



Republic of the Philippines
Region XII
Province of Cotabato
MUNICIPALITY OF KABACAN
LOCAL GOVERNMENT UNIT



EXCERPTS FROM THE MINUTES OF THE 45TH REGULAR SESSION OF THE 10TH SANGGUNIANG BAYAN OF KABACAN, COTABATO HELD ON AUGUST 3, 2017 AT JADE BY THE SEA, MATINA APLAYA, DAVAO CITY.

The session was called to order by the Presiding Officer at 5:00 o'clock in the afternoon and the following were:

PRESENT: Hon. Myra Dulay-Bade, Vice-Mayor/Presiding Officer
Hon. Herlo C. Guzman, SB Member
Hon. Rhosman S. Mamaluba, SB Member
Hon. Reyman L. Saldivar, SB Member
Hon. Manny K. Pedtamanan, SB Member
Hon. George E. Manuel, SB Member
Hon. Romeo G. Mantawil, SB Member
Hon. Ayesha J. Quilban-Flores, SB Member
Hon. Datuan L. Macalipat, SB Member
Hon. Raymundo B. Gracia, SB Member

ABSENT: NONE

RESOLUTION NO. 2017-107

AN ORDINANCE PROVIDING MEASURES ON DENGUE PREVENTION AND CONTROL, PENALIZING VIOLATORS THEREOF AND ALLOCATING FUNDS THEREFORE AND TO INSTILL HEALTH CONSCIOUSNESS.

SPONSORED BY: Committee on Health, Sanitation and Nutrition
Chairperson: Ayesha J. Quilban-Flores
Vice-Chairperson: George E. Manuel
Member: Herlo C. Guzman

WHEREAS, it is provided in **Section 16 of RA 7160, otherwise known as the Local Government Code of 1991 that:** *Every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare. Within their respective territorial jurisdictions, local government units shall ensure and support, among other things, the preservation and enrichment of culture, **promote health and safety**, enhance the right of the people to a balanced ecology, encourage and support the development of appropriate and self-reliant scientific and technological capabilities, improve public morals, enhance economic prosperity and social justice, promote full employment among their residents, maintain peace and order, and preserve the comfort and convenience of their inhabitants;*

WHEREAS, the Local Government Unit of Kabacan, Cotabato sees it imperative to address dengue to avoid outbreaks from happening, and saving the lives of its constituents in doing so;

WHEREAS, as per record, dengue cases have increased and it poses a significant health problem;

WHEREAS, seen as a community-based problem, there is a significant need to intensify community awareness, responsiveness and participation to control or eradicate, completely, the vector of dengue;

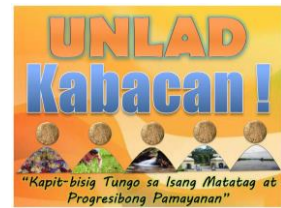
WHEREAS, being a vector-borne disease, dengue is transmitted by an infected mosquito (*Aedes aegypti*) which breeds in clean stagnant water and can spread very easily;

WHEREAS, the mosquito can fly 50 meters to 400 meters away from the breeding site and its biting time is from 8:00 am to 6:00 pm

WHEREAS, combating mosquito vector is the primary method of controlling dengue transmission practiced by many today;

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WHEREAS, effective mosquito vector control can be implemented using environmental management, chemical method, proper waste disposal and management and community participation is critical

NOW THEREFORE, after lengthy deliberation and discussion, on motion of Hon. Ayesha J. Quilban-Flores, duly seconded by Hon. George E. Manuel, the Sanggunian has-

RESOLVED, as it hereby resolves, to enact, as it hereby enacts-

ORDINANCE NO. 039. S. 2017

AN ORDINANCE PROVIDING MEASURES ON DENGUE PREVENTION AND CONTROL, PENALIZING VIOLATORS THEREOF AND ALLOCATING FUNDS THEREFORE AND TO INSTILL HEALTH CONSCIOUSNESS.

SECTION 1. TITLE. – This Ordinance shall be known as the “*AKSYON BARANGAY KONTRA DENGUE SA BAYAN NG KABACAN*”.

SECTION 2. PURPOSE. It is the purpose of this ordinance to safeguard public health and ensure the well-being of all its constituents by protecting them from Dengue.

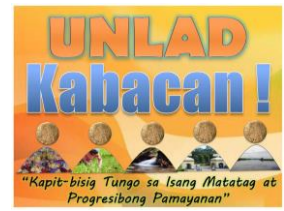
SECTION 3. COVERAGE. This Ordinance shall apply to all persons, whether natural or juridical, whether resident or not, and in all places found within the territorial jurisdiction of the Local Government Unit of Kabacan, Cotabato.

SECTION 4. DEFINITION OF TERMS. – As used in this Ordinance, the following terms are hereby defined as follows:

- 4.1 **Dengue** - an acute infectious disease caused by a flavivirus (species Dengue virus of the genus *Flavivirus*), transmitted by aedes mosquitoes, and characterized by headache, severe joint pain, and a rash – also called breakbone fever, dengue fever.
- 4.2 **Stagnant Water** - motionless water, not flowing in a stream or current, also known as standing water.
- 4.3 **Establishments** - hotels, motels, dormitories, commercial buildings, lodging and boarding houses, apartments, hospitals, libraries, museums, offices, malls, markets, supermarkets, movie houses, schools, colleges and universities and other similar institutions.
- 4.4 **Aedes aegypti** - is a genus of *mosquitoes* originally found in tropical and subtropical zones, but now found on all continents except Antarctica.
- 4.5 **Focal Spray** - the act of applying, releasing or dispensing a toxic chemical so that it reaches the target organism primarily or wholly in gaseous state.
- 4.6 **Premises** – a house or building, together with its land and outbuildings, occupied by a business or house.
- 4.7 **Perimeter**- from Latin, **meaning** “around” (peri) and “measure” (metron), a **perimeter** is basically a boundary of any kind. In this ordinance it is the boundary of houses, buildings or any establishment.

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- 4.8 **Water Containers-** any open receptacles such as, discarded tin cans, buckets/pails or “laton” (large plastic bucket/containers of margarine or lard/orocan, empty pots, empty bottles);
- 4.9 **Bodies of water-** earth diggings with accumulated water, residential drainage canals
- 4.10. **Water Containing Objects-** any object that collects/accumulates water such as (plastic/metal bottle caps, pitcher plants, tires and the like).
- 4.11. **Person-in-charge** – those persons in charge of households or establishments.

SECTION 5. PROHIBITED ACTS. The following acts are declared prohibited by this Ordinance:

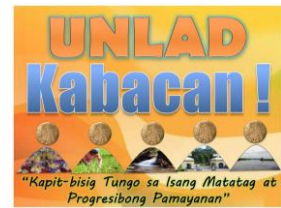
- a. Stockpiling of water in open water containers for more than seven days within the premises and perimeter of houses and establishments.
- b. Leaving empty open water containers or water containing objects within the perimeter of houses and establishments;
- c. Leaving of uncleaned or unmaintained open containers or water containing objects filled with water in the premises of houses and establishments; and
- d. Maintaining undrained bodies of water within the perimeter of houses and establishments.

SECTION 6. DUTIES AND RESPONSIBILITIES OF PERSONS-IN-CHARGE. Person-in-charge shall:

- a. Search and destroy breeding sites of mosquitoes.
- b. Protect self.
- c. Allow inspectors acting under Section 12 which may include members of the Task Force, entry into the premises and perimeter of houses and establishments during regular business hours for the purpose of inspecting its compliance with this ordinance.

SECTION 7. PENALTIES. The following penalties shall be imposed on violators of this ordinance:

- a. Violation of Section 5 for person-in-charge of houses:
 - i. First Offense- Two (2) hours Community service
 - ii. Second Offense – P250.00
 - iii. Third and Subsequent Offenses – P500.00
- b. Violation of Section 5 for person-in-charge of establishments:
 - i. First Offense- Four (4) hours Community Service
 - ii. Second Offense – P500.00
 - iii. Third and Subsequent Offenses – P1, 000.00



SECTION 8. CITATION TICKET SYSTEM. Violators of this ordinance shall be informed of their violation and the penalty associated with it by means of a Citation Ticket with the following guidelines:

- a. The Municipal Treasurer shall formulate and facilitate the printing and reprinting of Citation Tickets.
- b. Official booklets of Citation Tickets shall be issued by the Municipal Treasurer to the Barangay Treasurer of the respective barangays and the former shall issue the same to duly authorized enforcers within ninety (90) calendar days of the effectivity of this ordinance.
- c. A Citation Ticket shall be issued to the person/s liable for any violation of this ordinance upon finding of the violation by duly authorized enforcers.
- d. A Citation Ticket shall contain the following information:
 - i. Checklist of the violations under this ordinance
 - ii. The penalty associated with each violation; and
 - iii. Due date for compliance with the obligations imposed by the ticket.
- e. When Citation Ticket is issued to a violator, the violator shall report to the Barangay Treasurer's Office within five (5) regular business days after such issuance, where he/she shall render community service and/or pay the corresponding violation committed.
- f. The Barangay Treasurer's Office shall keep a duplicate of all Citation Tickets issued to violators as well as all other records of violations of this Ordinance.

SECTION 9. ENFORCEMENT. *Aksyon Barangay Kontra Dengue Task Force.* A task force shall be created to aid in the implementation, enforcement and monitoring of this ordinance, protect the people, as well as to conduct information and education campaigns and capability building programs, that will inform the constituents and train enforcers of this Ordinance.

The task force shall be chaired by the Punong Barangay and shall have the following as members:

- a. Council Chairman on Committee on Health as Vice Chair
- b. Barangay Council Members
- c. Barangay Health Workers
- d. Barangay Nutrition Scholars
- e. Day Care Workers
- f. Barangay Treasurer
- g. Purok Officers
- h. School Principals

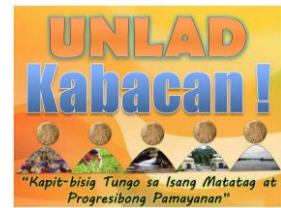
SECTION 10. DUTIES AND RESPONSIBILITIES OF THE TASK FORCE.— Other than (1) receiving, reviewing and processing reports and complaints, serving of citations and notices (2) attending regular Task Force meetings, and (3) deputizing enforcers and

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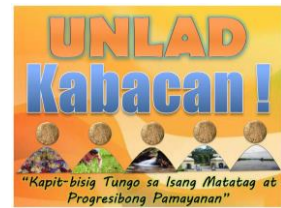
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enforcing the other provisions of this Ordinance, the Task Force, headed by the Barangay Council Chairman shall have the following respective duties and responsibilities:

- a. Barangay Council Chairman:
- b.
 1. Conduct Massive Information campaign on the prevention and control of dengue.
 2. Conduct information campaign relative to Ovicidal / Larvicidal Trap System. (OL-Trap) as a strategy to control and detect impending dengue outbreaks.
 3. Intensify the conduct of monthly Clean-Up Drive in the barangay.
 4. Render report base on their performance on dengue control and prevention to the Office of the Mayor on quarterly basis.
- b. Council chairman on Committee on Health:
 1. Assist the Barangay Council Chairman in overseeing the implementation on the duties and responsibilities of the Task Force.
- c. Barangay Council Members:
 1. Make Aksyon Barangay Kontra Dengue, including the implementation of this Ordinance, a part of the barangay health program and appropriate funding under the general budget of the barangay government unit.
- d. Barangay Health Workers:
 1. Conduct inspection activities as provided in this Ordinance.
 2. Assist in promoting awareness of this Ordinance.
- e. Barangay Nutrition Scholars:
 1. Conduct inspection activities as provided in this Ordinance.
 2. Assist in promoting awareness of this Ordinance.
- f. Day Care Workers:
 1. Conduct inspection activities as provided in this Ordinance in the houses and establishments of day care pupils.
 2. Conduct information and education on dengue control and prevention among day care pupils and their parents or guardians
 3. Assist in promoting awareness of this Ordinance.
- g. Barangay Treasurer:
 1. Request and receive from the Municipal Treasurer the Citation Ticket.
 2. Issue booklets of Citation Tickets to the enforcers on this Ordinance.
 3. Collect / receive fines by violators and submit report on its collection.
 4. Facilitate the release and allocation of funds and the remuneration of enforcers share in accordance with the provision for sharing of proceeds

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derived from the collection of fines, penalties, generated resources and appropriated budget.

h. Purok Officers:

1. Assist in promoting awareness of this Ordinance in encouraging Purok members support and participation on its implementation and enforcement.
2. Monitor Purok members in the compliance of this Ordinance.
3. Conduct inspection activities as provided in this Ordinance.

i. School Principals:

1. Ensure the conduct of information and education on dengue prevention and control to all school children and their parents / guardians;
2. Ensure strict compliance of this Ordinance in the school premises and perimeter.
3. Assist in promoting awareness of this Ordinance.

SECTION 11. ENFORCEMENT ON HOUSES AND ESTABLISHMENTS. – Ninety (90) calendar days after the effectivity of this Ordinance, inspection team/s composed of the members of the Aksyon Barangay Kontra Dengue Task Force shall conduct inspection of all houses and establishments to determine their compliance with the provisions of this Ordinance. Regular inspection shall thereafter be conducted at least twice a year. The inspection team shall provide the persons-in-charge of the houses and establishments the primer of this Ordinance. The inspection team shall issue a Citation Ticket against the violators upon finding of non-compliance with or any violation of this Ordinance.

Re-inspection of houses and establishments shall be done on any day after the issuance of Citation Ticket, but in no case more than ten calendar days after such issuance. If the person-in-charge of houses and establishments fails to comply with the duties and obligations stated in this Ordinance upon re-inspection, the inspection team shall issue another Citation Ticket and request the assistance of the Barangay Council members for the enforcement of this Ordinance.

SECTION 12. CIVILIAN PARTICIPATION IN ENFORCEMENT. – Within thirty (30) calendar days from the effectivity of this Ordinance the Barangay Council Chairman shall deputized the barangay health workers, barangay nutrition scholars, day care workers, and purok officers as enforcers of this Ordinance.

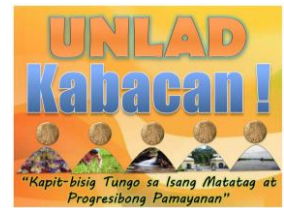
SECTION 13. INFORMATION DISSEMINATION. – Within sixty (60) calendar days from the effectivity of this Ordinance, the Municipal Mayor through the Public Information Officer shall:

- a. Provide at least one copy of this Ordinance to every Barangay Government Unit, Municipal Treasurer and Municipal Health Officer.
- b. Provide primer of this Ordinance for every Barangay Government Unit, Municipal Treasurer and Municipal Health Officer.

SECTION 14. PUBLIC BILLBOARDS, NOTICES IN BARANGAYS. – Upon effectivity of this Ordinance, the Task Force shall put up information campaign materials in conspicuous places within the Barangay Government Unit to notify the public of the restrictions and sanctions imposed by the Ordinance.

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SECTION 15. CONDUCT OF ORIENTATION, SEMINARS AND TRAININGS. –

Within Sixty (60) calendar days from the effectivity of this Ordinance and periodically thereafter, the Health Officer with the assistance of the Health Education and Promotion Officer and the Sanitation Inspector shall develop and conduct a series of orientation, seminars and trainings for the enforcers of this Ordinance, at least one for each Task Force.

SECTION 16. SURVEILLANCE. – The Municipal Epidemiology and Surveillance Office shall monitor Dengue cases and provide data to the Barangay Government Units, Municipal Mayor, Sangguniang Bayan, Provincial Health Office and DOH Regional Office.

SECTION 17. FOCAL SPRAY. – Focal spray shall only be used to control dengue during epidemic or outbreak.

SECTION 18. FUNDING

- a. An initial funding to defray the expenses necessary for or incidental to the implementation of this Ordinance in the amount of **One Hundred Fifty (P150,000.00) Pesos** shall be sourced from the fund of the Municipal Government to carry out its duties and functions.
- b. An initial funding to defray the expenses necessary for or incidental to the implementation of this Ordinance in the amount of **Ten Thousand (P10,000.00) Pesos** shall be sourced from the fund of the Barangay Government to carry out the duties and functions of the Task Force.
- c. Every year thereafter, at least **One Hundred Thousand (P100,000.00) Pesos** shall automatically be included in the *Annual Budget of the municipality and at least Ten Thousand (P10,000.00) Pesos* for the barangay for the implementation and enforcement of this Ordinance.

SECTION 19. SHARING OF PROCEEDS FROM THE ADMINISTRATIVE PENALTIES. - The amount of the corresponding penalty paid by a violator to the Barangay Treasurer shall be apportioned where the equivalent of thirty percent (30%) shall accrue to the enforcer as incentive.

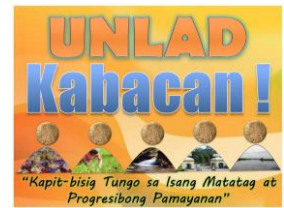
The remainder of the proceeds from penalties collected as payment by violators, after deducting the amounts that shall accrue to the enforcers shall form part of the general fund of the Barangay Government Unit.

SECTION 20. SEPARABILITY CLAUSE. - If any provision or part of this Ordinance is declared invalid or unconstitutional, the other parts or provisions thereof shall remain valid and effective.

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SECTION 21. REPEALING CLAUSE. - All ordinances, orders, or rules and regulations inconsistent with the provisions of this Ordinance are hereby repealed or modified accordingly.

SECTION 22. EFFECTIVITY. - This Ordinance shall take effect 15 days upon approval and upon compliance with Section 59 (c) of RA 7160.

ENACTED. August 3, 2017.

CERTIFIED CORRECT:

SGD. BEATRIZ S. MADERAS
Secretary to the Sanggunian

ATTESTED TO BE DULY ENACTED/ADOPTED:

SGD. MYRA DULAY-BADE
Vice-Mayor /Presiding Officer

APPROVED.

SGD. HERLO P. GUZMAN, JR.
Municipal Mayor

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