

[DOH, April 15, 1997]

**IMPLEMENTING RULES AND REGULATIONS OF CHAPTER XIV
"HOTELS, MOTELS, AND APARTMENTS, LODGING, BOARDING, OR
TENEMENT HOUSES, AND CONDOMINIUMS" OF THE CODE ON
SANITATION OF THE PHILIPPINES (P.D. 856)**

To carry out the provisions of Chapter XIV — "Hotels, Motels, and Apartments, Lodging, Boarding, or Tenement Houses and Condominiums" of the Code on Sanitation of the Philippines (P.D. 856), these rules and regulations are hereby formulated for implementation and strict compliance of all concerned.

SECTION 1. SCOPE — These implementing rules and regulations shall apply to all hotels, motels, and apartments, lodging, boarding, or tenement houses, and condominiums and other similar facilities or establishments.

SECTION 2. DEFINITION OF TERMS — As used in these rules and regulations, the following terms shall mean:

2.1 ACCESSORY BUILDING — a detached building or structure in a secondary or subordinate capacity from the main or principal building on the same premises.

2.2 ADDITIONAL CONSTRUCTION IN AN ESTABLISHMENT — extension of any structures or rooms in an establishment which requires additional sanitation facilities and amenities.

2.3 APARTEL — a cottage or unit with one or more rooms distinctly different from a hotel room in such a way that cooking is allowed inside and that complete facilities for such are provided.

2.4 APARTMENT HOUSE — a building containing a number of separate residential suites.

2.5 ARTICLE OF BEDDING — includes upholstered furniture and filling materials and any mattress, pillow, cushion, quilt, bed pad, comforter, upholstered spring bed, box-spring davenport or day bed, metal couch, metal bed, metal cot, metal cradle, used for sleeping, resting or reclining purposes and any glider, hammock or other substantially similar article which is upholstered in whole or in part.

2.6 BATHROOM — a room with toilet and bathing facilities.

2.7 BOARDING HOUSE — a building where selected persons for fixed period of time are supplied with and charged for sleeping accommodations and/or meals. This will include dormitories and other similar establishments.

2.8 CONDOMINIUM — a building with one or more storeys composed of multi-unit

residential suites under the joint ownership of occupants, each unit provided with complete sanitary facilities, utilities and other amenities.

2.9 EGRESS — an arrangement of facilities to assure a safe means of exit from a building.

2.10 ESTABLISHMENT — a collective term construed to include hotel, apartel, motel, boarding house, tenement house, apartment house, dormitories, inn, lodge, condominium and other similar establishments.

2.11 FUNCTION ROOM — a room in a hotel or other similar establishments rented for public or social ceremonies or gathering or festivities or other forms of entertainment.

2.12 GUEST — the occupant of a hotel/motel and other boarding and lodging rooms.

2.13 HEALTH CERTIFICATE — a certification in writing issued by the city or municipal health officer using the prescribed form to person after passing the required physical and medical examinations and having been administered the required immunizations.

2.14 HOTEL — a building, edifice or premises or a completely independent part thereof, which is used for the regular reception of transient guests, accommodation or lodging of travellers and tourists, and the provisions of services incidental thereto for a fee.

2.15 HEATED WATER — water heated to a temperature of not less than 49°C (120°F) at the outlet.

2.16 INFESTATION — the presence within or around a building of any insect, rodent or other pests.

2.17 LETTABLE ROOM — any room or rooms in an establishment intended for the use or occupancy of any of its guest for a fee.

2.18 LINEN — includes sheets, tablecloths and other similar materials.

2.19 LOBBY — a foyer or an anteroom or a waiting room furnished with lounges, chairs or sofas where guests can register.

2.20 LOCAL GOVERNMENT UNIT — the local political subdivision which refers to the province, city, municipality or barangay.

2.21 LOCAL HEALTH AUTHORITY — an official or employee responsible for the application of a prescribed health measure in a local political subdivision. For a province, the local health authority is the governor, and for a city or municipality, the local health authority is the mayor.

2.22 LOCAL HEALTH OFFICER — the provincial, city or municipal health officer.

2.23 LODGING HOUSE — a building where persons are supplied with and charged for sleeping accommodations only. This will include inn, lodge, cabin, cottage,

resort, spa, cabaña, club, pension house, hostel and all other similar establishments not classified as hotel by the Department of Tourism.

2.24 MOTEL — a roadside hotel consisting of private cabins usually intended for motorists.

2.25 PERMISSIBLE OCCUPANCY — the maximum number of individuals permitted to stay in a hotel/motel room or similar establishment room.

2.26 PRIVACY — the existence of conditions in hotels and other similar establishments which will permit its guest to carry out an activity without interruption and/or interference either by light or sound.

2.27 ROOM SERVICE — any service or thing supplied and delivered to the guest rooms such as food, drinks, sundries etc.

2.28 SAFETY — the condition of being free from danger and hazards which may cause injuries or diseases.

2.29 SANITATION INSPECTOR — a government official or personnel employed by the national, provincial, city or municipal government, who enforces environmental sanitation rules, laws and regulations and implements environmental sanitation activities under the supervision of the provincial/city/municipal health officer/sanitary engineer.

2.30 SANITARY ENGINEER — a person duly registered with the Board of Examiners for Sanitary Engineers (Republic Act 1364) and who heads or works with the sanitation division/section/unit of the provincial/city/municipal health office or employed with the Department of Health or its regional health offices.

2.31 SANITARY PERMIT — the permission or certification in writing of the city or municipal health officer or in his absence the chief or head of the sanitation division/section/unit that the establishment complies with the existing sanitation requirements upon evaluation or inspection conducted in accordance with Presidential Decree Nos. 522 and 856 and local ordinances.

2.32 TENEMENT HOUSE — a building or portion thereof which is leased or sold to an occupant as residence by a number of families but living independently of one another and having a common right in the use of halls, stairways, terraces, verandas, toilets and baths.

2.33 VERMIN — a group of insects or small animals such as flies, mosquitoes, cockroaches, lice, bedbugs, mice and rats which are vectors of diseases.

SECTION 3. SANITARY PERMIT

3.1 No establishment covered by these rules and regulations shall be operated and opened for public patronage without a sanitary permit (EHS Form No. 101).

3.2. Any extension or additional construction or alteration in an establishment shall require a new sanitary permit before it could be operated.

3.3 Application or renewal of sanitary permit:

3.3.1 The application or renewal of sanitary permit shall be filed with the city or municipal health once having jurisdiction over the establishment.

3.3.2 Sanitary permit shall be issued only upon compliance to at least a satisfactory rating utilizing the sanitary inspection form for public places establishment (EHS Form No. 103-B).

3.3.3 Fees shall be paid to the local government unit upon application, renewal and noting of sanitary permit. The amount of fees shall be set through city or municipal ordinance.

3.4 *Noting of Permit.* — If there is a change of ownership of the establishment, the new owner shall apply to the city/municipal health office within fourteen (14) working days to have such change noted in the records and permit certificate and shall pay the corresponding fee for such noting.

3.5 *Validity.* — The sanitary permit shall be valid for one (1) year, ending on the last day of December of each year, unless otherwise revoked and shall be renewed every beginning of the year thereafter.

3.6 *Revocation/Suspension.* — Upon the recommendation of the local health officer to the local health authority, the sanitary permit shall be suspended or revoked upon violation of any sanitary rules and regulations.

3.7 *Posting.* — The sanitary permit shall be posted in a conspicuous place of the establishment for public information and shall be available for inspection by authorized health and other regulatory personnel.

3.8 *Record of Sanitary Permit:*

3.8.1 Every city/municipal health office shall keep a record of all establishments which have been issued sanitary permit and renewal thereof.

3.8.2 The record shall in every case show the following:

- a. The name and address of the holder of the sanitary permit;
- b. The location of the establishment;
- c. The nature or kind of business for which the permit has been issued;
- d. The date the first permit was issued and the dates of any renewal thereof;
- e. Every change of management of the establishment since the first permit was issued;
- f. Sanitary conditions under which the permit was issued at first issuance or any renewal thereof granted; and

g. The revocation of the sanitary permit.

3.8.3 The record shall be available at all reasonable times for inspections by authorized officer of the Department of Health or local government unit.

SECTION 4. HEALTH CERTIFICATES

4.1 No person shall be employed in an establishment without first securing a health certificate (EHS Form 102-A, B, C) from the city or municipal health officer of the locality where the establishment is located.

4.2 The health certificate (EHS Form No. 102-A, B, C) shall bear the picture of the employee and shall be displayed visibly in the upper left front portion of his/her uniform while working.

4.3 The health certificate shall be renewed at least every year.

4.4 Health certificates are non-transferable.

SECTION 5. SANITARY REQUIREMENTS

5.1 Water Supply

5.1.1 The water supply in an establishment shall be adequate and potable whether from a public or private water supply system and shall be in accordance with Chapter II — "Water Supply of the Code on Sanitation of Philippines (P.D. 856) and its implementing rules and regulations and the Philippine National Standards for Drinking Water.

a. All water sources shall have a certificate of portability of drinking water issued by the local health officer as recommended by the sanitary engineer of the locality.

b. A minimum of forty (40) liters per capita per day shall be maintained.

5.1.2 When a private water supply is used, it shall be constructed, maintained and operated in accordance with Chapter II — "Water Supply" of the Code on Sanitation of the Philippines (P.D. 856) and its implementing rules and regulations.

5.1.3 Except in cases of public water supplies; drinking water samples shall be submitted by the owners/operators of the establishments to the Department of Health accredited laboratories once a year for physical and chemical examinations and every six (6) months for bacteriological examination or as often as possible as determined by the sanitary engineer.

5.1.4 In cases where the establishment is utilizing two or more water supply sources, no cross-connection with unapproved water supplies shall exist.