



Republic of the Philippines
PROVINCE OF LEYTE
City of Baybay
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Office of the Sangguniang Panlungsod

Excerpt from the

MINUTES OF THE 6th REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD
OF BAYBAY CITY, LEYTE HELD AT THE SESSION HALL ON AUGUST 15, 2016.

CITY ORDINANCE NO. 005 S. 2016

AN ORDINANCE AMENDING MUNICIPAL ORDINANCE NO. 003 Series of 2005
"REGULATING THE OPERATION OF ALL FOOD ESTABLISHMENT
COMMERCIAL, RECREATIONAL AND ENTERTAINMENT FACILITIES IN THE
MUNICIPALITY OF BAYBAY" OTHERWISE KNOWN AS "ENTERTAINMENT
ESTABLISHMENT" ORDINANCE.

Introduced and Sponsored by: SPM ATTY. E.M. BUTAWAN, SPM. M. MUNEZ and SPM R. PALMA

Be it ordained by the Sangguniang Panlungsod of the City of Baybay,
Province of Leyte;

SECTION 1 -TITLE - This ordinance shall be known as 'an ordinance
regulating the operation of all food commercial, recreational and
entertainment facilities in the City of Baybay.

SECTION 2 -SCOPE - this ordinance shall apply to all food
establishments, KTV bars, beer house, disco house, cocktail lounge,
folk house and other similar establishments in the City of Baybay.

SECTION 3 - DEFINITION OF TERMS - as used in this ordinance, the
following terms are hereby defined as follows:

1. **KTV Bars** - (karaoke, television and videoke bars) an
establishment entertaining guest/customers with sing along
equipment and instantaneous viewing of a television programs
which offer various food and drinks.
2. **Beer Houses** - an establishments offering/selling alcoholic drinks
to guest/customers;
3. **Disco Houses** - an establishment entertaining and offering to
customers a lively and slow music, dances, aside from alcoholic
drinks.
4. **Cocktail lounge** - an establishment facility selling mixed alcoholic
drinks, variously flavored and prepared.

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5. **Folk Houses** - an establishment facility where a singer or group of singers also known as "band" using music instruments entertain people which offer various food or drinks (soda, alcohol or beverages);
6. **Children** - refers to persons below eighteen years of age;
7. **Guest Relation Officer (GRO/Hostesses** - a person properly hired by the establishment who sits, talks, drinks together with the customers to entertain them.

SECTION 4 -SANITARY PERMIT - No establishment enumerated under this ordinance shall be allowed to operate without first obtaining a sanitary permit from the Municipal Health Officer or his duly authorized representatives.

SECTION 5 -HEALTH CERTIFICATE OF PERSONNEL - Employees of establishments subject to the provisions of this ordinance shall not be allowed to sell or serve food and drinks or entertain customer without having first obtained a health certificate from the Office of the Municipal Health Officer.

All personnel of the above named business establishment shall comply with the following requirements to obtain a health certificate.

For hostesses, entertainers, guest relation officers, dancers, singers and other female employees of night clubs, disco houses, karaoke bars/ sing along joints, dancing halls and other business of similar nature, the health certificate should be renewed every year.

Physical Examination - to check the health, mental, physical and sanitary condition of the worker.

1. **Chest X-Ray** - this is to be conducted annually when necessary as determined by physician, X-Ray may be required often.
2. **Stool Culture** - this is done to rule out the possibility that the worker may harbor pathogenic organisms and may act as a carrier of a communicable of food transmittable disease to be conducted every six (6) months if available in the City Health Officer laboratory, otherwise stool examination shall be done.
3. **Hygiene Examination** - This shall be conducted weekly at the STD-AIDS Detection Center of the City Health Department. If found positive for STD or other infectious diseases, the health certificate shall be temporarily suspended from engaging in the occupation. He or she shall submit to full treatment at the STD-AIDS Detection Center of the City Health Department until pronounced cured to the satisfaction of the City Health Officer or his duly authorized representative. If cured, the employee may be reinstated and his or her certificate.

4. **Blood Examination** - HIV anti-body determination for AIDS, Hepatitis B, surface antigen determination for Hepatitis B and VDRL for syphilis shall be performed at the City health Department Laboratory every six (6) months, unless a more frequent examination is deemed necessary if found positive the health certificate shall be confiscated and suspended permanently from engaging in the occupation and be subjected for further evaluation and management as recommended by the Municipal Health Officers.

SECTION 6 -DANCER OR HOSTESS - Dancers or hostess may be defined as any employee of any establishment for the primary purpose of entertaining guest at their table or dancing with the same.

SECTION 7 -STRUCTURE OF DANCING HALLS AND SING-ALONG JOINTS/KARAOKE BARS

A-1 - The dance hall or space for dancing must be well ventilated adequately lighted and properly maintained at all times, especially during business hours. There shall be no dark corners therein.

A-2 - Proprietors, owners, managers or lessees of a building or structure who in the ordinary course of business operate a hotel may also operate night clubs, cabarets, dancing schools or dance halls provided that such operation be conducted on the storey of the building different from the lodging rooms. Provided further, that the preceding ordinance applies.

A-3 - Sing Along Joints/Karaoke Bars – private rooms may be constructed and provided with a swing type wooden door without door lock and shall have a peeping windows 1 sq. foot and the same shall not be covered with curtains or similar types.

SECTION 8 - REFRESHMENT PARLOR OR CAFÉ IN DANCING HALLS

Proprietors, owners, managers or lessees of refreshment parlors or cafes within the dancing halls shall be required to secure sanitary permit as required for food establishment and the personnel shall obtain health certificates as required for food handlers.

SECTION 9 - BLOOD EXAMINATION OF EMPLOYEES

- a. All employees of bars, night clubs, dancing halls, cocktail lounges, beer houses, sing along joints, discos and other similar establishments including dance instructor are required to undergo blood examination for HIV, Hepatitis Ba and Syphilis as a requisite in securing health certificate from the Municipal Health Department Laboratory.

- b. Entertainers, dancers and dance instructors and other workers of similar nature as determined by the Municipal Health Officer or his duly authorized representative are required to attend lectures given at the Municipal Health Department before the issuance of their Health Certificate.

SECTION 10 - OWNERS/OPERATORS AND MANAGERS OF ESTABLISHMENT mentioned in this ordinance shall ensure the protection and safety of catered guest or customers as well as residents, living nearby the facilities and undertake to strictly observe the following measures:

- a. Security guard must be hired and posted at the front door of the establishment to check incoming customers of any harmful weapons that may possibly harm other people inside the premises.
- b. Safety deposit box as approved by the PNP should be provided for the customers for the safe keeping of their fire arms and deadly weapon if there are any.
- c. No customer should be allowed to enter the establishment with any deadly weapon or firearms. These items should be kept in safety deposit box.
- d. Establishment should be sound proof so that outsider/non-customers or unless the residents nearby will not be disturbed. If the establishment which operate loud sound system is not provided with sound proofing, they are allowed to operate only until twelve midnight;
- e. Establishment should have a clean and sanitary comfort rooms for male and female customers with adequate supply of water and toiletries.

SECTION 11 -No children shall be hired as service Boy/Girls, GROs or waiters/waitress in those entertainment places.

SECTION 12 -No children shall be admitted/allowed to enter and stay in the premises except for establishment that do not provided entertainments by GOs, hostesses and the like.

Furthermore, no establishment shall not be allowed to serve any alcoholic drinks and beverages to any children.

SECTION 13 -There shall be no lewd entertainment added to usual activity such as dancing in made or wearing one or two-piece attire and any other seductive sexual entertainment.

SECTION 14 -No establishment should allow any person to act as guest relation officer (GRO) or hostesses unless properly hired by the establishment and with required health certificate from the Rural Health Unit.

SECTION 15 -Upon effectivity of this ordinance no such entertainment/facilities shall be established within 100 meter from any church, public and private schools, hospitals or any institution catering children and the infirmed.

SECTION 16 -PENALTIES

- a. The owner/operator and the manager of establishment, who violates any provision of this ordinance for the first time, shall be penalized by a fine of not less than P2,500.00 but not more than P5,000.00 and suspension of its operation of not less than five (5) days but not more than fifteen (15) days.
- b. Second time violators shall be penalized by a fine of P5,000.00 plus imprisonment of Ten (10) days and suspension of operation for not less than fifteen (15) days but not more than thirty (30) days;
- c. Third time violators shall be penalized by a fine of P5,000 plus imprisonment of 30 days and cancellation of business/mayor's permit;
- d. If the establishment is a corporation, the President and/or Manager of the corporation will be liable for any violations committed in this ordinance.

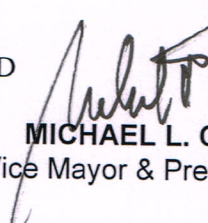
SECTION 17 -REPEALING CLAUSE - Any ordinance rules and regulations contrary to or inconsistent with the provision of this ordinance are hereby amended, repealed or modified accordingly.

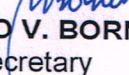
SECTION 18 -EFFECTIVITY - This ordinance shall take effect upon its approval.

Enacted. August 15, 2005

I HEREBY CERTIFY to the correctness of the foregoing ordinance which was duly adopted by the Sangguniang Panlungsod during its regular session held on August 15, 2016.

ATTESTED AND CERTIFIED
TO BE DULY ADOPTED:


MICHAEL L. CARI
City Vice Mayor & Presiding Officer


AMELITO V. BORNEO
SP Secretary

APPROVED BY HER HONOR:


CARMEN L. CARI
City Mayor