



Republic of the Philippines
Province of Aklan
MUNICIPALITY OF MALAY



Office of the Sangguniang Bayan

MUNICIPAL ORDINANCE NO. 221
Series of 2005

AN ORDINANCE REQUIRING ALL FOOD HANDLERS, BARTENDERS AND OTHER SIMILAR SERVICE PROVIDERS TO SECURE OCCUPATIONAL PERMIT OR LICENSE FROM THE OFFICE OF THE MAYOR BEFORE ENGAGING IN RESPECTIVE TRADE WITHIN THE JURISDICTION OF LGU-MALAY.

SECTION 1. - RATIONALE. With the growth of the tourism industry in LGU-Malay, establishment of resorts, hotels, restaurants, entertainment center and other tourism related establishments have been steadily increasing particularly in Boracay Island. In effect, the demand for personnel and staff to man these various tourism related enterprises is also increasing resulting to the influx of job seekers from all over the country. It is in this regard that proper regulations must be put in place to ensure that aforesated probable staff, personnel or employees comply with the Municipal Health and security requirements for the safety of tourists and guests with whom they usually come into contact with. Hence this piece of legislation.

SECTION 2. - DEFINITION OF TERMS AND/OR PHRASES. For purposes of this ordinance, the following terms and/or phrases shall mean:

FOOD HANDLERS - refer to any person who in one way or the other occupation has something to do with food preparations, catering, serving, preservation and/or safekeeping to include but not limited to the following: chefs, cooks, bakers, kitchen staff and food servers;

OTHER RELATED SIMILAR SERVICE PROVIDERS - refer to anybody who provides service to tourists and guests in line with food and beverages provisions.

SECTION 3. - OCCUPATIONAL PERMIT. MANDATORY. It shall be mandatory of all food handlers, bartenders and other similar service providers to secure an occupational permit or license from the Office of the Chief Executive of LGU-Malay before engaging in their respective trade within the jurisdiction of this local government unit. This occupational permit/license must be renewed every January of issuing year. In view thereof, no establishment shall be allowed to hire employees without said occupational permit.

SECTION 4. - REQUIREMENTS. OCCUPATIONAL PERMIT. The following requirements shall be complied before an occupation permit or license shall be issued:

- a) Medical Certificate issued by LGU-Malay Municipal Health Office.
- b) Police Clearance issued by the Philippine National Police where the applicant resides.
- c) Barangay Clearance issued by the Punong Barangay of the place where the applicant resides.

d) Payment of appropriate regulatory fees.

SECTION 5. **OCCUPATIONAL PERMIT/LICENSE FEE.** Upon application, LGU-Malay shall collect an Occupational Permit/License Fee in the amount of TWO HUNDRED PESOS (•200.00) to be paid by the applicant to the Municipal Treasurer's Office or to its authorized representative.

SECTION 6. **PENALTIES.** Any person who violates pertinent provisions of this ordinance shall suffer the following fines and penalties:

FOR VIOLATION OF SECTION 3 - Stern warning, a fine of FIVE HUNDRED PESOS (₱500.00) for the first offense for the offender and THREE HUNDRED PESOS (₱300.00) per employee for the establishment where the offenders work. TWO THOUSAND FIVE HUNDRED PESOS (₱2,500.00) for the offender and ONE THOUSAND PESOS (₱1,000.00) per employee for the establishment on the second and subsequent offenses, closure of establishment.

SECTION 8. **AMENDMENTS.** All ordinances, rules and regulations, or parts thereof, provisions of which are in conflict with, or contrary to, the provisions of this ordinance are hereby repealed, amended, or modified accordingly.

SECTION 9. **DATE OF EFFECTIVITY.** This Ordinance shall take effect upon its approval and proper publication.

ENACTED. JANUARY 19, 2005.

APPROVED. FEBRUARY 9, 2005.

CERTIFIED TRUE COPY:



CONCORDIA S. ALCANTARA

Secretary to the Sangguniang Bayan

APPROVED. SP RESOLUTION NO. 05-131, dtd. 4-20-05

