



OFFICE OF THE SANGGUNIANG BAYAN

Literal copy of *Municipal Ordinance No. 2023-12-133* approved by the Sangguniang Bayan of Palanan, Isabela in its *Regular Session* on *April 17, 2023* held at the Legislative Session Hall, this Municipality.

MUNICIPAL ORDINANCE NO. 2023-12-133

Sponsored by: HON. MICHAEL JHON D. BERNARDO, Sangguniang Bayan Member
HON. RONNIE A. ATIENZA, Sangguniang Bayan Member
HON. EARL JOHN ANGELO S. BERNARDO, Sangguniang Bayan Member
HON. JUSTIN KERBY S. BERNARDO, SK Federation President/Ex-Officio Member
HON. RONALDO M. BERNARDO, Sangguniang Bayan Member

AN ORDINANCE REGULATING THE ESTABLISHMENT, MANAGEMENT AND OPERATION OF APARTMENTS AND BOARDING HOUSES/HOMESTAYS IN THE MUNICIPALITY OF PALANAN, ISABELA AND PROVIDING PENALTIES FOR VIOLATION THEREOF, THEREBY FURTHER AMENDING MUNICIPAL ORDINANCE NO. 2010-003, SERIES OF 2010, AS AMENDED.

BE IT ORDAINED by the Sangguniang Bayan of Palanan, Isabela in a session assembled that:

SECTION 1. TITLE. This Ordinance shall be known as the "**Regulating the Establishment, Management and Operation of Apartments and Boarding Houses/Homestays in the Municipality of Palanan, Isabela**" Ordinance.

SECTION 2. DECLARATION OF POLICY. The Local Government Code, under Section 447(4) (iv), mandates the power of Local Government Unit to regulate all forms of activities relative to the use of land, buildings and structures within its territorial jurisdiction to promote the general welfare of the people.

SECTION 3. DEFINITION OF TERMS. As used in this Ordinance, the following words or phrases shall mean:

- a) *Apartment/Boarding House/Homestay* - any place of abode or any part of a residential house where an occupant stays for a fee for food and/or lodging purposes regardless of the length of stay. Payment maybe in the form of cash, goods and/or services or a combination thereof which are made regularly;
- b) *Boarder/Occupant* - refers to any person who lives in an apartment or boarding house/homestay for a consideration of rent for food and/or lodging purposes regardless of the length of stay;
- c) *Landlord/lady, Owner, Operator* - refers to any natural or juridical person who owns, manages, or maintains apartment, boarding house/homestay or dormitory, or duly authorized representative or agent of such person.

SECTION 4. REGULATORY POLICIES. All apartments and boarding houses/homestays shall strictly observe the following regulatory policies:

- a) Landlords/ladies, owners or operators of apartments and boarding houses shall not allow minors and students of opposite sex, who are not related or related beyond 3rd degree of affinity and consanguinity, to stay in the same house to avoid untoward incidents and to provide space for their respective privacy;
- b) Apartments and boarding houses, of whatever nature, shall be considered business establishments, hence, shall be required to secure respective annual business and sanitary permits to operate. Certification from the Municipal Engineering Office and Zoning Officer on the structural aspect of the building, as required by the nature of business applied, and the zonal requirements compliance of the same, respectively, are requisites from obtaining of the above-stated permits/licenses.

EARL JOHN ANGELO S. BERNARDO
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- c) Applicants for business permits/licenses to operate apartments and/or boarding houses must indicate the number of occupants such can accommodate and in no case shall be permitted to accommodate dwellers or boarders beyond the number stipulated therein;
- d) A registry of boarders shall be maintained specifying the name, age, sex, address, parents or guardians, school and course studied together with the curriculum year of students; name, address and contact numbers of parents or guardians for minors; or place and address of employment for those who are working. The registry shall be available for perusal and inspection of persons in authority for any lawful purpose;
- e) Drinking of alcohol, gambling and smoking among minor and student boarders shall be prohibited at any time within the vicinity of apartments or boarding houses/homestays;
- f) A fire exit in conformity with the Fire Code of the Philippines shall be provided, location of such must be accessible from the various points of occupancy by way of unhampered passage way/s with a width of no less than one (1) meter of space;
- g) A separate comfort rooms for male and female, at a ratio of one (1) toilet bowl for every five (5) occupants, shall be maintained and availability of water in the maintenance of the same must be in place at all times;
- h) Garbage receptacles shall be available in every room, proper segregation and disposal of garbage shall be made regularly so as not to pose sanitary problems or nuisance to the occupants and the surroundings;
- i) There shall be provision for safe, potable and adequate supply of water for drinking, washing and other purposes;
- j) The premises including the yard, driveways and alleys contiguous with the premises, shall, at all times, be kept clean, sanitary, and free from dust, dirt, rubbish, flies, rodents, mosquitoes, cockroaches and other harmful materials or vermin. This includes the provision of drainage in good working and sanitary condition to ensure healthful surroundings for the occupants;
- k) Apartments and boarding houses/homestays shall have printed rules and regulations displayed at a prominent place within the premises, which shall be regularly discussed with the boarders. This shall include the pertinent provisions of this Ordinance and shall include most importantly the contact numbers of Municipal Social Welfare and Development Office (MSWDO), Philippine National Police (PNP), Bureau of Fire Protection (BFP), Municipal Health Office (MHO), Punong Barangays concerned, MDRRM Office and Palanan Station Hospital (PSH);
- l) The owners shall set rules for the occupants pursuant to the relevant provisions of RA 9003 and other local legislations on environmental health and sanitation.

SECTION 5. REQUIREMENTS FOR OPERATION. The following shall be required in securing permit to operate, to wit:

- a) Mayor's Permit – Offices of the Mayor and Treasury
- b) Sanitary Permit – Municipal Health Office
- c) Fire and Safety Inspection Certificate – Bureau of Fire Protection
- d) Certificate of Annual Building Inspection – Municipal Engineering Office
- e) Sufficient Garbage Disposal Facilities – Municipal Ordinance No. 2017-04
- f) "No Smoking" Signage – Municipal Ordinance No. 2022-14-119, Anti-Smoking Ordinance

SECTION 6. ENFORCEMENT. The Members of the Palanan Police Force, BFP-Palanan, Municipal Health Office, Office of the MENRO, Office of the Municipal Engineer, Municipal Social Welfare and Development Office, Barangay Officials and Barangay Tanods are hereby ordered to implement the provisions of this Ordinance by apprehending violators and issue citation tickets thereof.

SECTION 7. PENAL PROVISIONS. In case of violation of any of the provisions of this Ordinance, the landlord/lady, owner or operator shall, upon conviction thereof, be fined of:

- a) **1st Offense** :Written Warning and a fine of **FIVE HUNDRED PESOS (P500.00)**;
- b) **2nd Offense** :A fine of **TWO THOUSAND PESOS (P2,000.00)**;
- c) **3rd Offense** :A fine of **TWO THOUSAND FIVE HUNDRED PESOS (P2,500.00)** and revocation of Mayor's permit.

Fifty (50%) or one-half of the fines/penalties imposed to violators of which shall accrue to the Palanan Police Force to defray the cost of operation, implementation and surveillance. The **Municipal Treasury Office** shall prepare statement of collections/receipts as a result of fines/penalties imposed thereof.

SECTION 8. A *Citation Ticket* shall be issued to the persons liable for any violation of this Ordinance upon finding of the violation by duly authorized enforcers. When a Citation Ticket is issued to a violator, it shall be reported to the Barangay Government where the violation was committed to be recorded in the Barangay Logbook. Payment of fine shall be made to the Barangay Treasurer or at the Office of the Municipal Treasurer, as the case maybe.

SECTION 9. SEPARABILITY CLAUSE. If any provision of this Ordinance found to be inconsistent with any law, other provisions or part/s thereof not so affected shall remain in full force and effect.

SECTION 10. REPEALING CLAUSE. All Ordinances, Rules and Regulations or parts thereof, in conflict with, or contrary to, the Provisions of this Ordinance not so affected herewith is hereby repealed or modified accordingly.

SECTION 11. EFFECTIVITY CLAUSE. This Ordinance shall take effect upon its approval.

ENACTED, April 17, 2023.

I HEREBY ATTEST to the correctness of the foregoing Ordinance, which was duly enacted by the Sangguniang Bayan of Palanan, Isabela during its Regular Session.


NELIA ALAMO-PLATA
Secretary to the Sangguniang Bayan

CERTIFIED TO BE DULY ENACTED:

APPROVED:


ELIZABETH B. OCHOA
Municipal Vice Mayor & Presiding Officer


ANGELO A. BERNARDO
Municipal Mayor
Date: 04-24-2023


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