




Republic of the Philippines  
**MUNICIPALITY OF MATNOG**  
Province of Sorsogon



## OFFICE OF THE SANGGUNIANG BAYAN

**1st Indorsement**  
February 14, 2012

Respectfully indorsed to **Honorable Emilio G. Ubaldo, Municipal Mayor** the herein approved Municipal Ordinance No.10-2012 of the Sangguniang Bayan "THE SMOKE FREE ORDINANCE OF THE MUNICIPALITY OF MATNOG, SORSOGON," for approval.

  
**JOSEPHINE G. BAUTISTA**  
SB Secretary



Philippines  
**OF MATNOG**  
Sorsogon

**MUNICIPAL MAYOR**

**Indorsement**  
March 5, 2012

Returned to the Office of the Sangguniang Bayan  
Approved **Municipal Ordinance No. 10-2012**  
**SMOKE FREE ORDINANCE OF THE**  
**MUNICIPALITY OF MATNOG, SORSOGON** for  
action.

**EMILIO G. UBALDO**  
Municipal Mayor

OFFICE OF THE SANGGUNIANG BAYAN  
MATNOG, SORSOGON

**RECEIVED**

DATE: 3-09-12

BY: [Signature]



## OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN HELD AT THE SB SESSION HALL, MUNICIPAL BUILDING ON FEBRUARY 06, 2012 AT 1:00 IN THE AFTERNOON.

Present: Honorable Alex B. Dulay	Municipal Vice Mayor (Presiding Officer)
Honorable Christopher G. Hadap	Municipal Councilor
Honorable Joseph Alan G. Gacis	-do-
Honorable Edward Ruel T. Barlin	-do-
Honorable Evelyn S. Garaalde	-do-
Honorable Salvador L. Frencillo	-do-
Honorable Ernie G. Garcera	-do-
Honorable Benjamin R. Rili	-do-
Honorable Julio E. Garduque	-do- (LIGA President)
Honorable Rotchien P. Fuster	-do- (SKMF President)

Absent: Honorable Carlos G. Estrelon, Jr. Municipal Councilor

### MUNICIPAL ORDINANCE NO. 10-2011

#### THE SMOKE FREE ORDINANCE OF THE MUNICIPALITY OF MATNOG, SORSOGON

Author: Honorable Edward Ruel T. Barlin & Honorable Salvador L. Frencillo

BE IT ORDAINED by the Sangguniang Bayan of Matnog, that:

Section 1. The Ordinance shall be known as "THE SMOKE FREE ORDINANCE OF THE MUNICIPALITY OF MATNOG, SORSOGON"

Section 2. **DEFINITION OF TERMS** – As used in this ordinance, the following terms shall have the meaning ascribed to them in this section, unless the context of this usage indicates another meaning.

- a. Cigarette – roll of finely cut leaf tobacco, or any substitute thereof, wrapped in paper or any other materials;
- b. Cigar – a small roll of tobacco leaves prepared for smoking;
- c. Designated Smoking Area – refers to indoor area where smoking is allowed, physically separated from declared "smoke free" area, equipped with effective and strong ventilation so that smoke emanating there from does not drift, permeate or interrupted only by doors which must be constantly closed except during ingress or egress;
- d. Minors – refers to any person below eighteen (18) years old
- e. Point-of-Sale – refer to any location at which an individual can purchase or otherwise obtain tobacco products;
- f. Public Conveyance – refers to all places that are accessible or open to the public, whether or not by invitation or by payment, or all places for collective use, regardless of ownership, or right to access including but not limited to establishments that provide food, accommodation, drinks, professional services, merchandise, entertainment, public transportation or other services;
- g. Retailer – refers to any person who or entity sells tobacco products to individuals for personal consumption;
- h. Smoking – being in possession or control of a lit of tobacco product whether or not it is being inhaled or exhaled;

**Section 4. Smoke** – refers to 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

**Section 5. Tobacco product** – products made partly or entirely from tobacco leaf, which maybe smoked, sucked or otherwise consumed or used.

**Workplace** – refers to any place used by the people during their employment or work, including all attached or associated places used by the workers in the course of their employment as well as vehicles used in the course of work.

**SECTION 3. SMOKING BAN IN PUBLIC PLACES** – Smoking is strictly prohibited in all public places in the Municipality of Marikina, except in designated smoking areas. However, the following public places are hereby declared as absolutely smoking-free area

- a. All government/public buildings
- b. Schools in all levels, public or private
- c. Hospitals, medical clinics, health centers, laboratories and other health facilities
- d. Locations in which fire hazards are present, including gas stations and storage areas which are flammable liquid, gas, explosives or combustible materials;

**SECTION 4. DESIGNATED SMOKING AND NON-SMOKING AREAS** – In all indoors/enclosed places, private workplace and other places not covered under the preceding section, where smoking may expose a person other than the smoker to tobacco smoke, the owner, proprietor, operator, possessor, manager or administrator of such places shall establish smoking and non-smoking areas, such as areas may include a designated smoking area within the building, which may be in an open space or separate area with proper ventilation, but shall not be located within the same room that has been designated as a non-smoking area.

All designated smoking area shall have at least one (1) legible and visible sign posted saying "SMOKING" in English or Filipino, for the information and guidance of all concerned. In Addition, the sign of notice posted shall include a warning about health effects of direct or second hand exposure to tobacco smoke. Non-smoking areas is likewise have at least one (1) legible and visible sign, namely, "NON-SMOKING AREA", or "NO SMOKING".

**Section 5. SMOKING BAN IN PUBLIC CONVEYANCES** – It is likewise declared unlawful to smoke cigarette, cigar or pipe in public conveyances. Drivers of public conveyances are also required to post the following sign inside their vehicle:

**PENALTY VIOLATION:**

First Offense	Fine of Five Hundred Pesos (P500.00) or 8 hours community service
Second Offense	Fine of One Thousand Five Hundred Pesos (P1,500.00) or 76 hours community service
Third Offense	Fine of Two Thousand Five Hundred Pesos (P2,500.00) or imprisonment of not less than Three (3) days but not more than Thirty (30) days or both at the discretion of the Court

**Section 6. MINIMUM AGE SALES** – Under the ordinance, it shall be unlawful;

- a. For any retailer of tobacco products to sell or distribute tobacco products to any minor;
- b. For any person to purchase cigarettes or tobacco products from a minor;
- c. For a minor to smoke cigarettes or any other tobacco products

It shall not be a defense for the person selling or distributing that he/she did not know or was not aware of the real age of the minor. Neither shall it be a defense that he/she did not know nor had any reason to believe that the cigarettes or any other tobacco product was for the consumption of the minor to whom it was sold;

**Section 7. SALE OF TOBACCO PRODUCTS WITHIN SCHOOL** – The sale or distribution of tobacco products is prohibited within (30) meters from any point of the perimeter of a school and its premises.

**Section 8. SIGNAGE** – Point-of-sale establishments offering, distributing, or selling tobacco products to consumers, shall put the following statements in a clear and conspicuous manner:

**“SALE, DISTRIBUTION OR PURCHASE BY MINORS OF TOBACCO PRODUCTS, UNLAWFUL”**

Or

**“IT IS UNLAWFUL FOR TOBACCO PRODUCTS TO BE SOLD/DISTRIBUTED TO OR PURCHASED BY PERSON UNDER 18 YEARS OF AGE”**

**Section 9. PROOF OF AGE VERIFICATION** – In case of doubts as to the age of the buyer, retailers shall verify, by means of any valid form of photographic identification, containing the date of birth of the bearer and that **NO** individual purchasing a tobacco product is below eighteen (18) years of age;

**Section 10. PENALTIES** – Any person found violating any provisions of this ordinance shall be penalized as follows:

- a. **First Offense** – Fine of Five Hundred Pesos (P500.00) or 8 hours community service
- b. **Second Offense** – Fine of One Thousand Five Hundred Pesos (P1,500.00) or seventy six hours (76 hrs ) community service
- c. **Third Offense** – Fine of Two Thousand Five Hundred Pesos (P2,500.00) or imprisonment of not less than Three (3) days but not more than Thirty (30) days or both at the discretion of the Court

**Section 11. PERSONS AUTHORIZED IN THE IMPLEMENTATION OF THIS ORDINANCE.** The Municipal Health Officer, Sanitary Inspector, PNP and all barangay officials are hereby deputized in the implementation of this ordinance.

**Section 12. DISPOSITION OF THE PROCEEDS DERIVED FROM THE IMPLEMENTATION OF THIS ORDINANCE.** Sixty percent (60%) of the imposed fines realized or proceeds derived from the implementation of this ordinance shall accrue to the apprehending officer and forty percent (40%) shall accrue to the Local Government Unit of Matnog, Sorsogon.

**Section 12. SEPARABILITY CLAUSE** – If any part, section, or provision of this ordinance is held invalid or unconstitutional, other provision not affected thereby shall remain in full force and effect.

**Section 13. REPEALING CLAUSE** – All other ordinances, resolutions or local executive orders or rules and regulations contrary or inconstant with the provision of this ordinance are hereby repealed, amended or modified accordingly.

**Section 14. EFFECTIVITY CLAUSE** – This ordinance shall take effect after a period of publication for three consecutive weeks in a newspaper of general circulation and posting for three consecutive weeks in three conspicuous places in the municipality of Matnog, Sorsogon.

I hereby certify to the correctness of the foregoing.




**ATTESTED BY: HONORABLE ALEX B. DULAY**  
Municipal Vice Mayor  
Presiding Officer



**JOSEPHINE G. BAUTISTA**  
SB Secretary

**APPROVED:**



**EMILIO G. UBALDO**



# OFFICE OF THE SANGGUNIANG BAYAN

## CERTIFICATE OF ATTENDANCE

**TO WHOM IT MAY CONCERN:**

**THIS IS TO CERTIFY**, that the following bearing their respective signature had attended the Public Hearing conducted by the Sangguniang Bayan regarding the proposed ordinances to wit: Municipal Ordinance No.10-2011 "THE SMOKE FREE ORDINANCE OF THE MUNICIPALITY OF MATNOG, SORSOGON, Municipal Ordinance No.09-2011 "AN ORDINANCE PROVIDING REGULATORY FEES FOR MARRIAGE OF FOREIGNERS IN THE MUNICIPALITY OF MATNOG, SORSOGON, Municipal Ordinance No.08-2011 "AN ORDINANCE PROHIBITING AMUSEMENT CENTERS OR PLACES WITHIN THE MUNICIPALITY OF MATNOG TO PERMIT MINORS PLAY OR LOITER IN ANY OF ITS FACILITIES FOR VIOLATION THEREOF & Municipal Ordinance No.01-2012 "AN ORDINANCE REGULATING THE USE OF PLASTIC BAGS AND STYROFOAM ON ALL GOODS IN THE MUNICIPALITY OF MATNOG, SORSOGON AND PRESCRIBING PENALTIES THEREOF held at the Rizal Park Auditorium, Matnog, Sorsogon on January 19,2012 at 1:00 in the afternoon.

HON. ALEX B. DULAY, Municipal Vice Mayor

HON. CHRISTOPHER G. HADAP, Mun. Councilor

HON. CARLOS G. ESTRELON, JR., Mun. Councilor

HON. JOSEPH ALAN G. GACIS, Mun. Councilor

HON. EDWARD RUEL T. BARLIN, Mun. Councilor

HON. EVELYN S. GARALDE, Mun. Councilor

HON. SALVADOR L. FRENCILLO, Mun. Councilor

HON. ERNIE G. GARCERA, Mun. Councilor

HON. BENJAMIN R. RILI, Mun. Councilor

HON. JULIO E. GARDUQUE, Mun. Councilor

HON. ROTCHIEN P. FUSTER, Mun. Councilor

*CARLOS G. ESTRELON, JR.*

*RUEL T. BARLIN*

*Ernie G. GARCERA*

*CRESANDER DICALTA*

*RODOLFO GENERALO*

*C.H.P.*

*Joseph Alan G. Gacis*

*Evelyn S. Garalde*

*Rotchien P. Fuster*

*Cresander Dicalta*

*Rodolfo Generalo*

JOE P. RIVERA  
VICENTE M. VILLANUEVA

RAMIL GARALDE  
RICHTARD P. AMISGA  
REY F. CRUZ

NOEL F. GAURIA  
JULIE A. CANCER  
JOEL C. GONZALEZ

JOEL C. GARLAN  
ROSARIO G. GARRERIE JR.

BENIGNO F. GARALDE  
MARYNATE GOBRIN  
ROGER BRABANTE  
JUNDIZA GARDON  
YURIKO MURAKAMI

JEROME BZSONO  
ELLEN B. DEL MONTE  
BENIAMO DURIAN

ANGELOS PERDON A.  
RAMIL G. GARDON  
MINE ESCUDERO

JUSTINIANO M. DELA FUENTE JR.  
RALPH F. MINGOTE  
SERGIO COCROVIC  
JORDANA DE OLAYO  
NELSON COEVA

ROSANARA PALMERANG  
VALERIO  
PIERO RIX CATIA

SALVADOR B. SIMON

JOHN M.  
JULIAN  
JOE

JOE  
JOE

JOE  
JOE  
JOE  
JOE  
JOE  
JOE

JOE  
JOE  
JOE

JOE  
JOE  
JOE

JOE  
JOE  
JOE

JOE  
JOE  
JOE

JOE  
JOE  
JOE

Narwin G. Rele

Michael G. Sabitang

EMERSON HUKO SA

GREG BLO

Nicanor Carais

ROBERT G. BRANCOMA

POI STONE M CANO

RAMON O DITO

POI MARY ROSE L. ABION

Matthew W. SO

Ben B Embarga

SANDY CALOCAN

ANTONIO GAVARRA

Editha Panture

Betty Gavarra

Beverly S. Mallega

Rogier S. Pura

ALEXANDER GRAY

JOMEO GRAY J.

ALEXANDER GRAY

Adelza Gabas

Maria Igo

JOURNES. Canton

Zosimo Cardda

Adolfo Petalbo

~~inf. itang~~

~~GR~~

~~Greg Blo~~

~~Agos~~

~~Robert G. Brancoma~~

~~Poi Stone M Cano~~

~~Ramon O Dito~~

~~Mald.~~

~~Matthew~~

~~Bembarga~~

~~Sandy~~

~~Antonio Gavarra~~

~~Editha Panture~~

~~B. Gavarra~~

~~B. Mallega~~

~~Rogier S. Pura~~

~~Alexander Gray~~

~~Jomero Gray~~

~~Alexander Gray~~

~~Adelza Gabas~~

~~Maria Igo~~

~~Journes. Canton~~

~~Zosimo Cardda~~

~~Adolfo Petalbo~~

Bonifio Gumbalo	Sinang-atan
Ronal Haido	Calayoran / CATITAN
ROSALO GARRATE JR.	CANABULES
LEMUEL CARTEI	TABLAC
SO MAMANTO R. LAYSON JR.	PPA / HEAD GUANO
B. R. Ayanti - PPA	
CARLOS S. LLINAS	
POE EDELMOR A. MORAN JR	
Manissa B. Gillego	
Hon. BENJAMIN PILI	COTAN COTAN / SUX / CATPI
Hon ADORPH HAN GARCIA	
Hon SALVADOR TRECHTO	
Hon. EVELYN S GARAIDE	Sigamb
Hon. ALEX B DILLAY	
HON. CARLOS G. ESTROUN JR.	
HON. CHRISTOPHER G. ALAP	
HON. ERNIE G. GARCERA	
HON. PATRICIA P. FUSTER	R#esta
Hon. RICHARD P. ARISCA	Xitunabi
Hon. Diogenes F. Gallon	Bigy Paghuligan



# OFFICE OF THE SANGGUNIANG BAYAN

January 11, 2011

FILE COPY

Dear \_\_\_\_\_,

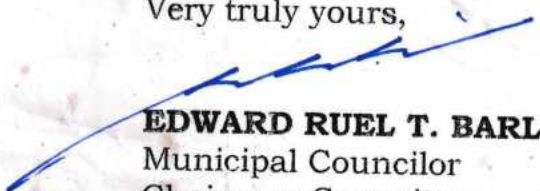
Please be informed of a public hearing on the following proposed ordinances.

- a. **Municipal Ordinance No. 10-2011**  
THE SMOKE FREE ORDINANCE OF THE MUNICIPALITY OF MATNOG, SORSOGON
- b. **Municipal Ordinance No. 09-2011**  
AN ORDINANCE PROVIDING REGULATORY FEES FOR MARRIAGE OF FOREIGNERS IN THE MUNICIPALITY OF MATNOG, SORSOGON
- c. **Municipal Ordinance No. 08-2011**  
AN ORDINANCE PROHIBITING AMUSEMENT CENTERS OR PLACES WITHIN THE MUNICIPALITY OF MATNOG TO PERMIT MINORS PLAY OR LOITER IN ANY OF ITS FACILITIES FOR VIOLATION THEREOF
- d. **Municipal Ordinance No. 01-2012**  
AN ORDINANCE REGULATING THE USE OF PLASTIC BAGS AND STYROFOAM ON ALL GOODS IN THE MUNICIPALITY OF MATNOG, SORSOGON AND PRESCRIBING PENALTIES THEREOF

Said activity will be held at the Rizal Park Auditorium, or if rains, at the Terminal Building, on January 19, 2012 at 1:00 in the afternoon.

Your presence to this utmost request of invitation is highly expected.

Very truly yours,

  
**EDWARD RUEL T. BARLIN**  
Municipal Councilor  
Chairman-Committee on Rules,  
Privileges & Amendments



# OFFICE OF THE SANGGUNIANG BAYAN

January 11, 2011

Hon. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Dear \_\_\_\_\_,

Please be informed of a public hearing on the following proposed ordinances.

- a. **Municipal Ordinance No. 10-2011**  
THE SMOKE FREE ORDINANCE OF THE MUNICIPALITY OF MATNOG, SORSOGON
- b. **Municipal Ordinance No. 09-2011**  
AN ORDINANCE PROVIDING REGULATORY FEES FOR MARRIAGE OF FOREIGNERS IN THE MUNICIPALITY OF MATNOG, SORSOGON
- c. **Municipal Ordinance No. 08-2011**  
AN ORDINANCE PROHIBITING AMUSEMENT CENTERS OR PLACES WITHIN THE MUNICIPALITY OF MATNOG TO PERMIT MINORS PLAY OR LOITER IN ANY OF ITS FACILITIES FOR VIOLATION THEREOF
- d. **Municipal Ordinance No. 01-2012**  
AN ORDINANCE REGULATING THE USE OF PLASTIC BAGS AND STYROFOAM ON ALL GOODS IN THE MUNICIPALITY OF MATNOG, SORSOGON AND PRESCRIBING PENALTIES THEREOF

Said activity will be held at the Rizal Park Auditorium, or if rains, at the Terminal Building, on January 19, 2012 at 1:00 in the afternoon.

Your presence to this utmost request of invitation is highly expected.

Very truly yours,

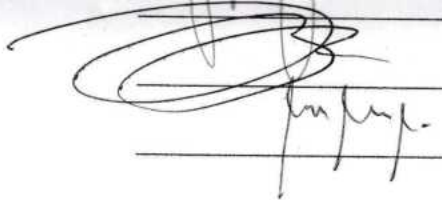
  
**EDWARD RUEL T. BARLIN**

Municipal Councilor  
Chairman-Committee on Rules,  
Privileges & Amendments





JUANITO I. GARCIA  
CARLOS S. HERNANDEZ, Jr.



A handwritten signature in cursive script, possibly reading 'Juanito I. Garcia', written over the top lines of the right-hand page.