



REPUBLIC OF THE PHILIPPINES
PROVINCE OF CAGAYAN
MUNICIPALITY OF STO. NINO

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT THE MINUTES OF THE 40TH REGULAR SESSION OF THE HONORABLE SANGGUNIANG BAYAN OF THE MUNICIPALITY OF STO. NINO, PROVINCE OF CAGAYAN HELD AT THE SANGGUNIANG BAYAN SESSION HALL ON JULY 03, 2023.

PRESENT:

Hon. Andrew Vincent R. Pagurayan,	Municipal Vice- Mayor/ Presiding Officer,
Hon. Marites E. Cuntapay,	SB Member,
Hon. Andres M. Daquioag Jr.,	SB Member,
Hon. Elmer M. Tejada,	SB Member,
Hon. Eden M. Aguinaldo,	SB Member,
Hon. Romeo A. Uy,	SB Member,
Hon. Edgar T. Tulali,	SB Member,
Hon. Detilinda C. Carag,	SB Member.
Hon. Michael Angelo G. Veraque,	Ex-Officio SB Member.

ABSENT:

Hon. Ismael M. Macasaddu,	SB Member,
Hon. Erwin R. Oli,	Ex-Officio SB Member.

MUNICIPAL ORDINANCE NO. 05
Series 2023

“AN ORDINANCE REQUIRING ALL HOUSEHOLD IN THE MUNICIPALITY OF STO. NINO TO COMPLY ZERO OPEN DEFECATION (ZOD), PROVIDING FOR ITS GUIDELINES AND PENALTIES FOR VIOLATION AND APPROPRIATING FUNDS THEREFORE.”

EXPLANATORY NOTE

The health of the people, being of paramount importance, all efforts of public services should be directed towards the protection and promotion of health. The 1987 Constitution, particularly Section 15, provides that *“The State shall protect and promote the right to health of the people and instill health consciousness among them.”*

Republic Act 7160 otherwise known as the Local Government Code of 1991, likewise accords every local government unit the power and authority to promote the general welfare within its territorial jurisdiction including the promotion of health and safety of its constituents.

The Municipality of Sto. Nino, Cagayan is vigilant as to the effects of unsanitary disposal of human wastes in health and well-being. Hence, the municipal government is committed to implement the Zero Open Defecation (ZOD) policy.

NOW THEREFORE, be it ordained by the Sangguniang Bayan in its Regular Session Assembled, that:

SECTION 1. SHORT TITLE. - This Ordinance shall be known as *“Zero Open Defecation (ZOD) Ordinance of the Municipality of Sto. Nino, Cagayan.”*

SECTION 2. SCOPE AND COVERAGE. - This shall be applicable to all persons, natural or juridical, resident or non-resident within the territorial jurisdiction in the Municipality of Sto. Nino, Cagayan.

SECTION 3. DEFINITION OF TERMS.- For the purpose of this Ordinance, the following term shall mean.

- a. Zero Open Defecation (ZOD)** - One Hundred Percent (100%) absence of open defecation practice.
- b. Community Service**- refers to the services rendered to the community for public service.
- c. Defecate**- to excrete/discharge fecal waste from the body or to have a bowel movement.
- d. IEC Campaign**- refers to Education Information and Communication Campaign.
- e. Feces**- refers to human waste or human excreta
- f. Open Defecation**- refers to the manner of excreting/discharging fecal waste on a place, site or location other than the toilet/comfort room or restroom and leaving it exposed to the environment.
- g. Public Places**- refers to all places that are accessible or open to the people in a community or places for collective use regardless of ownership which include outdoor spaces for gathering but not limited to playgrounds, public squares or plaza, school grounds, church grounds and the likes.
- h. Sanitary Toilets**- refers to sanitation facilities or a piece of hardware used for the collection or disposal of human urine and feces.

SECTION 4. PROHIBITED ACTS- the following acts shall be prohibited:

- a. It is prohibited to defecate in open public places.
- b. It is prohibited to throw human waste to include diapers, napkins, and tissue papers outside the toilets or any open spaces, public or private.
- c. It is also prohibited to throw human waste in waterways to include rivers, creeks, drainage and canals that will contaminate surface of water.

SECTION 5. GENERAL AND ADMINISTRATIVE PROVISIONS.-

- a. Every household within the territorial jurisdiction of the Municipality of Sto. Nino is required to have a sanitary toilet in their respective homes to ensure proper disposal of human waste in order to prevent the occurrence of diseases caused by open defecation.

The Municipal Government of Sto. Nino shall provide free toilet bowls provided that as counterpart, the owner shall be responsible in the construction of the toilet and provide materials needed for its completion.

- b. All Barangays are required to have a Barangay Sanitation Task Force who shall inspect, monitor and have a master list of all households and establishment who have and do not have sanitary toilets.
- c. The Municipal Health Office shall conduct regular IEC campaign in different Barangays to prevent the effects of water- borne diseases due to open defecation.
- d. Barangay Clearances, certificates, permits, business clearance will be issued securing first a Sanitary Clearance from the Barangay Zero Open Defecation (ZOD) Task Force certifying compliance with the provisions of this Ordinance and/or in consonance with the Sanitation Code of the Philippines.
- e. Community Cash Transfer (CCT)/4Ps beneficiaries and Barangay Nutrition Scholars shall secure Certification as additional requirement to be issued by their respective barangays.

- f. Every Barangay, through the Barangay Zero Open Defecation (ZOD) Task Force shall formulate policies and strategies in eradicating open defecation in their respective barangays.

SECTION 6. CREATION OF BARANGAY ZOD TASK FORCE AND ITS COMPOSITION AND FUNCTIONS.-

A. There shall be created a Barangay ZOD Task Force to be composed of the following:

Chairperson: Barangay Chairperson
Members: Barangay Kagawad- Committee on Health
Barangay kagawad-Committee on Environment
Sangguniang Kabataan (SK) Chairperson
Department of Education (DepEd)-Principal of Head of School/s situated in the barangay

B. The Barangay ZOD Task Force shall monitor and submit a weekly written report on the status of compliance of this Ordinance to the Municipal ZOD Task Force for appropriate action.

SECTION 7. CREATION OF MUNICIPAL ZOD TASK FORCE AND ITS FUNCTIONS.-

A. There shall be created a Municipal ZOD Task Force to be composed of the following:

Chairperson :SB Chairperson Committee on Health, Nutrition and Sanitation
Vice Chairperson : Municipal Health Officer
Members : SB Chairperson Committee on Environment
:Municipal Environment and Natural Resources Officer
:Municipal Planning and Development Coordinator
:Municipal Engineer
:Municipal Health Office-Sanitation Inspector
:Municipal Local Government Operations Officer (DILG)
:Philippine National Police-Sto. Nino Police Station
:Barangay Health Workers (BHW) Federation President

B. The Municipal ZOD Task Force shall validate the written reports submitted by the Barangay ZOD Task Force and submit same to the implementing team for proper evaluation and for appropriate action.

SECTION 8. MONITORING.

The Barangay ZOD Task Force shall conduct a weekly monitoring in their respective barangay to ensure the provision in this Ordinance are being complied with and being followed by their constituents, they shall submit a written report to the Municipal ZOD Task Force and the Municipal ZOD Task Force shall validate the submitted reports and submit said validated reports to the ZOD Implementing Team for appropriate Action.

SECTION 9. ZOD IMPLEMENTING TEAM.-

a. There Shall be created a ZOD Implementing Team to be composed of the following:

Chairperson : Municipal Mayor
Vice Chairperson : Municipal Health Officer
Members : PNP-Sto. Nino Police Station
Municipal Treasurer
Municipal Social Welfare and Development Officer

- b. The Municipal Mayor shall lead and spearhead the implementation of this Ordinance together with his team, with the Municipal ZOD Task Force, and Barangay ZOD Task Force.

SECTION 10. PENAL PROVISION.-

- a. In the implementation of this Ordinance, persons caught violating and not complying with the Section IV- Prohibited Acts of this ordinance shall be penalized and to pay as follows.
- i. 1st Offense- An Administrative fine of Two Thousand (P2,000.00) Pesos
 - ii. 2nd Offense- An Administrative fine of Three Thousand (P3,000.00) Pesos
 - iii. 3rd Offense- An Administrative fine of Five Thousand (P5,000.00) Pesos
- b. Violators who failed to pay the corresponding penalties imposed in this Ordinance shall render the following community service on the areas determined by the apprehending officers or by the Barangay ZOD Task Force, as follows.
- i. 1st Offense- Two (2) days community service
 - ii. 2nd Offense- Three (3) days community service
 - iii. 3rd and Subsequent Offenses- Five (5) days community service

One (1) day community service is construed or equivalent to eight (8) hours community service.

- b. The Municipal Treasurer's Office is tasked to collect the penalties stipulated in this Ordinance, and do the distribution of said funds as stated in Section 11 of this Ordinance.

SECTION 11. FUNDS DISTRIBUTION- There shall be funds distribution from the penalties collected from the violation of this Ordinance, as follows:

1. Apprehending Officers/ Brgay ZOD Task Force	-40%
2. Barangay LGU	-25%
3. Municipal Government	-35%

SECTION 12. BUDGET AND APPROPRIATIONS. - The local Government Unit of Sto. Nino, shall appropriate funds from the 20% Development Fund of the LGU for the implementation of Zero Open Defecation (ZOD) Ordinance.

SECTION 13. SEPARABILITY CLAUSE. - In the event that any part/s or provision/s of this Ordinance is held unconstitutional or invalid, other part/s or provision/s not otherwise affected shall remain in full force and effect.

SECTION 14. REPEALING CLAUSE. - All other Ordinances, or provisions thereof, inconsistent herewith are hereby amended or repealed accordingly.

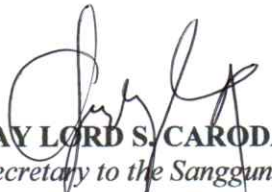
SECTION 15. EFFECTIVITY - This Ordinance shall take effect ten (10) days after the approval of the Sangguniang Panlalawigan.

Let copies of this Ordinance be forwarded to all offices and agencies concerned for their information., guidance and appropriate action.

UNANIMOUSLY APPROVED: July 03, 2023

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I HEREBY CERTIFY to the correctness of the foregoing ordinance.


JAY LORD S. CARODAN
Secretary to the Sanggunian

ATTESTED BY: 
ANDREW VINCENT R. PAGURAYAN
Municipal Vice Mayor/ Presiding Officer

APPROVED BY: 
ATTY. VICENTE G. PAGURAYAN
Municipal Mayor