

Republic of the Philippines
Province of Benguet
MUNICIPALITY OF LA TRINIDAD
Office of the Municipal Mayor

ADMINISTRATIVE ORDER NO. CS-2016

IMPLEMENTING RULES AND REGULATIONS OF ORDINANCE NO. 8-2014.

WHEREAS, Municipal Ordinance No. 8-2014 entitled "**An Ordinance Regulating Smoking, Selling, Distribution and Advertisement of Tobacco Products and Imposing Penalty for Violation Thereof in the Municipality of La Trinidad, Benguet**" was enacted by the Sangguniang Bayan on July 16, 2014 and was approved by the Local Chief Executive on _____;

WHEREAS, the Local Government Code of 1991 (RA 7160) accords every local government unit power and authority to promote the general welfare within its territorial jurisdiction, including the promotion of health and safety of its constituents;

WHEREAS, increase in prevalence of tobacco smoking among youth necessitate enforcement of measures to protect them from being initiated to cigarette smoking and tobacco use by prohibiting advertising and restricting access of tobacco products to minors;

WHEREAS, for the effective implementation of the said ordinance, the necessary implementing rules and regulations is needed to be promulgated;

NOW, THEREFORE, I, ROMEO K. SALDA, Municipal Mayor, by virtue of the powers vested in me by law and in pursuance to Municipal Ordinance No. 8-2014 the following implementing rules and regulations are hereby promulgated.

Title I – GENERAL PROVISIONS

Rule I – Title

Section 1. Title. – These Rules shall be referred to as the Implementing Rules and Regulations of the Tobacco Control Ordinance 2014 of the Municipality of La Trinidad, Benguet.

Rule II –Coverage

Section 1. Coverage. This rule shall apply to all persons, whether natural or juridical, whether resident or not, and in all places, found within the territorial jurisdiction of the Municipality of La Trinidad, Benguet.

Rule III. Definition of Terms

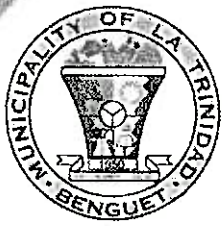
Section 1. *Definition of terms.* - For purposes of these Rules, the term:

1.1. "**Advertising and Promotion**" - refers to any form of commercial communication, recommendation or action with the aim, effect or likely effect of promoting a tobacco product or tobacco use either directly or indirectly;

1.2. **Civil Society Organization (CSO)** - refers to a legally constituted voluntary civic and social organization or institution created with no participation or government, including but not limited to charities development, non-government organizations (NGO's), community groups, women's organizations, faith based organizations, professional associations, coalitions and advocacy groups. As used in this ordinance, CSO does not include organizations or associations related to or connected with the tobacco industry in any way;

1.3. **Designated Smoking Area** - refers to a open area designated by an establishment upon the approval of the Building Official based on strict guidelines defined by

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this ordinance to ensure that nonsmokers are not exposed to secondhand smoke. At a minimum;

- 1) The smoking area shall not be located within 10 meters of entrances, exits or any place where nonsmokers pass.
- 2) It shall not have an area larger than 10 squares meters.
- 3) No food or drinks shall be served in the designated smoking area.
- 4) Every smoking area shall have highly visible and prominently displayed signages which contain the following information.
 - a) This area is a smoking area.
 - b) Graphic depiction and corresponding explanation of the effect of smoking on the smoker's health, or of passive smokers on others.

1.4. **Enclosed or partially enclosed** - refers to being covered by a roof or enclosed by one or more walls, regardless of the type of material used for the roof, wall or sides, and regardless of whether the structure is permanent or temporary.

1.5. **Enclosed area** - refers to an area that is physically separated from adjacent areas by walls or partitions and a roof or ceiling. The walls or partitions must be continuous, interrupted only by doors and windows. The mere presence of a roof or ceiling over the structure, but without walls or partitions surrounding said structure, does not constitute an enclosed area;

1.6. **Minor** - refers to any person below eighteen (18) years old;

1.7. **Outdoor advertisement** - refers to any sign, model, placard, board, billboard, banner, bunting, light display device, structure or representation employed outdoors wholly or partially to advertise or promote a tobacco product to the public;

1.8. **Persons in charge** - In case of public places, public outdoor spaces, or other establishments, this refers to the president or manager in case of a company, corporation or association, the owner/proprietor as well as the operator in case of single proprietorship, or the administrator in case government property, office building is involved. In case of a public conveyance, the owner, the driver, the conductor, and the captain of a public conveyance. In case of workplaces, the employer who may be an individual employer, or a sole proprietor, or if the employer is a corporation, all the corporate officials;

1.9. **Point of sale** - refers to any location at which an individual can purchase or otherwise obtain tobacco products.

1.10. **Electronic device system** - Refers to any device such as electronic nicotine device systems, electronic cigarette and other similar devices, whether or not it is used to deliver nicotine to the user, that resembles the outward appearance of real smoking products;

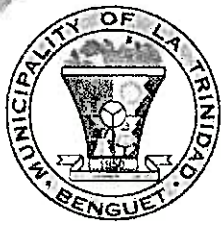
1.11. **Shisha** - Refers to a device or instrument which may have a single or multi-stemmed pipe for smoking, whether or not it delivers nicotine to the user, in which the smoke is passed through a water basin before inhalation. It is known as waterpipe, sheesha, hookah, Nargeela, Argeel and Nargile.

1.12. **Public conveyances** - Any vehicle whether mobile or stationary available to the public as the mode of transport. Such as but not limited to elevators, airplanes, ships, jeepneys, buses, taxicabs, trains, light rail transits, tricycles and other similar vehicle

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Mailing Address: La Trinidad Municipal Hall
Km. 5, La Trinidad, Benguet 2601
Tel. No: (074) 422-2601

Email Address: mayoroffice@latrinidad.gov.ph
mayorsit@yahoo.com
Website: www.latrinidad.gov.ph



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- 1.13. **Public places** - refers to all places fixed or mobile, that are accessible or open to the public or places for collective use, regardless of ownership or right to access, including but not limited to establishments that provide food and drinks, accommodation, merchandise, professional services, entertainment or other available professional services, entertainment or other services. It also includes outdoor spaces where facilities area available for the public or where a crowd of people would gather such as but not limited to playgrounds, sports grounds or centers, church grounds, health/hospital compounds, transportation terminals, markets, parks, resorts, walkways, entrance ways, waiting areas and the like;
- 1.14. **Secondhand smoke** - The smoke emitted from the burning end of a cigarette or from other tobacco products usually in combination with the smoke exhaled by the smoker.
- 1.15. **Smoking** - Having on one's position or control, an emission producing tobacco product, electronic device systems and shisha whether or not the smoke is being inhaled or exhaled.
- 1.16. **Tobacco advertising and promotion (Sec 4)** - Any form of commercial communication, recommendation or action with the aim, effect or likely of promoting a tobacco product or tobacco use directly or indirectly, including but not limited to any message or image prompting smoking, tobacco products, brand names, or tobacco company names or any material or structure that contains these such as posters, streamers, signages, standees, billboards, fliers, umbrellas, CD, film, caps, shirt, towels, mugs, candies, stickers etc...
- 1.17. **Tobacco products (Sec 4)** - Refer to entirely or partly made of the leaf tobacco as raw material which are manufactured to be used for smoking, sucking, chewing or snuffing such as but not limited to cigars, cigarettes, cigarillos;
- 1.18. **Workplace (Sec 4)** - Any place used by people during their employment or work, whether done for compensation or voluntarily, including all attached or associated places commonly used by the workers in the course of their work (i.e. corridors, elevators, stairwells, toilets, lobbies, lounges) Vehicle used in the course of work are considered workplaces.
- 1.18. **First Hand Smoke** : Smoke emitted from burning end of a cigarette or other tobacco products.
- 1.19. **Second Hand Smoke** : Smoke emitted from burning end of a cigarette or other tobacco products in combination w/ the smoke exhaled by the smoker.
- 1.20. **Third Hand Smoke** : The combination of cigarette by-products that cling to smokers' hair and clothing ,floors, surfaces, carpets, furniture, appliances, fabrics and children's toys – even after tobacco smoke has cleared.
- 1.21. **Juridicial** : Entity (such as a firm) other than a natural person (human being) created by law and recognized as a legal entity having distinct identity, legal personality, and duties and rights.

Title II – HEALTHFUL ENVIRONMENT

Rule I – Smoking Ban and Designation of Smoking Areas

“DUGAD MO SHALOSIM”

Mailing Address: La Trinidad Municipal Hall
Km. 5, La Trinidad, Benguet 2601
Tel. No: (074) 422-2601

Email Address: mayorsoffice@latrinidad.gov.ph
mayorsit@yahoo.com
Website: www.latrinidad.gov.ph



Section 1. Smoking ban in public places. – Smoking shall be absolutely prohibited in the following public places:

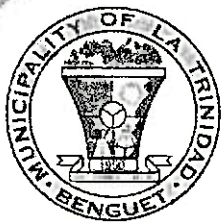
- 1.1. Centers of youth activity such as playschools, preparatory schools, elementary schools, high schools, colleges and universities, youth hostels, and recreational facilities for persons under eighteen (18) years old. Such recreational facilities for persons under eighteen (18) years old shall include, but are not limited to, playgrounds;
- 1.2. Elevators and stairwells;
- 1.3. Locations in which fire hazards are present, including gas stations and storage areas for flammable liquids, gas, explosives or combustible materials;
- 1.4. Within the buildings and premises of public and private hospitals, medical, dental, and optical clinics, health centers, nursing homes, dispensaries and laboratories;
- 1.5. Public conveyances and public facilities including airport and ship terminals and train and bus stations, restaurants and conference halls, except for separate smoking areas; and
- 1.6. Food preparation areas. When used in these Rules, food preparation areas shall include areas where food or beverage is actually being manufactured or prepared.

Section 2. Designation of smoking and non-smoking areas. – In all enclosed places that are open to the general public, public and private workplaces, and other places not covered by Section 1 of this Rule, where smoking may expose a person other than the smoker to tobacco smoke, the owners, proprietors, operators, possessors, managers or administrators of such places shall establish smoking and non-smoking areas. Such areas may include a designated smoking area within the building, which may be in an open space, or a separate area with proper ventilation, but shall not be located within the same room that has been designated as a non-smoking area. Designated smoking areas must meet the minimum criteria set by the ordinance. (Section 5 and 6 of Ordinance NO. 8-2014)

Section 3. Standards for designated smoking area. – The owners, proprietors, operators, possessors, managers or administrators of establishments not covered by Section 1 of this Rule shall determine the size and specifications of the smoking or non-smoking area: Provided, That the following standards shall be observed:

- 4.1. The designated smoking area other than in an open space shall be completely enclosed or physically separated from the rest of the premises and equipped with adequate ventilation in conformity with the provisions of Presidential Decree No. 1096, otherwise known as the "National Building Code", and the Philippine Society of Mechanical Engineers Code.
- 4.2. Separation of the designated smoking area other than in an open space shall be effected through any of the following means:
 - 4.2.1. The designated smoking area must be fully separated from smoke-free area by continuous floor-to-ceiling or floor-to-floor solid partitions which are interrupted only by doors equipped with door closers, and which must be constantly closed except when a person is entering or exiting the area; or
 - 4.2.2. The designated smoking area must be set apart, enclosed or confined by means other than those described in Section 4.2.1 above: Provided, That said means enable compliance to air quality standards set forth in the National Building Code and the Philippine Society of Mechanical Engineers Code. Said

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standards are reproduced and attached herewith as "Schedule A", and made an integral part of these Rules.

Section 5. Signage for designated smoking and non-smoking areas – All designated smoking areas shall have at least one (1) legible and visible sign posted saying "SMOKING AREA", in English or Filipino, for the information and guidance of all concerned. The sign shall be placed conspicuously at the entrance to the designated smoking area and shall be in accordance with the specifications set forth in Section 7 of the Ordinance. In addition, the sign or notice shall include a warning in English or Filipino about the ill effects of both direct and secondary exposure to tobacco smoke. Under no circumstances shall any mark, device, word, or image associated with any tobacco company or product be included in any of these signs and materials. Non-smoking areas shall likewise have at least one (1) legible and visible sign posted saying "NON-SMOKING AREA" or "NO SMOKING".

Title III – ACCESS RESTRICTIONS

Rule 1. Requirements for Self-Service Facilities and Point-of-Sale

Section 1. Vending machines and other self-service facilities. – The sale or distribution of tobacco products by means of a vending machine or any self-service facility or similar contraption or device is prohibited, unless the vending machine has a mechanism for age verification.

Section 3. Signage a point-of-sale. – Point-of-Sale establishments offering, distributing or selling tobacco products to consumers shall post the following statement in a clear and conspicuous manner: "SALE/DISTRIBUTION TO OR PURCHASE BY MINORS OF TOBACCO PRODUCTS IS UNLAWFUL" or "IT IS UNLAWFUL FOR TOBACCO PRODUCTS TO BE SOLD/DISTRIBUTED TO OR PURCHASED BY PERSONS UNDER 18 YEARS OF AGE."

Rule II. Minimum Age for Access to Tobacco Products

Section 1. Minimum age requirement. – The sale or distribution to, as well as the purchase from, any minor of cigarettes and other tobacco products is absolutely prohibited. As such, it shall be unlawful:

- 1.1. For any retailer of tobacco products to sell or distribute tobacco products to any minor;
- 1.2. For any person to purchase cigarettes or any tobacco products from a minor;
- 1.3. For a minor to sell or buy cigarettes or any tobacco products; and
- 1.4. For a minor to smoke cigarettes or any tobacco products.

Section 2. Ignorance of real age of minor not a defense. – It shall not be a defense for the person selling, distributing or purchasing cigarettes or any tobacco products that he/she did not know or was not aware of the real age of the minor to whom said cigarettes or any tobacco products was sold or distributed, or from whom they were purchased, as the case may be. Neither shall it be a defense that he/she did not know nor had any reason to believe that the cigarette or any other tobacco product was for the consumption of the minor to whom it was sold.

Section 3. Sale of tobacco products within the perimeters of centers of youth activity. – The sale or distribution of tobacco products is prohibited within one hundred (100) meters from any point of the perimeter of a school, public playground or other facility frequented particularly by minors. "DUGAD MO SHALOSIM"



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Section 4. Proof of age verification. – In case of doubt as to the age of the buyer, retailers shall verify, by means of any valid form of identification paper containing both the photograph and the date of birth of the bearer, such as, but not limited to, passport, driver's license, Social Security System identification card, postal identification card and the like, that the buyer is at least eighteen (18) years old.

Title IV – PENALTIES AND ENFORCEMENT PROCEDURES

Rule I – Penalties

Section 1. Punishable acts. – The following acts are punishable under the Act:

- 1.1. Smoking in designated public places where smoking is prohibited (Sec. 5 Ordinance No. 8-2014;
- 1.2. Non-compliance by the owners, proprietors, operators, possessors, managers or administrators of enclosed places open to the general public, public and private workplaces;
- 1.3. Sale or distribution of tobacco products by means of a vending machine or other self-service facility, unless the vending machine or similar contraption has a mechanism for age verification;
- 1.4. Non-compliance by the retailer to the requirements the Ordinance with respect to tobacco-related self-service displays or facilities, or to remove such non-compliant self-service displays or facilities;
- 1.5. Sale of tobacco products to or by a minor;
- 1.6. Sale of tobacco products within one hundred (100) meters from any point of the perimeter of a school, public playground or other facility frequented particularly by minors under Section 5c of the Ordinance;
- 1.7. Non-compliance with the required signage in point-of-sale establishments;

Section 2. Penalties. – The following penalties shall apply:

- a. For violation of Section 5 of the Ordinance. – On the first offense, a fine of One Thousand Five Hundred Pesos (Php 1, 500.00) shall be imposed.
On the second offense, a fine of Two thousand Pesos (2,000.00) shall be imposed.
On the third and subsequent offenses, a fine of Two Thousand Five Hundred Pesos 2,500.00 shall be imposed.
Or imprisonment of up to period less than 1 year or both, at the discretion of the court.
- b. Suspension of license/permit. In addition to the fine, the license/permit to operate of any or of any public land transport terminal covered by the ordinance will be suspended upon;
 - 1) Failure to take corrective action despite notice within ten (10) calendar days of the receipt of such notice, or;
 - 2) Failure to pay the fine indicated in a citation ticket within ten (10) calendar days of its issuance, regardless of whether or not the citation ticket was accepted.

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- c. Confiscation/removal of tobacco advertising. In addition to fines/suspension/closure, the tobacco advertising found in violation of this ordinance shall be removed/confiscated and destroyed by the deputized authorities concerned after due notice.
- d. Closure Order. The Municipal Health Office shall recommend to the Municipal mayor, immediate closure of establishment that;
 - 1) Continue operation despite the suspension of the license/permit, or
 - 2) Fail to take corrective action despite the receipt of two (2) notices in the form of warnings or citation ticket within ten (10) calendars days from the receipt of the second notice.
 - 3) Reinstallation or re-posting/distributing removed/confiscated tobacco advertising.
- e. If the violator of the prohibited acts enumerated in the ordinance is a minor, he/she shall be properly dealt with in accord with the provisions of the Children in Conflict with the Law or ordinance of the Municipality;
- f. If the violator of the ordinance is the operator and or driver of any public conveyance, the imposition of penalties enumerated under section 9 of the ordinance hereof shall not prejudice the imposition of penalties as provided under Memorandum Circular dated 2009-036 of the Land Transportation and Franchising Board (LTFRB), Re: "100% Smoke Free Public Utility Vehicles (PUV"s) and Public Land Transportation Terminals".
- g. If the violator is a government official or employee, in addition to the applicable penalties provided under this section, he/she shall be dealt with administrative sanction, as per CSC MC No. 17, series of 2009.

Section 3. Lifting of the Suspension Order. Such order shall be lifted only after the erring establishment or public land transport terminal has complied with the following requirements:

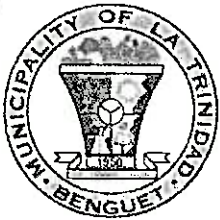
- a. Submission of a written request to the Municipal Health Office for re-inspection.
- b. Payment of re-inspection fee of P200.00.
- c. Upon re-inspection, the establishment must be in full compliance with the ordinance.
- d. Secure from the health department an endorsement to lift the suspension/closure order to be forwarded to the proper office for approval.

Section 4. Community Service. If the violator is unable or unwilling to pay the fines imposed, he may choose to render community service to the LGU. For every hour of community service rendered, his outstanding fine shall be reduced by an amount to triple the hourly minimum wage of the LGU.

Section 5. Clearance for New Buildings/Establishments. All new buildings/establishments that propose to sell/advertise tobacco products or establish designated smoking areas shall secure a clearance from the Tobacco Control board prior to their application for business/building permits and submit specifications for the DSA along with their application for building permits. The building officer shall consider this clearance as an additional requirement for the issuance of building permits and shall include the requirements of this ordinance in his inspection checklist.

Section 6. Compliance to the ordinance as additional requirement of health department Sanitation Standards. Compliance to the ordinance shall be made an additional requirement of health department Sanitation standards. The health department shall prepare separate checklist based on the foregoing requirements. Establishments found in violation of the ordinance are considered to be below sanitation standards.

Section 7. Compliance to the ordinance as additional requirement of business permits and license applications and renewals. Compliance to the ordinance shall be



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made an additional requirement for the issuance of business permits and licenses. Compliance with the requirements of this ordinance shall form part of the checklist of requirement for application of permits/licenses.

- a. Establishments found in violation of the ordinance or fail to comply with the requirements thereof shall not be issued permits/license to operate.
- b. Establishments within 100 meter perimeter of schools, playgrounds and facilities frequented by minors shall not be allowed to sell or advertise tobacco products.
- c. All business permits and licenses shall be stamped/marked with the following notations, where applicable:

STRICT PROHIBITIONS:

1. **SMOKING WITHIN OR OUTSIDE PREMISES.**
2. **SELLING, DISTRIBUTING, OR PROMOTING TOBACCO PRODUCTS TO MINORS.**
3. **TOBACCO ADVERTISING EXCEPT INSIDE THE PREMISES OF AN AUTHORIZED/LICENSED RETAIL ESTABLISHMENT.**
4. **SELLING WITHIN THE 100 METER PERIMETER OF THE SCHOOL, PLAYGROUND OR FACILITY FREQUENTED BY MINORS.**

Title V. MUNICIPAL TOBACCO CONTROL BOARD.

Section 1. Creation of the Municipal Tobacco Control Board. Local tobacco control board shall be created and established in the Municipality of La Trinidad, Benguet to plan tobacco control measures and aid in the implementation, monitoring and enforcement of this ordinance, as well as to undertake educational awareness campaigns, information dissemination, and capacity building programs, for the constituents and enforcement officers.

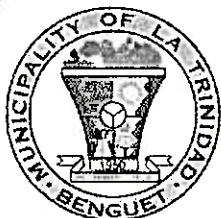
Section 2. Composition:

| | |
|-----------------|--|
| Chairperson: | Municipal Mayor |
| Co-Chairperson: | Municipal Health Officer Municipal Vice-Mayor |
| Members: | SB Chairman, Committee on Health & Peace and Order Representative, Municipal Engineering Office Municipal Tourism Action Officer Representative, Municipal Treasurers Office Representative, Municipal Treasurer's Office Business Licensing Office Chief of Police, LTMP BFP Municipal Agricultural Office Municipal Legal Officer ABC President MLGOO Representative, Provincial Health Office Representative, Benguet Provincial DOH Office Representative, Business Sector Representative, Academe Representative, Student Organization Representative, Religious Sector Representative, Media Representative, CSO Representative, DOH |

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Mailing Address: La Trinidad Municipal Hall
Km. 5, La Trinidad, Benguet 2801
Tel. No: (074) 422-2601

Email Address: mayorsoffice@latrinidad.gov.ph
mayorslt@yahoo.com
Website: www.latrinidad.gov.ph



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Section 3. Functions. The La Trinidad Tobacco Control Board shall have the following functions:

1. Recommend to the offices of the Municipal Mayor and the Sangguniang Bayan relevant policies, programs and activities relative to tobacco control in the municipality for implementation and/or for local legislation;
2. Assign hotline or any other number to which violations of this ordinance may be reported by telephone call or by Short Messaging System (SMS)/Text, and a person to operate the line and record reports;
3. Initiate and promulgate and as often as necessary, update the necessary Implementing rules and Regulation (IRR) of the ordinance for its smooth enforcement and implementation;
4. Develop and produce information, education and communication materials on the harms of tobacco use and second-hand smoke as well as on the provisions of this ordinance;
5. Encourage constituents to monitor and report violations of this ordinance;
6. Assist the municipal government in developing smoking cessation programs;
7. Publicize activities related to the implementation and enforcement of this ordinance;
8. Supervise the La Trinidad Tobacco Control Enforcement Unit in the conduct of inspection activities as provided in this ordinance;
9. Conduct promotion awareness of this ordinance and encourage public support and participation in its implementation and enforcement;
10. Develop and conduct orientation and training seminars for enforcers and inspection teams;
11. Establish a municipal database that will facilitate monitoring and reporting of violations;
12. Evaluate the effectiveness of the implementation and enforcement of this ordinance;
13. Develop an annual municipal tobacco control plan for inclusion in the annual operational and investment plan for health.

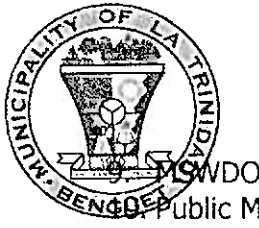
Title V. LA TRINIDAD SMOKING CONTROL ENFORCEMENT UNIT

Section 1. SMOKEFREE TASK FORCE. To ensure a smooth implementation of the ordinance, there shall be created, under the Municipal Mayor's Office direct supervision and control, a unit to be known as the "La Trinidad Smoking Control Enforcement Unit" which shall act as the liaison, coordinating and enforcement office. This unit shall also be called the "**Smokefree Task Force** or **Anti-Smoking Task Force**."

Section 2. Composition –The Task Force shall be composed of the following

1. Municipal Health Office –Lead Agency
2. Municipal Engineering Office
3. Business Permits and Licensing Office
4. Municipal Tourism Office
5. PNP
6. BFP
7. Barangay Officials
8. Community Affairs Office/Information Officer

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Public Market Supervisor

11. HRMO

12. BHW

15. La Trinidad Women's Brigade

Section 3. DUTIES OF TASK FORCE MEMBERS— Each task force member shall be responsible for compliance with duties of the task force duties as well as specific provisions of this Ordinance that correspond to their duties and functions in addition.

1. The Municipal Health Officer or its representative shall:

- a. Act as overall coordinator among all other LGU offices for the effective implementation of this ordinance.
- b. Include enforcement of this Ordinance as part of the health program and targets
- c. Acts as focal person to receive complaints
- d. Mobilize enforcers to inspect/verify complaints receive
- e. Develop and promote a smoking cessation/counseling program/facility
- f. Recommend to the Municipal Mayor for the suspension or revocation of permits & licenses of establishments found to have violated this ordinance, subject to provisions of sec 9`.

2. The Sanitation Office (Inspection Team Members) shall:

- a. Incorporate the appropriate requirements of this ordinance in the sanitation standards and assign regular inspection of establishments.
- b. Be in charge of overall monitoring of the status of compliance to this ordinance by business establishments.
- c. Issue citation tickets to establishments found to have violated this ordinance during inspection.
- d. Recommend to the Municipal Health Officer for the suspension or revocation of permits & licenses of establishments found to have violated this ordinance, subject to provisions of sec 9.

3. The Business Permits & Licensing Officer (Inspection Team Members) shall:

- a. Incorporate the appropriate requirements & compliance of this ordinance by Business Establishments during regular inspection of establishments.
- b. Assist the monitoring of the status of compliance to this ordinance by business establishments.
- d. Issue citation tickets to establishments found to have violated this ordinance during inspection.
- e. Implement the suspension of permits & license/s or closure of the establishments found to have violated this ordinance, subject to provisions of sec 9.

4. Municipal Engineering Office (Building Official) shall:

- a. Conduct inspection activities in accordance with this ordinance.
- b. Determine whether a public place or workplace is enclosed or partially enclosed.
- c. Review application for designated smoking areas & determine whether these comply with the requirements of this ordinance.
- d. Determine whether the establishment complies with the ban in outdoor establishment.
- e. Determine the 100 meter perimeter radius from the school playground or facility frequented by minors.

5. The PNP representative shall:

- a. Issue citation tickets & Apprehend violators in accordance with this ordinance or pertinent laws.

“DUGAD MO SHALOSIM”

Mailing Address: La Trinidad Municipal Hall
Km. 5, La Trinidad, Benguet 2601
Tel. No: (074) 422-2601

Email Address: mayorsoffice@latrinidad.gov.ph
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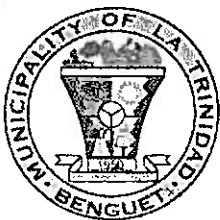


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- b. Assist deputized civilians & local government officers in apprehending violators & in filing appropriate complaints.
 - c. Overall in charge on the apprehension of individual & public conveyance violators.
 - d. Member of the Inspection team for establishments.
6. Municipal Tourism Action Officer shall:
 - a. Incorporate the promotion of the compliance of the community in all tourism projects & activities.
 - b. Incorporate Smoke-free La Trinidad campaign in the promotion of La Trinidad as a Valley of Colors.
 7. Bureau of Fire Protection shall:
 - a. Incorporate the compliance of this ordinance during their regular inspection of establishments.
 - b. Issue citation tickets of establishments found to have violated this ordinance during their regular inspection.
 8. Punong Barangay / Barangay Officials shall:
 - a. Promote & advocate the compliance of their constituents to this ordinance.
 - b. Issue citation tickets to individuals or establishments found to have violated this ordinance in their respective barangays.
 9. Municipal Treasury Office shall:
 - a. Collect & receive fines paid by violator.
 - b. Prepare & update database of violators & fines collected from the violation this ordinance.
 10. Municipal Environment and Natural Resources Officer:
 - a. Incorporate the promotion of Smoke-free La Trinidad in the programs of its office.
 - b. Assist in the inspection of establishments.
 - c. Issue citation tickets to violators found to have violated this ordinance.
 - d. Determine area of the Community Service.
 11. Community Affairs Office/Information Officer shall:
 - a. Promote the compliance of the community on the ordinance in the different barangays.
 - b. Act as information officer in the dissemination of the implementation of the ordinance.
 12. Representative of one or more Civil Society Organization (CSOs) duly designated by the Municipal Health Officer in accordance with Section 12 of the Ordinance.
 - a. Promote the compliance of the community on the ordinance in the different barangays.
 13. Deputized Enforcers shall:
 - a. Monitor & inspect the public places covered by this ordinance
 - b. Report violations, Issue citation tickets & submit reports of compliance to the PNP & MHSO.
 - c. Act as complainant or witness in any criminal or administrative proceeding against violators of this ordinance.
 - d. Conduct a citizen's arrest pursuant to Rule 113 Section 9 of the Rules of Criminal Procedure when an individual violator refuses to cease smoking in a prohibited area even after fair warning has been given.
 - e. Seek assistance from the PNP in conducting an arrest.

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MUNICIPALITY OF LA TRINIDAD

Office of the Municipal Mayor

14. La Trinidad Women's Brigade shall;

- a. Promote the compliance of the community on the ordinance in the different barangays.
- b. Issue citation tickets to violators found to have violated this ordinance.

15. HRMO shall;

- a. Incorporate the promotion of Smoke-free La Trinidad in the programs of its office.

16. Public Market Supervisor shall;

- a. Promote the compliance of the community on the ordinance in the different barangays.

17. MSWDO shall;

- a. Be in charge of provisions of diversionary mechanism to minor violators in accordance to CICAL Ordinance of La Trinidad and RA 9344 (AN ACT ESTABLISHING A COMPREHENSIVE JUVENILE JUSTICE AND WELFARE SYSTEM, CREATING THE JUVENILE JUSTICE AND WELFARE COUNCIL UNDER THE DEPARTMENT OF JUSTICE, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES.

Title VI – Issuance of Citation Ticket

See MOP 3.1e.2 and TCO No 8-2018; sections 18 & 21

Section 4. No members of the task force shall represent or receive any contribution or compensation directly or indirectly whether financial or otherwise from the tobacco industry.

Title VII – Repealing Clause

Section 1. Repealing clause. – All previous rules and regulations inconsistent with this IRR shall be deemed repealed or modify accordingly.

Rule VIII – Separability Clause

Section 1. Separability Clause. – If any part of this IRR is declared judicially as unconstitutional or unlawful, such declaration shall not affect the other parts or sectors hereof that are not unlawful or unconstitutional.

Rule IX– Effectivity

Section 1. Effectivity. – These Implementing Rules and Regulations shall take effect fifteen (30) from the date of approval of Municipal Ordinance No. 8-2014.

ROMEO K. SALDA
Municipal Mayor

Date: SEP 13 2016

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