



Republic of the Philippines
Province of Guimaras
8TH SANGGUNIANG PANLALAWIGAN

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE HONORABLE 8TH SANGGUNIANG PANLALAWIGAN OF THE PROVINCE OF GUIMARAS HELD AT THE SP SESSION HALL, PROVINCIAL CAPITOL ON AUGUST 9, 2016.

PRESENT:

Atty. John Edward G. Gando -	Vice Governor/Presiding Officer
Hon. Cyril C. Beltran -	SP Member/Majority Floor Leader
Hon David G. Gano -	SP Member/Deputy Majority Floor Leader
Hon. Cresente P. Chavez, Jr. -	SP Member
Hon. Diosdado G. Gonzaga -	SP Member
Hon. Josefina G. de la Cruz -	SP Member
Hon. Rex G. Fernandez -	SP Member
Hon. Dan Elby C. Habaña -	SP Member
Hon. Ramon N. Ortiz -	Ex-Officio Member (ABC Fed. President)

LATE:

Hon. Felicito M. Gareza -	Ex-Officio Member (PCL Fed. President)
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ABSENT:

Hon. Aurelio G. Tionado -	SP Member
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ORDINANCE NO. 2016-02
Series of 2016

AN ORDINANCE REQUIRING ALL ESTABLISHMENTS THAT ENGAGE IN FOOD BUSINESS TO PROVIDE FREE POTABLE WATER TO THEIR CUSTOMERS IN THE PROVINCE OF GUIMARAS

Be it enacted by the 8th Sangguniang Panlalawigan in session assembled that:

Section 1: TITLE. This Ordinance shall be known as “an Ordinance requiring all establishments that engage in food business to provide free potable water to their customers in the Province of Guimaras;

Section 2. DECLARATION OF POLICY. It is the policy of the Province of Guimaras to protect the health and safety of its people and other individuals who visit the province as guest for business or pleasure. It is also the policy of the Province to protect its people from different diseases and other gastro intestinal problems due to intake of food and unsafe water. However, most of the constituents living below poverty cannot afford to buy mineral, purified or distilled water which is safe for drinking;

Section 3. DEFINITIONS OF TERMS.

1. SERVICE WATER-Potable water, either mineral, distilled, purified or tap water provided that such water has been certified by the accredited Water Testing Laboratory as safe for human consumption.

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- 2. **FOOD BUSINESS-** Establishment that engages in food services such as restaurant, carinderia, inn with restaurant, caterer, and the like that offers dine-in to its customers.
- 3. **FOOD SERVICE PROVIDER-** refers to a person whose business is primarily for food service.
- 4. **WATER BORNE DISEASES-** a disease identified by the Department of Health as illness due to drinking of unsafe contaminated water such as diarrhea, cholera, hepatitis and many other, as well as Gastro-intestinal problems due to food and water intakes.

Section 4. PROHIBITED ACTS.

- a) It is unlawful for any person, natural or juridical to refuse or deny upon the request of customer to be served with service water before, during or after dining.
- b) It is unlawful for the owner of a food service establishment not to have ready service water in the vicinity of the establishment with a sign bearing: "free drinking water".
- c) It is unlawful for the owner, manager, or service crew to include the charge of the free water to the total bill of the customer to offset the value of the water consumed.
- d) It is unlawful for a person acting as service crew who fails to inform the options/choices for the customer to be served service water for free or bottled mineral or distilled water with charge.
- e) Violation of any of the forbidden acts would render the owner liable for such omission or failure under the existing ordinance.

Section. 5. REGULATORY PROVISIONS. The Enforcement, Monitoring and Evaluation Team in the provincial and municipal level shall be created to ensure the continuous watch over of the implementation to guarantee the health and safety of the people in the Province of Guimaras. The Enforcement, Monitoring and Evaluation Team shall be composed of the following:

Provincial Level:

- 1. Governor-Head
- 2. Provincial Administrator/Representative
- 3. Provincial Health Officer/representative
- 4. Provincial Sanitary Engineer
- 5. Provincial Treasurer
- 6. Provincial Director, Philippine National Police

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Municipal Level:

1. Municipal Mayor- Head
2. Municipal Health Officer
3. Municipal Permit and Licensing Chief
4. Rural Sanitary Inspector
5. Municipal Chief of Police

Section 6. PENALTY. Any person found guilty of violating this Ordinance shall be penalized of the following:


- 1. First offense: Warning that he must comply with the Ordinance.
- 2. Second Offense: Fine of ₱1000.00 pesos only/and warning for cancellation of business permit.
- 3. Third Offense: Fine of 1,500 and cancellation of Business Permit

Section 7. SEPARABILITY. If any portion of this ordinance shall be declared by a competent authority or court as unconstitutional, the other portions not so declared as such shall remain valid and operative.


Section 8. Effectivity - This Ordinance shall take effect immediately following its posting and publication.

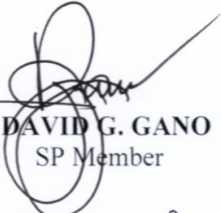
ENACTED this 9th day of August 2016.

I hereby certify to the correctness of the foregoing ordinance which was duly enacted by the 8th Sangguniang Panlalawigan of the Province of Guimaras during its regular session on August 9, 2016.

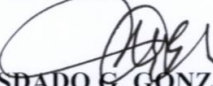

LORENA MINIERVA-ITUCAS
 Secretary to the Sangguniang Panlalawigan

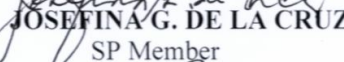
Concurred:



CYRIL C. BELTRAN
 SP Member


DAVID G. GANO
 SP Member

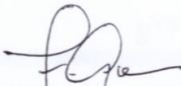

CRESENTE P. CHAVEZ, JR.
 SP Member


DIOSDADO G. GONZAGA
 SP Member

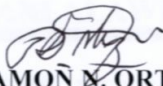

JOSEFINA G. DE LA CRUZ
 SP Member


REX G. FERNANDEZ
 SP Member


DAN ELBY C. HABAÑA
 SP Member

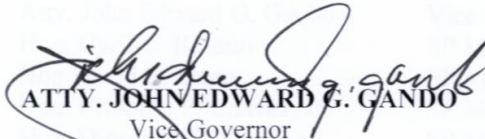


FELICITO M. GAREZA
Ex-Officio Member
(PCL Fed. President)



RAMON N. ORTIZ
Ex-Officio Member
(ABC Fed. President)

Attested:



ATTY. JOHN EDWARD G. GANDO
Vice Governor
Presiding Officer

Approved:



SAMUEL T. GUMARIN, MD, MPH
Governor



ORDINANCE NO. 2019-02
Year 2019

AN ORDINANCE REQUIRING ALL ESTABLISHMENTS THAT ENGAGE IN
BUSINESS TO PROVIDE FREE POTABLE WATER TO THEIR
CUSTOMERS IN THE PROVINCE OF GERARAN

Enacted by the Sangguniang Pangkalahatan in accordance with the

provisions of the Local Government Code of 1991, as amended, and other laws and decrees applicable thereto, and in pursuance of the provisions of the

Declaration of Policy, it is the policy of the Province of Geraran to ensure the health and safety of its people and other individuals who may be affected by the business or pleasure. It is also the policy of the Province to ensure a people that is free from disease and other public health problems due to lack of safe and potable water. However, most of the communities living below poverty cannot afford to buy mineral, purified or bottled water which is not affordable.

SECTION 2. DEFINITIONS OF TERMS.

1. POTABLE WATER-Potable water shall mean natural mineral purified or tap water provided that such water has been certified by the accredited State Testing Laboratory as safe for human consumption.