



Republic of the Philippines
City of Bago

OFFICE OF THE SANGGUNIANG PANLUNGSOD

ORDINANCE NO. 20-32

AN ORDINANCE REGULATING THE OPERATION OF MEAT SHOPS AND FISH STALLS IN THE CITY OF BAGO AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

WHEREAS, Section 16 of Republic Act 7160 otherwise known as the Local Government Code provides that every local government unit within their respective territorial jurisdiction, shall ensure and promote health and safety and preserve the comfort and convenience of the inhabitants;

WHEREAS, Republic Act 9296 otherwise known as the Meat Inspection Code of the Philippines as amended by R.A. 10536 provides for policies and guidelines in the handling, delivery and disposition of meat carcasses;

WHEREAS, during the COVID 19 pandemic, there has been an emergence of meat shops and fish stalls constructed and operated in the different barangays of the City outside of the city public market and barangay satellite markets that poses hazard to human health and safety due to absence of established policies specific to their operations, hence, requiring immediate policy formulation; and

WHEREAS, it is the consensus of the August Body to establish a policy that will regulate the operation of meat shops and fish stalls in the City of Bago to ensure that fish and meat sold in these stalls and shops are safe for human consumption.

NOW THEREFORE, on motion of Sangguniang Panlungsod Member Victor Michael A. Javellana, BE IT ORDAINED, AS IT IS HEREBY ORDAINED, by the Sangguniang Panlungsod of the City of Bago in session assembled that:

Section 1. TITLE. This Ordinance shall be known as the Bago City Meat Shop and Fish Stall Regulation Ordinance.

Section 2. COVERAGE. All meat shops and fish stalls outside of the city public markets and barangay satellite markets within the territorial jurisdiction of Bago City are covered by this Ordinance.

Section 3. DEFINITION OF TERMS. As used in this Ordinance, the following words shall be defined as:

- a. MEAT SHOPS – a facility or a place independent of a wet market authorized to sell meat and or meat products.
- b. FISH STALLS – a facility or a place independent of a wet market authorized to sell fish or other marine products.
- c. SELLING – the act of possessing and/or display of items, goods, products with the intention of offering the same to others for a consideration.
- d. PUBLIC MARKETS – a market owned, operated and managed by the government offering services to the general public.
- e. BARANGAY SATELLITE MARKETS – are duly established, managed and operated markets at the barangays.

Section 4. DECLARATION OF POLICY. It shall be unlawful for any business establishment, stationery or ambulant, to engaged in the selling of meat and fish without first securing a Mayor’s Permit and Business License from the City Government. The City Government through its duly authorized enforcement team shall apprehend illegally displayed and offered for sale meat, fish, aqua-marine and their byproducts and dispose the same in accordance with related laws and ordinances.

Section 5. REQUISITES IN THE PERMIT APPLICATION. The following shall be the requisites in the application for Mayor’s Permit and Business License in the operation of meat shop and/or fish stall:

- a. A Locational Clearance from the Zoning Administrator certifying that the location of the proposed meat shop or fish stall is in accord with the zoning ordinance of the City;
- b. The location of the meat shop/fish stall is at least 200 meters away from hospital, health center, laboratory clinics, funeral parlors and other health facilities and is compliant to the road clearing requirements as certified by the City Engineering Office;
- c. A lessors permit by landowner, if operator is leasing the shop, stall or the land to which the same is established;
- d. A Barangay Resolution favorably endorsing the application for Mayor’s Permit and Business License;
- e. Attendance to an orientation conducted by the authorized office to meat & fish dealers/retailers;
- f. Compliance of other common regulatory requirements imposed by the City.

Section 6. STRUCTURAL REQUIREMENTS. The operation of private meat shop and fish stall in the City must conform to the following requirements, to wit:

1. The shop/stall should be established within a commercial building or a separate structure with a smooth finished concrete floor provided with appropriate slope for drainage;
2. Provision of drainage and collection of generated liquid wastes in the sanitary operation of the meat shop/fish stall;
3. Provision of tables with stainless steel tops;
4. Meat shops should use stainless steel hooks in the hanging of carcass;
5. Meatshops should have an operational freezer for storage;
6. A regularly calibrated weighing scale;
7. A plastic, glass or acrylic enclosure that separates the meat/fish products and the buyers; and
8. Only carcass slaughtered from the slaughterhouse shall be sold in the meatshops.

Section 7. ENFORCEMENT. All enforcement units of the City such as the Philippine National Police, members of the City Enforcement Unit, barangay officials and barangay tanods are hereby directed to implement the provisions of this Ordinance. Upon apprehension, the violator shall be turned over to the barangay LGU for proper disposition, while the meat, fish, aqua-marine and their byproducts shall be confiscated in favor of the local government.

Section 8. PENALTIES. Any person found in violation of this Ordinance shall be subjected to the following penalties:

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| FIRST OFFENSE | - | a fine of THREE THOUSAND PESOS |
| SECOND OFFENSE | - | a fine of FOUR THOUSAND PESOS |

THIRD AND SUCCEEDING OFFENSES – a fine of FIVE THOUSAND PESOS or imprisonment of fifteen to thirty days at the discretion of the court.

Should the violator opt to settle the case administratively upon apprehension during the first and second offenses, the imposable fine shall be imposed and the meat/fish products apprehended shall be returned to the owner with the commitment that the same shall not be offered for sale to the public.

By way of incentives, twenty percent (20%) of the fines collected shall accrue to the enforcers actually participating in the apprehension while eighty percent (80%) shall accrue to the barangay when the apprehension is conducted by their level and to the City when conducted by the PNP or city enforcement personnel.

Section 10. SEPARABILITY CLAUSE. Should any portion of this Ordinance be declared unconstitutional or invalid by any court of competent jurisdiction, the portions not so declared shall remain in full force and effect.

Section 11. REPEALING CLAUSE. All existing ordinances inconsistent with the provisions of this Ordinance are hereby repealed and/or modified accordingly.

Section 12. EFFECTIVITY. This Ordinance shall take effect immediately after publication.

Enacted, October 7, 2020.

I hereby certify to the correctness of the foregoing Ordinance which was duly enacted by the Sangguniang Panlungsod during its Regular Session held on October 7, 2020.

(SGD.) VICENTE D. MESIAS

City Environment and Natural Resources Officer I/
City Secretary-Designate

Attested:

(SGD.) RAMON D. TORRES

City Vice Mayor-Presiding Officer

Approved this 20th day of October, 2020.

(SGD.) NICHOLAS M. YULO

City Mayor