



Republic of the Philippines
Province of Ilocos Sur
MUNICIPALITY OF NARVACAN

OFFICE OF THE SANGGUNIANG BAYAN 2016-2019

9th Regular Session
Held at the SB Session Hall
On 6 March, 2017

ORDINANCE NO. 02
Series of 2017

ORDINANCE PROMULGATING A SMOKING PROHIBITION BASED ON 100% SMOKE-FREE ENVIRONMENT POLICY

Be it enacted by the Sangguniang Bayan of Narvacan, Ilocos Sur to wit:

SECTION 1. TITLE. This ordinance shall be known as "AN ORDINANCE PROMULGATING A SMOKING PROHIBITION BASED ON 100% SMOKE-FREE ENVIRONMENT POLICY".

SECTION 2. OBJECTIVE. To implement Memorandum Circular No. 17, Series of 2009 of the Civil Service Commission which finds legal basis from the Tobacco Regulation Act of 2003 (RA 9211).

SECTION 3. LEGAL COMPLIANCE.

- 1.1 Opening statement of Memorandum Circular No. 17, Series of 2009 of the Civil Service Commission to wit;

'The Civil Service Commission (CSC) hereby adopts a policy and promulgates a 100% SMOKE-FREE POLICY and a SMOKING PROHIBITION in all areas of government premises, building and grounds, except for open spaces designated as smoking areas, in order to ensure a healthy and productive workforce.'

- 1.2 Section 2 of The Tobacco Regulatory Act of 2003 (Republic Act 9211) states;

'It is the policy of the state to protect the populace from hazardous products and promote the right to health and install health consciousness among them... For these purpose, the government shall institute a balanced policy whereby the use, sale and advertisements of tobacco products shall be regulated in order to promote a healthful environment and protect the citizens from the hazards of tobacco smoke...'

- 1.3 Section 3 of Municipal Ordinance No. 98-11, Series of 2000 provides;

'Prohibitions. It is hereby decreed that smoking is prohibited in enclosed public places and public conveyance as hereunder specified:

a) Public places includes, offices, schools, hospitals, medical clinics...'

SECTION 4. DEFINITION OF TERMS.

- c) Smoking – refers to the act of carrying a lighted cigarette or other tobacco products, whether or not it is being inhaled or smoked
- d) Second hand smoke – refers to the smoke exhaled or puffed out by a person actually smoking, or smoke coming from a lighted cigarette

SECTION 5: RATIONALE.

- c. As contained under Memorandum Circular No. 17, Series of 2009 of the Civil Service Commission (CSC), the 100% Smoke-Free Environment Policy seeks to encourage people to quit smoking for health reasons and to protect people from exposure to secondhand smoke. Recent studies show that:
 - Even small amounts of secondhand smoke exposure can be harmful to people's health and that opening a window or using ventilation, air conditioning, or a fan cannot eliminate secondhand smoke exposure;
 - Secondhand smoke causes lung cancer, increase the risk of a heart attack, triggers asthma attack, and causes acute respiratory effects;
 - Second hand smoke, which has higher concentration of toxic chemicals than smoke inhaled by smokers, is a known human carcinogen and an occupational carcinogen containing formaldehyde, benzene, vinyl chloride, arsenic, ammonia and hydrogen cyanide.

SECTION 6. COVERAGE AND GUIDELINES

Based on the provisions stated under Memorandum Circular No. 17, Series of 2009 of the Civil Service Commission, the guidelines of the policy are as follows:

1. **Absolute Prohibition of Smoking.** Smoking shall be absolutely prohibited in or on the premises, buildings, and grounds of government agencies providing health, education and/or social welfare and development services such as hospitals, health centers, schools and universities, colleges among others. No "Smoking Areas" shall be designated or established in these places.
2. **Smoking Prohibition.** Smoking shall be prohibited in areas anywhere in or on the government premises, buildings, and grounds, except for open spaces designated as "Smoking Area" as herein defined.
3. **Smoking Area.** A "smoking area" refers to an outdoor space designated by the head of the agency that meets the following requirements:
 - i. It shall be located in an open space with no permanent or temporary roof or walls in an outdoor area;
 - ii. It shall not be located within 10 meters of entrances, exits or any place where people pass or where people congregate;
 - iii. It shall not have an area larger than 10 square meters;
 - iv. No government building shall have more than one designated smoking area;
 - v. No food or drink shall be served in the designated smoking area;
 - vi. Every smoking area shall have highly visible and prominently displayed "Smoking Area" signages.
4. **"Smoking Area Signs.** The "Smoking Area " signage shall be no more than 8 x 16 inches in size and shall contain the information regarding the hazardous effects of smoking on the smoker's health, and/or secondhand smoke on others.
5. **"No Smoking" Signs.** "No Smoking" signages in the conspicuous location within government premises, grounds, shall be posted and displayed prominently. The "No Smoking" signage shall be at least 8 x 10 inches in size

and the International No Smoking symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it) shall occupy no less than 70% of said signage. The remaining lower 30% of the signage shall show the following warning prominently:

“STRICTLY NO SMOKING:
as per Memorandum Circular No. 17, Series of 2009 of the Civil Service Commission
Violation of this Circular is a ground for disciplinary action
Report violation to (list of names of responsible persons and telephone numbers)

Attached is a sample signage for reference.

6. **Remove ashtrays.** All ashtrays or receptacles made for dispensing cigarette refuse/waste shall be removed except in designated smoking areas.
7. **Smoking Prohibition in Vehicles.** Smoking shall also be prohibited in government vehicles.
8. **Duty of Heads of Agencies.** Heads of agencies are enjoined to ensure that all employees and their transacting public are made aware of this Memorandum Circular and the prohibition on smoking except in designated outdoor areas and assign responsible persons to:
 - a. Ensure implementation and compliance of this policy;
 - b. Establish procedures for reporting and dealing with violation;
 - c. Monitoring and reporting on rates of compliance and effectiveness of the policy.

SECTION 7: PENAL PROVISIONS

Memorandum Circular No. 17, Series of 2009 specifically provides that any violation therewith shall be considered a ground for disciplinary action pursuant to Rule XIV (Discipline) of the Omnibus Rules Implementing Book V of Executive Order No. 292.

SECTION 8: SEPARABILITY CLAUSE

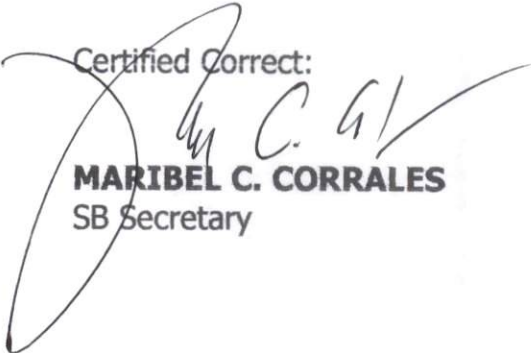
Whenever for any reason, any provisions, section or part of this ordinance is declared not valid by a Court of competent jurisdiction or suspended or revoked by the authorities concerned, such judgment shall not affect or impair the remaining provisions or sections which shall continue to be in full force and effect.

SECTION 9: EFFECTIVITY

This ordinance shall take effect immediately upon approval.

ENACTED this 6th day of March 2017 at Narvacan, Ilocos Sur.

Certified Correct:

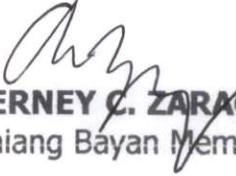

MARIBEL C. CORRALES
SB Secretary

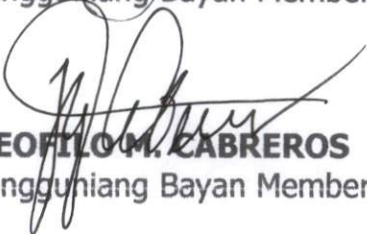
Attest:


FAYINNA PILAR S. ZARAGOZA
Vice Mayor/Presiding Officer

CONFORME:

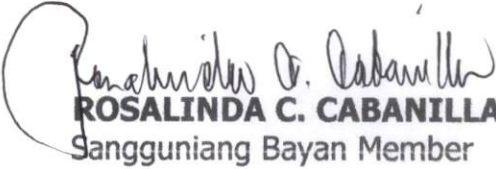

JOSEPH A. TEJADA
Sangguniang Bayan Member


AVEL VERNEY C. ZARAGOZA
Sangguniang Bayan Member

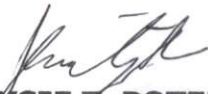

TEOFILO M. CABREROS
Sangguniang Bayan Member


LUIS "CHAVIT" C. SINGSON
Sangguniang Bayan Member

RAFAEL C. CACHOLA
Sangguniang Bayan Member


ROSALINDA C. CABANILLA
Sangguniang Bayan Member

BENEDIX BX DELA CUADRA
Sangguniang Bayan Member


KAYSIE T. POTENCION
Sangguniang Bayan Member


ROMULO C. REA
ABC President

Approved:


ZURIEL S. ZARAGOZA
Municipal Mayor