



Republic of the Philippines
Province of Davao del Norte
Municipality of Braulio E. Dujali
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BEFORE THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE SEVENTEENTH (17TH) REGULAR SESSION OF THE SANGGUNIANG BAYAN OF BRAULIO E. DUJALI (TERM 2019-2022) AND HELD AT THE SANGGUNIANG BAYAN SESSION HALL, MUNICIPAL BUILDING ON JUNE 22, 2020, MONDAY.

PRESENT:

HON. RESTIE E. TABIRAO	- Sangguniang Bayan Member/ Temporary Presiding Officer
HON. ATTY. YASMIN V. CAMPION, REA, REB	- Sangguniang Bayan Member
HON. ANNA C. CAGULADA	- Sangguniang Bayan Member
HON. RICKY T. DELCO	- Sangguniang Bayan Member
HON. NELSON C. BAER, RA	- Sangguniang Bayan Member
HON. CARME LEOGY C. AGUILUZ	- ABC Pres./Ex-Officio Member
HON. FRANCISCO D. BUCADON	- IPMR/Ex-Officio Member
HON. KEVIN P. GENTUGAYA	- SKF Pres./Ex-Officio Member

ON OFFICIAL BUSINESS:

HON. DONNA MAE BALDONADO-BERNADAS, Ed.D.	- Municipal Vice Mayor
HON. SAMUEL F. PACRES	- Sangguniang Bayan Member

ABSENT:

HON. CONCORDIO B. MOMO, JR. (On Leave)	- Sangguniang Bayan Member
HON. ADHEM F. FUNA (On Leave)	- Sangguniang Bayan Member

Author: Hon. Nelson C. Baer, RA

Co- Authors: Hon. Carme Leogy C. Aguiluz Hon. Atty. Yasmin Valle-Campion, Hon. Concordio B. Momo, Jr., Hon. Kevin P. Gentugaya

MUNICIPAL ORDINANCE NO. 2020-219

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

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, main*

WHEREAS, the Local Government Unit of Braulio E. Dujali 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.

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

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

SECTION 1. TITLE. – AN ORDINANCE PROVIDING MEASURES ON DENGUE PREVENTION AND CONTROL, PENALIZING VIOLATORS THEREOF AND ALLOCATING FUNDS THEREFORE AND TO INSTILL HEALTH CONSCIOUSNESS.

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 Braulio E. Dujali.

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 - boarding houses, apartments, offices, markets, schools, and other similar institutions.

4.4 *Aedes aegypti* - is a genus of *mosquitoes* originally found in tropical and subtropical zones.

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.

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 Aedes Larva (kiti-kiti) – which is aquatic feeding stage of the mosquitoes depends on the nutrients that will get approximately 6 to 8 days the larvae becomes aedes aegypti or aedes albopictus mosquito.

4.12. Person-in-charge – those person 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.

e. Aedes larvae (kiti-kiti) found inside or outside of the household within the area of jurisdiction

SECTION 6. DUTIES AND RESPONSIBILITIES OF EVERY INDIVIDUAL. 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. 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 who shall issue the same 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.

g. The citation ticket shall be issued by the Barangay Treasurer.

SECTION 8. 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 Sanitation Inspector
- c. Barangay Council Members
- d. Barangay Health Workers
- e. Barangay Nutrition Scholars
- f. Day Care Workers
- g. Barangay Treasurer
- h. Purok Leader
- i. School Principals

SECTION 9. DUTIES AND RESPONSIBILITIES OF EACH MEMBER OF THE TASK FORCE.

(1) Receiving, reviewing and processing reports and complaints, serving of citation and notices

(2) Attending regular Task Force meetings, and

(3) Deputizing enforcers and enforcing the other provisions of this Ordinance, the Task Force, headed by the Barangay Captain shall have the following respective duties and responsibilities:

A. Barangay Captain:

1. Conduct Massive Information campaign on the prevention and control of dengue.
2. Intensify the conduct of monthly Clean-Up Drive in the barangay.
3. Render report base on their performance on dengue control and prevention to the Office of the Mayor on quarterly basis.
4. To ensure that there is no aedes larvae(kiti-kiti) found in the household of his barangay jurisdiction

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

H. Purok Leader:

1. Assist in promoting awareness of this Ordinance in encouraging Purok members to 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.

J. 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 10. ENFORCEMENT ON HOUSES AND ESTABLISHMENTS.

Within Ninety (90) calendar days after the effectivity of this Ordinance, the 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 (10) 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 11. CIVILIAN PARTICIPATION IN ENFORCEMENT. – Within thirty (30) calendar days from the effectivity of this Ordinance the Barangay Captain shall deputized the barangay tanod, barangay sanitation inspectors, barangay health workers, barangay nutrition scholars, day care workers, and purok leader as enforcers of this Ordinance

SECTION 12. 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 (1) 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 13. 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 restrictions and sanctions imposed by the Ordinance.

SECTION 14. 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 15. 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 116. FOCAL SPRAY.

Focal spray shall only be used to control dengue during epidemic or outbreak.

SECTION 17. 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 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 Thousand (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.

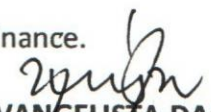

SECTION 19. SHARING OF PROCEEDS FROM THE ADMINISTRATIVE PENALTIES.

The amount of the penalties shall be appropriated as follows, 30% to the enforcer, 30% to the Municipal Local Government Unit, 40% to the Barangay Government concern.

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.

SECTION 21. EFFECTIVITY. This ordinance shall take effect upon approval.

I HEREBY CERTIFY to the correctness of the foregoing municipal ordinance.


JULIET EVANGELISTA-DAANTON
Secretary to the Sanggunian
(MGDH I) 

Attested to be duly adopted:


RESTIE E. TABIRAO

Sangguniang Bayan Member/
Temporary Presiding Officer

Approved:


ATTY. LEAH MARIE MORAL-ROMANO

Municipal Mayor

Date: _____


Republic of the Philippines
Province of Davao del Norte
Municipality of Braulio E. Dujali

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OFFICE OF THE SECRETARY TO THE SANGGUNIAN

CERTIFICATION

This is to certify that the Sangguniang Bayan has conducted a Public hearing on Municipal Ordinance No. 2020-219; **PROVIDING MEASURES ON DENGUE PREVENTION AND CONTROL, PENALIZING VIOLATORS THEREOF AND ALLOCATING FUNDS THEREFORE AND TO INSTILL HEALTH CONSCIOUSNESS** held at Lobby, 2nd Floor, Municipal Building, Braulio E. Dujali, Davao del Norte on **February 11, 2020.**


JULIET EVANGELISTA-DAANTON
Secretary to the Sanggunian
(MGDH I)