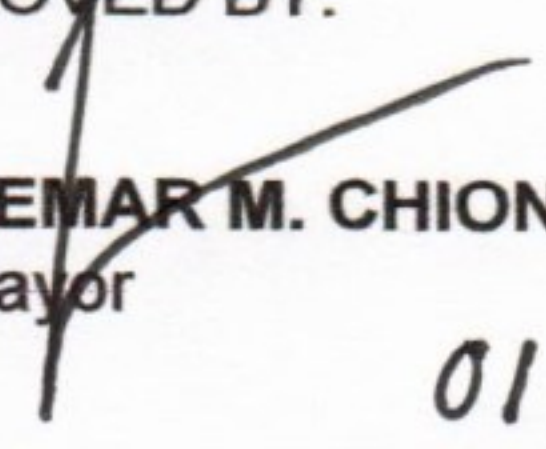
CERTIFIED TRUE AND CORRECT:


GARRY A. CABOTAJE
Secretary to the Sanggunian

ATTESTED BY:


VIRGILIO M. CHIONG
Vice Mayor/Presiding Officer

APPROVED BY:


VALDEMAR M. CHIONG
City Mayor

01/24/2023