



Republic of the Philippines
OFFICE OF THE SANGGUNIANG BAYAN
Municipality of Bongabong
Province of Oriental Mindoro



EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE 10TH SANGGUNIANG BAYAN OF BONGABONG, ORIENTAL MINDORO HELD ON FEBRUARY 7, 2022 AT THE SANGGUNIANG BAYAN SESSION HALL, 2ND FLOOR, EXECUTIVE AND LEGISLATIVE BUILDING, POBLACION BONGABONG, ORIENTAL MINDORO

PRESENT:

Hon. RICHARD S. CANDELARIO	VICE-MAYOR Presiding Officer
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Hon. JAYSON M. BARCELONA	MEMBER
Hon. ALFONSO A. MONTALBO, DMD	MEMBER
Hon. EVELYN B. ALEA	MEMBER
Hon. ARNOLD R. VARGAS	MEMBER
Hon. DOLORES U. DE GALA	MEMBER
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Hon. NIÑO G. LIWANAG	MEMBER
Hon. LOVELY MAE A. ANULAO	S.K. REPRESENTATIVE
Hon. MAYNARD M. PANGANIBAN	PRESIDENT, ASSOCIATION OF PUNONG BARANGAYS
Hon. MATIGON T. SULIGAN	IPMR

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MUNICIPAL ORDINANCE No. 2022-01

AN ORDINANCE REGULATING STREET FOOD TRADE IN THE MUNICIPALITY OF BONGABONG, ORIENTAL MINDORO AND ENSURING THE QUALITY AND SAFETY OF FOODS AND FOOD PRODUCTS BEING SOLD OR OFFERED AT STREET FOOD TRADE FACILITIES AND BY STREET FOOD VENDORS

AUTHOR: HON. DOLORES U. DE GALA

WHEREAS, due to globally changing nature of working environments and lifestyles, more and more people tend to patronize inexpensive meals outside their homes;

WHEREAS, due to this growing demand for inexpensive, ready to eat and easily accessible foods, Street Food Vending Trade is becoming a source of income among different sectors or individuals in the community;

WHEREAS, while street foods maybe inexpensive , studies showed that these foods pose significant health risk because most of them are prepared below food safety standards and vendors are not knowledgeable on food safety and proper waste management;

WHEREAS, the food-borne illness is a constant threat to a growing society but it can be prevented with proper care and handling of foods and food products;

WHEREAS, it is the policy of the Municipal Government of Bongabong , Oriental Mindoro to protect its constituents and the people in the community from the threats of communicable illness such as water and food-borne disease;

WHEREAS, because of this increasing Street Food Trades and growing number of Street Food Vendors, the Municipality of Bongabong deems it necessary to regulate such street food trades in order to maintain quality and safety of the foods being sold or offered in these facilities or by the vendors;

NOW THEREFORE, BE IT ORDAINED BY THE SANGGUNIANG BAYAN OF BONGABONG, ORIENTAL MINDORO, in session assembled, THAT;

SECTION 1. TITLE. This ordinance shall be called the Street Food Trade Ordinance of the Municipality of Bongabong.

SECTION 2. DEFINITION OF TERMS. As used in this ordinance, the following terms shall be defined as:

- a. Street Food Trade (SFT) - any form of food trade utilizing stall, movable stand, mobile food shop, food cart, table or similar structures which is non-permanent in nature and which are generally categorized as movable, rolling and walking food trade used as eating place for the sale of food or for the storage, display, exhibition or exposure of food for retail.
- b. Street Food Vendor (SFV) – any person who is involved in street food trade whether as direct seller or acting as supervisor or manager in street food trade.
- c. Appliance – any utensil, machinery, instrument, apparatus or any article used or intended for use in/for making, keeping, preparing or supplying of any food.
- d. Designated Street Food Vending Area – an area within the municipality that has been approved by the local government to be the location of street food trade on specified time of the day. These areas(s) which shall be appropriately provided with facilities such as water supply, drainage and toilet can be a portion or section of street side walk, recreation/amusement parks, parking areas or bus/jeep/railway/ship terminals.
- e. Easily Cleanable – means that surfaces are readily accessible and are made such material and finish that dirt materials/residues can be easily removed or cleaned by normal cleaning methods.
- f. Equipment – items other than utensils used in the storage, preparation display and transportation of food such as stoves, oven/hood, slicers, grinders, mixer, scalers, meat blocks, tables, food shelves, refrigerators and freezers, sink ice makers and similar items used in the operation of street food trade.
- g. Food – Contact Surfaces- surfaces of equipment and utensils with which food normally comes into contact and those surfaces from which food may drain, drip or splash back.
- h. Group “A” STREET FOOD TRADE – includes food stall, food shops, food stands and other non-permanent structures that can be moved within designated food vending areas or transferred to other approved vending areas.
- i. Group “B” STREET FOOD TRADE – includes mobile food shops, wagons, food carts and all other rolling food stores or on wheel food vending structures, vehicles or containers which are moving around or stationary for certain hours of the day in an approved vending areas.
- j. Group “C” STREET FOOD TRADE – includes all hand-carried, shoulder-carried food items in containers or “walking food trade” or food trade by foot and are allowed only to sell bottled food drinks, biscuits, confectionaries and other prepared/packaged foods. This group of street food trade is prohibited to sell food that requires the use of eating utensils unless the food is properly packed or placed in a package intended for the purpose.
- k. Packaged – means bottled, canned, cartooned, bagged, or securely wrapped.
- l. Highly Perishable Food – any food that consist in whole or in part of milk product is capable of supporting rapid growth of infectious or toxigenic micro-organisms.

SECTION 3. APPROVAL, PERMITS AND FEES.

- a. It shall be unlawful for any person or entity to operate or conduct a street food trade without first securing a Street Food Trade Permit (SFTP) from the Business Permit and Licensing Office of the municipality. This permit

shall be issued to any applicant upon compliance with the following requirements;

1. Barangay Clearance
 2. Sanitary Permit Inspection of Municipal Health Office
 3. Certificate of Training (issued by food Safety Inspection Team/MHO)
 4. Payment of Business Permit Fee.
- b. The Street Food Trade Permit shall be valid for one year from the date of issuance and shall be renewed every year upon compliance with the requirements listed in Section 2a. Such permit maybe suspended by the Local Health Authority upon recommendation by the Municipal Health Officer or by the Food Safety Inspection Team.
- c. Street Food Trade Permit (SFTP) shall be posed in a conspicuous place in the Group “A” and “B” STREET FOOD TRADE and in cases of group “C” STREET FOOD TRADE, it shall always be carried or made available upon request of the Food Safety Inspection Team or Municipal Inspection Team.
- d. In consideration of the financial capability of street food vendors, the Business Permit Fee that will be required prior to issuance of STREET FOOD TRADE PERMIT shall be reduced to 50% of the regular fees being collected by the municipality.
- e. The business Permit Fee which shall be collected prior to the issuance of STREET FOOD TRADE PERMIT shall be composed of the following:
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|---------------------------|----------|
| 1. Sanitation Fee | P 60.00 |
| 2. Garbage Collection Fee | P 120.00 |
| 3. Permit Fee | P 50.00 |
- f. Fees that will be collected by the barangay for clearances or for any other certification or documentation in relation to securing STREET FOOD TRADE FEE shall likewise be reduced to 50% of the prevailing rate.
- g. In case of change in the ownership of any Street Food Trade, the new owner shall within seven (7) days inform the Municipal Health Officer to have such change of ownership noted in the record. The new owner likewise, shall within fourteen (14) days after change in the ownership notification, attend the Basic Food Safety Training being conducted by the Municipal Health Office or by the Department of Science and Technology (DOST);

SECTION 4. HEALTH CERTIFICATE

- a. All Street Food Vendors (SFV) shall process an up-to-date health certificate issued by the sanitation section of the Municipal Health Office. The health certificate shall be valid for one (1) year from the date of issue. It must be renewed every year or more often as maybe required by the Municipal Health Officer for valid health and safety reasons.
- b. The following shall be the requirements prior to the issuance of health certificate.
1. Updated laboratory
 - Chest X-ray or Direct Sputum Smear Microscopy(DSSM)
 - (Valid if taken within 6months)
 - Stool Exam (Valid if taken within one month)
 2. Certification of Food Handler’s Training issued by MHO or food Safety Team. The certificate of training is valid for three years.
 3. Health Certificate Fee of P50.00
- c. The Health Certificate of Street Food Vendors (SFV) shall at all times, while engaged in their work, be clipped on the upper left front portion of their garment for identification.

SECTION 5. DESIGNATION OF STREET FOOD VENDING AREA.

- a. The Location of the Designated Street Food Vending Area (DSFVA) shall be as recommended by the Technical Working Group and Food Safety team created by the Local Chief Executive.
- b. Designated food vending area shall be at least 25 meters away from any source of contamination.
- c. No Street Vending Area (SFVA) shall be allowed in the following locations unless recommended by the Food Safety Inspection Team and approved by the Local Chief Executive.
 1. Within 5 meters of street junction/intersections.
 2. On Streets Adjacent to Market
 3. Within 5 meters on either side of a fire hydrants.
 4. On stairways
 5. Adjacent immediately in front of food establishments with legal business permit.
 6. Over manhole or drainage canals.
 7. On Driveways and entryways to Public buildings and places such as hospitals, fire stations, etc.

SECTION 6. STREET FOOD VENDORS.

- a. When a Street Food Vendor is found to have or is infected with a communicable disease as determined by the Municipal Health Officer or by the medical officer, he/she shall not be allowed to work in STREET FOOD TRADE in any capacity and his/her health certificate shall be temporarily suspended until cleared by the MHO or MO.
- b. In the absence of a prescribed uniform, all Street Food Vendor involved in STREET FOOD VENDOR TRADE Group A and B shall wear clean clothing, hairnet and body apron.
- c. In the absence of a prescribed uniform, all Street food Vendors who are involved in STREET FOOD VENDOR TRADE Group C shall be required to wear clean white shirt with sleeves and cap.
- d. All Street Food Vendors shall not eat or smoke while engaged in their work.
- e. All Street Food Vendors shall maintain high degree of personal cleanliness and hygiene during their work.
- f. All Street Food Vendors shall be required to attend a Food Handlers Class/Food Safety Training conducted by Bongabong Municipal Health Office before issuance of Food Handler's Training Certificate. Such certificate shall be valid for three years and can be renewed by attending a refresher food handler's class/food safety training from Bongabong Municipal Health Office.

SECTION 7. PRESCRIBED STANDARDS OF CONSTRUCTION

- a. The design and construction of Street Food Trade Facility for Groups A and B shall be of adequate size and shape so as to allow smooth and convenient movement of the Street Food Vendors and to allow sanitary display and storage of food products.
- b. The Materials to be used for the construction of Street Food Trade Facility shall be durable and can be easily cleaned especially the areas that come in contact with food or food products.
- c. All Street Food Trade facility must be provided with roofing and must be adequate enough to protect the Street Food Vendors and the food from the weather and/or overhead contamination.
- d. Foods displayed in the Street Food Trade Facility, especially cooked or processed food that are not packaged shall be properly encased by as

much as possible glass casing in order to prevent contamination with dust or contact with insects.

- e. In order to ensure standard and uniformity of the Street Food Trade Facility, the municipality through the Municipal Engineering Office shall make a design and prototype of the Street Food Trade Facility which can be given to qualified Street Food Vendors on easy terms and conditions.
- f. Tables, chairs and stools may be allowed in or near Street Food Trade Facility as long as they do not impede the movement of the pedestrian and/or vehicles.
- g. A hand washing facility shall be available at the Street Food Trade Facility. If water supply is unavailable, the facility shall at least have basin, water, soap and towel.

SECTION 8. SANITARY FACILITIES.

- a. Areas to be designated as Street Food Vending Areas must be provided with adequate supply of clean potable water either from the public water system or from any approved source of drinking water.
- b. For Street Food Trade Facilities that may require washing of dishes and utensils, the three-container method must be used in the absence of appropriate dishwashing facility:
 - B1. First container for washing with detergent.
 - B2. Second container for rinsing.
 - B3. Third container for sanitizing solution with at least 50ppm chlorine solution or other sanitizing method approved by the local health officer.
- c. Designated Street food Vending Areas must have as much as possible adequate number of toilet and hand washing facilities.
- d. Designated Street food Vending areas must have an appropriate drainage facility.
- e. Solid Wastes generated from the Street Food Trade must be properly segregated and stored in covered receptacles. Disposal of segregated wastes must be in accordance with the existing municipal ordinance on solid waste disposal.
- f. Insect and vermin control in the Street Food Vendors or owner/manager of the Street food Trade.
- g. Street food vending areas and its surrounding must be kept clean and sanitary at all times. Parts or portions of Street Food Trade facility that needs repair must be attended promptly and the facility must be maintained in good condition.
- h. Street Food Trade facility shall not be used for domestic purposes such as for sleeping, or keeping of domestic animals. It shall not be used for storing non-Street Food Trade materials and items such as household objects, equipments or supplies.
- i. Street Food Trade facilities shall not be used for gambling activities.
- j. No Street Food Trade facility shall sell or offer alcohol and tobacco products.

SECTION 9. ACCOUNTABILITY

- a. In order to promote accountability of owners and vendors of Street Food Trade especially with regards to quality and safety, all Street Food Trade facilities for group A and B must be properly labeled or must have adequate and easily recognizable signage bearing the trade or business name of the Street Food Trader.
- b. For Group C Street Food Trade, all food products must bear label on the outer portion of the packaging material. Label must contain the name of the store or the producer/manufacturer of the food products being sold, the contact number of the producer or manufacturer and the expiry date of the food product.

SECTION 10. TECHNICAL WORKING GROUP AND FOOD SAFETY INSPECTION TEAM

A1. There is hereby created a Technical Working Group (TWG) composed of the following:

Municipal Health Officer

Chairperson

and the following as members:

Sanitary Inspector
Representative from DOST
SB Chair on Health
SB Chair on Trade and Industry
SB Chair on Agriculture
MENRO
BPLO
Municipal Tourism Officer

The TWG shall perform the following functions:

1. Act as recommending body in the regulation of street food trade within the municipality.
2. Conduct inventory of street food and street food vendors within the municipality.
3. Assist in the formation of street food vendor's association and cooperative
4. Recommend companies/organization or cooperatives that can supply adequate and safe raw materials for Street Food Trade products.
5. Recommend design and mechanics of the fabrication and distribution of vending carts.
6. Recommend for the provision of financial assistance for projects and activities that promote food safety in street food trade.
7. Identify and recommend location/areas that can be designated as Street Food Trade vending area/s.
8. Coordinate with other local government units or other agencies on the regulation of street food vendors coming from other municipalities.

A2. Food Safety Inspection Team-There is hereby created a Food Safety Inspection Team composed of the following:

Municipal Health Officer of his or her representative as the Team Leader
Sanitary Inspector
Representative from DOST
MENRO
Municipal Treasurer

The Team shall perform the following functions:

1. Conduct food safety training for street food vendors through the Food Handler's Class being conducted by the Municipal Health Office.
2. Create, reproduce and distribute food safety educational materials.
3. Conduct regular inspection of street food trade facilities and vendors.
4. Conduct regular bacteriological examination of water/food and food products being sold or offered by Street Food Vendors or the Street Food Trade facility.
5. Recommend sanction/penalty/closure or temporary cancellation of Street Food Trade Permits or Street Food Vendors health

certificates upon violation or non-compliance of health and sanitary regulations by Street Food Trade owners and/or vendors.

SECTION 11. PENALTY CAUSE

- a. Any person found guilty of committing offense against the provisions of this ordinance shall have the following fine/s or penalties:

1st Offense - P300.00
2nd Offense - P500.00
3rd Offense - P750.00 and revocation or cancellation of health certificate and business permit.

SECTION 12. FUNDING

- a. An initial funding to defray the expenses necessary for or incidental to the implementation of this Ordinance in the amount of Five Hundred Thousand Pesos (P500,000.00) to be sourced from the available fund and is hereby allocated. Every year thereafter, such amount shall automatically be included in the Annual Budget of the municipality for the implementation and enforcement of this Ordinance, based on municipal plans and programs.
- b. The allocation shall be used but not limited to the following:
1. Manufacturing cost of the Street Food Trade Facility which shall be given to qualified Street Food Trade Vendors on pre-arranged terms and conditions.
 2. Cost of printing copies of this Ordinance, the Citation Tickets, and information, education and communication materials pertaining to food safety.
 3. Cost of inspection and enforcement by the Food Safety Inspection Team, including allowances for meals and transportation, the amounts of which shall be set by the Food Safety Technical Working Group subject to the usual auditing rules and regulations.
 4. Cost of training, meetings and seminars by the Technical Working Group and Food Safety Inspection Team.
 5. Cost of equipment and reagents needed for bacteriological testing of food.
 6. Incentive or reward for private citizens who report violations of this Ordinance.
 7. Other expenses associated with the implementation and enforcement of this Ordinance.
- c. Funds collected out of the penalties imposed upon violation of this ordinance shall accrue to a trust funds for exclusive use of Food Safety Program, Projects and Activities of the Municipality.
- d. Upon recommendation of the Sangguniang Bayan through a legislated resolution, the Local Chief Executive may enter into a Memorandum of Agreement with Non-Government Institution/agencies who may be willing to help in the financing of the programs, projects and activities pertaining to food safety.

SECTION 13. REPEALING CLAUSE – All executive orders, administrative regulations, and ordinances, or any parts thereof, which are inconsistent with this ordinance are hereby repealed or modified accordingly.

SECTION 14. SEPARABILITY CLAUSE – if, for any reason or reasons, any part of the provisions of this ordinance is declared to be invalid, other provision or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 15. EFFECTIVITY – This ordinance shall take force and effect upon approval and posting in the municipal bulletin board and in the bulletin boards of the all the thirty six (36) component barangays of the Municipality.

Certified true:

Atty. EDUARDO M. MAGSINO
Secretary to the Sanggunian

Attested by:

Hon. RICHARD S. CANDELARIO
Vice-Mayor and Presiding Officer

Approved:

Hon. ELEGIO A. MALALUAN, O.D.
Municipal Mayor
Date: _____