



Sangguniang Panlalawigan

BATAAN CAPITOL, BALANGA CITY



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG PANLALAWIGAN OF BATAAN HELD AT THE BUNKER, CAPITOL COMPOUND, BALANGA CITY, BATAAN ON OCTOBER 26, 2020

PRESENT:

Hon. Ma. Cristina M. Garcia, Vice Governor and Presiding Officer

FIRST DISTRICT:

- Hon. Benjamin C. Serrano, Jr., Board Member
- Hon. Jomar L. Gaza J.D., Board Member
- Hon. Reynaldo T. Ibe, Jr., Board Member
- Hon. Godofredo B. Galicia, Jr., M.D., Board Member
- Hon. Maria Khristine G. Dela Fuente, Board Member

SECOND DISTRICT:

- Hon. Manuel N. Beltran, Board Member
- Hon. Edgardo P. Calimbas, Board Member
- Hon. Jose C. Villapando, Sr., Board Member
- Hon. Romano L. Del Rosario, Board Member
- Hon. Noel Joseph L. Valdecañas, Board Member (PCL President)
- Hon. Precious D. Manuel, Board Member (SKF President)
- Hon. Rosita N. Sison, Board Member (IPM Representative)

ABSENT:

- Hon. Maria Margarita R. Roque, Board Member (On Leave)
- Hon. Doroteo M. Austria, Board Member (FABC President) (On Leave)

ORDINANCE NO. 15 Series of 2020

AN ORDINANCE SETTING STANDARDS FOR REGULATING TOILETS/COMFORT ROOMS IN HOT SPOTS AND IN TOURISM RELATED ESTABLISHMENTS.

Sponsored by: HON. ROMANO L. DEL ROSARIO

WHEREAS, Chapter 1, Section 2 (d) of RA 9593 mandates us to create a favorable image of the Philippines within the international community, thereby strengthening the country's attraction as a tourism destination and eventually paving the way for other benefits that may result from a positive global view of the country;

ALBERT S. GARCIA
Provincial Governor

"EXCELLENT PUBLIC SERVICE TOWARDS A BETTER QUALITY OF LIFE FOR ALL"

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Provincial Governor

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WHEREAS, Tourism Secretary Bernadette Romulo-Puyat's thrust is to achieve a sustainable and responsible tourism that encompasses immediate practical and long-term responses to the needs of the travelling foreign and domestic visitors, and strengthen competitiveness in the Philippines by implementing significant programs to uplift the country's destination image. One is through the adoption of standards for toilet regulations in hot spots and tourism related establishments in the province;

WHEREAS, a basic yet vital component in the tourism industry that can make or break the tourist experience is when the tourist has to use the Public Toilet. These toilets need to be clean, dry and hygienic, complete with various amenities, accessories and facilities, located conveniently, well maintained and equipped with a proper waste management system;

WHEREAS, the COVID-19, a novel infectious disease transmitted through droplets from the nose and mouth which are expelled when a person with COVID-19 coughs, sneezes, or speaks and land on objects and surfaces around the person such as tables, doorknobs, and handrails that can infect other people when touched and rubbed in eyes, nose or mouth, necessitated frequent handwashing with soap and water preferably thru contactless means as part of the new normal;

WHEREAS, adequate clean toilets are basic necessities that will ensure and promote the health of people. As part of the new normal in the practice of minimum public health standard, certain innovations must be incorporated in toilets to help reduce the spread of virus and diseases. Clean toilets and sanitation systems also aim to protect health by providing and promoting a clean environment. Aside from health, having standards for toilets will increase public awareness thru responsible cleanliness and sanitation thereby creating a positive impact to the Philippine tourism industry. Setting standards for toilet will also lead for the attainment of the following objectives as stated in Chapter 1, Section 3 of Republic Act No. 9593:

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- "(h) Ensure the right of the people to a balanced and healthful ecology through promotion of activities geared towards environmental protection, conservation and restoration;
- (m) Achieve a balance in tourism development between urban and rural areas in order to spread the benefits of tourism and contribute to poverty alleviation, better access to infrastructure and to a reduction in regional imbalances; and
- (o) Maintain international standards of excellence in all tourism facilities and services and promote the country as safe and wholesome tourist destination."

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NOW THEREFORE, BE IT ORDAINED, as it is hereby ordained by the Sangguniang Panlalawigan, in session duly assembled, that:

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SECTION 1. Declaration of Policy. - It is the declared policy of the Provincial Government of Bataan to promote and protect health of the residents and instill health consciousness among them. Towards this end, the Provincial Government shall implement projects, programs, and activities for public health, which includes setting of standards for regulating toilets/comfort rooms in hot spots and in tourism related establishments.


SECTION 2. Definition of Terms. - (Source: ASEAN Public Toilet Standard)

- a) **Ambulant** - Ambulant (of a patient) refers to a person able to walk about, not confined to bed.
- b) **Cubicle** - Booth or room for urination/defecation within the toilet. Often these have lockable doors for privacy and will either have a latrine, toilet paper, water bidet and dispenser, shelf and coat hanger.
- c) **Clean, Cleanliness** - refer here to an ambient that is physically and visibly dry, free from dirt, impurities, rubbish, waste material and harmful articles (i.e. sharp items) and that is odourless.
- d) **Cleaning** - refers here to the process of ensuring that all Public Toilet surfaces are dry, free from dirt, impurities, waste and harmful articles.
- e) **Disabled population** - refers to people with disabilities, including but not limited, to mentally challenged people, the blind, the visually impaired, the ambulant, the bound to wheelchair, the aged.
- f) **Fittings (a small part on or attached to a piece of furniture or equipment)** - refer here to supply or waste fittings, the first ones controlling the volume and flow in a WC/urinal/washbasin attached to them, the second ones conveying the toilet wastes from the outlet of a fixture (WC/urinal) to the connection to the drainage system.
- g) **Fixtures (a piece of equipment or furniture which is fixed in position in a building)** - refers here to a device (i.e. urinal, WC, wash basin) that is permanently or temporarily connected to the water supply system of the Public Toilet premise and requires constant supply of water in order to discharge wastewater, liquid waste materials or sewage to the drainage system of the Public Toilet premise. Fixtures that are not requiring a water supply connection to function properly, must be accepted by the competent local authority (i.e. dry WC, urinals).
- h) **Public Toilet** - is a room or booth shared by all people for urination and defecation consisting of at least a bowl fitted with or without a seat (seating or squatting) and connected to a waste pipe and a flushing apparatus.


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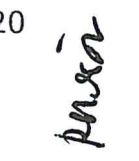
























Public Toilets can be classified as such in the following "hot spot areas:"

- i. Shopping Malls, including the floor in commercial buildings with shops;
- ii. Supermarkets and wet markets;
- iii. Eating establishment (restaurants, food centres, bars, public beach toilets, pubs);
- iv. Stand-alone public toilets on streets, squares;
- v. Parks;
- vi. Tourism attractions in both rural and urban settings (i.e.: museums, burial grounds, etc.);
- vii. Bus stations, Common terminals;
- viii. Gasoline stations;
- ix. Exhibition Halls, Concert Halls, Convention Halls, Movie Theatres;
- x. Stadiums;
- xi. Community Centres/Clubs;
- xii. Public sports centres and swimming pools;
- xiii. Heritage, conservation sites, religious sites and places of worship.

i) **Visitor** - Refers to anyone, male or female who is using the toilet.

SECTION 3. Standards and Requirements. - The following standards and requirements shall be followed:

- (a) Path Finding. Clear signage indicating the presence of a Public Toilet.

Toilet facilities must be designated by a legible sign for each sex and for the disabled located near the entrance of each toilet facility and displayed clearly in main passageways. Signage should be commonly recognizable (female/male/disabled signage in dark colour contrasted on light, reflective background) with braille markings for visually impaired, in accordance to Batas Pambansa Blg. 344 (BP 344), also known as An Act to Enhance the Mobility of Disabled Persons by Requiring Certain Buildings, Institutions, Establishments and Public Utilities to install Facilities and Other Devices.

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(b) Public Toilets must have the following:

i) Urinals which should be equipped with a flush valve and an automatic flush device to allow for flushing after use. The use of modern urinals, especially for new facilities, is recommended, as these allow for dual flush (a minimum of 3, 4 litres to a maximum of 6 litres) and are therefore less water wasteful. The fittings of urinals are better concealed to avoid vandalism and support ease of maintenance. Urinals are individually hung units placed on toilet walls; they should be more than 30 cm wide and the lip of the urine collection area should protrude from the wall by at least 30 cm. Urinals should be separated by modesty boards of no less than 30 cm x 80 cm; modesty boards should be hung at full length - but not touching the floor - to allow for adequate privacy and for cleaning of the area below them. When two or more urinals are installed, one should be reserved for the use of children and hung at a level appropriate to this use. Provide, at least, one (1) pair of hand rail for ambulant person, pursuant to BP 344.

ii) Water closets with seating pan and cover should be equipped with a flush valve and/or an automatic flush device to allow for flushing after use. The use of modern water closets, especially for new facilities, is recommended, as these allow for dual flush (a minimum of 3, 4 litres to a maximum of 6 litres) and are therefore less water wasteful. Water closets should preferably be hung on walls without leg support to allow for easy cleaning and should also be provided with bidet, one for each cubicle. When two or more water closets are installed, one (1) should be reserved for the use of children and hung at a level appropriate to this use. It is also recommended for male water closets to adopt the horse-shoe (squat-type) shaped sitting pan to minimize body part contact with it and therefore the risk of disease transmission.

iii) Washbasins should be of appropriate size to allow for hand washing and grooming activities and also for avoiding splashing of water onto surrounding vanity, persons and floors. Washbasins should be casted inside vanity tops and located beneath the vanity. Vanity tops should be equipped with backsplash and apron edges. All washbasins should have self-closing delayed action taps to conserve water or sensor activated taps to maximize hygiene. Where there are two (2) or more washbasins, at least provide one (1) washbasin mounted at children's reach.

In public sites there should be a wash area located just outside the toilet.

iv) Waste bins (hand-free with foot pedal) with liners in every cubicle.


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- v) Sanitizers in every closet and urinal.
 - vi) Refuse bins (for used tissues/paper towel) in the wash area.
 - vii) Sensor automated soap dispensers.
 - viii) Extra-large toilet paper roll holder/toilet tissue sheet dispenser when outside the cubicle or ordinary sized tissue holder per individual cubicle.
 - ix) Sensor automated hand-dryer blower or sensor automated paper towel dispenser.
- (c) Surrounded landscaping should be pleasant but not intrusive; provides easy access.
- (d) User education. Users must be educated through introduction of visual educational materials encouraging the users to keep the toilet clean (no smoking, importance of hygiene, cleanliness, tidiness, etc.).
- (e) **Accessibility. Provisions for the disabled, the elderly and the children.**

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Application of Universal Design in Public Toilet should be in accordance with the guidelines and standards, as follows:

- i. Accessible route: It shall be designed to provide maximum usage of an independent wheelchair user, in accordance to BP 344. It should extend continuously from the nearest adjoining street or parking space up to the accessible toilet. When elevated, it should be provided by a ramp with railings; and if facing vehicular traffic, it should have a railing across the full width of its lower end of not less than 1.50 m from the foot of the ramp;
- ii. Accessible entrance: A door should have a minimum width of 80 cm measured between surface of the fully open door at the hinge and the door jamb at the stop, in accordance to BP 344 and PD 1094. It should be out swinging door or a sliding door; with a maximum height of 2.5 cm and preferably ramped thresholds and sliding tracks;
- iii. Accessible cubicles: The cubicle's minimum size shall be no less than 1.7 m wide and 2.2 m deep for the whole length, in accordance to BP 344. Horizontal handrails shall be fixed at the rear, sidewall adjacent to the toilet bowl and at the opposite side of the toilet bowl (drop down moveable handrail) at a height not exceeding 80 cm above the floor;
- iv. Accessible Water closets: Water closets shall be set between 43 cm and 48 cm above the floor, measured to the top of the seat at the nose of the pan and fitted with a hinged seat no more than 2.54 cm thick unless required otherwise. Suggested

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side distance of the water closet from the wall, not exceeding 50 cm and total distance from the back wall till the nose of the water closet of 75 cm (Greed, 2007);

- v. Accessible cubicle toilet paper dispensers: Toilet paper dispensers should be located on or in the wall adjacent to the side of the toilet bowl. Dispensers should not stick out more than 10 cm into the minimum cubicle dimensions and shall be located to allow the paper to be dispensed within 30 cm of the nose of the toilet bowl and between 43 cm and 70 cm off the floor. A sensor activated waste bin (hand-free) should be located at the side of the toilet bowl, within immediate reach;
- vi. Accessible cubicle washbasins: Washbasins shall be located as close as possible to the Water closet to allow handicapped people to reach it easily - thus avoiding contact of dirty hands on various surfaces - at a distance that does not interfere with a person transferring from the wheel chair to the toilet bowl. Washbasins, therefore, should be set at least 110 cm from the nose of the toilet bowl and shall be mounted at a maximum height of approximately 80 cm off the floor to allow wheelchair users to easily perform washing and grooming activities without being disturbed by any fittings and/or fixtures, in accordance to BP 344. Washbasins may be installed in counters or be free standing and attached to walls. All interior water supply and drainage piping should be concealed whenever possible;
- vii. Ambulant toilet cubicles: these cubicles are to cater to ambulant people. Their minimum size shall not be less than 90 cm wide and 1.5 m deep and shall apply to the full height of the cubicle. Handrails shall be fixed to each side wall adjacent to the toilet bowl at a height not exceeding 80 cm above the floor. A minimum clear door opening width of 70 cm shall be provided along with a toilet paper dispenser. A washbasin may be provided externally to the cubicle.
- viii. Accessibility for kids: provision of washbasins, water closet, urinals hung at child's height. There should also be toilet seats accommodating for kids.
- (f) The color of the wall tiles for **accessible public toilets** should adopt **strong color contrast** to cater to the needs of the **visually impaired**.
- (g) Resource and water use saving. Public Toilets should adopt water saving measures, for example: utilization of sensor taps or self-closing delayed-action mechanical taps and flush; a considerate water flow per time use; provision of auto sensor foam soap dispensers (correct amount to reduce excessive water usage) and sensor automated hand dryers.

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(h) Proper waste management and water treatment systems. The Provincial Government shall continue the implementation of sewage and septage management in the province as embodied in Provincial Ordinance No. 01, Series of 2017.

(i) Appropriate wastewater management. Public Toilets should be connected to a reticulated sewer. In cases where connection to a sewer is not possible, the use of secondary treatment plants should be considered (to allow for waste water treatment to higher standards than a basic septic tank) in accordance with local regulations for discharge and treatment of black and grey waters. Other systems may also be considered like composting or waterless toilets systems; in these cases, however, the type of system and consequent waste management method should be determined/influenced by site specific characteristics and regulated in accordance with guidelines for discharge and handling of waste.

(j) Appropriate lighting. The Public Toilet should have provisions for lighting, when in operation:

Interior lighting shall be provided at all times (during operating hours) when natural lighting is not available and shall be bright enough to illuminate entrances, exits, wash areas, cubicle & urinal spaces and publicly accessible areas. Lighting is directed at discouraging vandalism and at spotting areas of concealment.

External lighting shall be provided at all times (during operating hours) when natural lighting is not available and shall be bright enough to illuminate entrances, exits, walkways, paths, parking spaces and open areas where access to the Public Toilet is required. Lighting is directed at discouraging vandalism and at spotting areas of concealment. It also prevents fall accidents.

Emergency lighting: emergency illumination devices shall be provided to allow for a safe exit from the toilet.

(k) General lighting. Toilets could be provided (during operating hours) with warm color lighting for both general areas as well as washbasin areas. Warm color helps in creating a friendly environment, which should facilitate a more caring user behavior. The lighting should come ideally both from natural and artificial sources.

(l) Materials. The Public Toilet should be provided with durable materials due to expected high usage:

Internal: all fixtures, fittings, piping, valves, accessories should be durable such as they will withstand the effects of weathering, heavy utilization, vandalism, heavy cleaning application and similar. Use preferably anti-graffiti material. Floors should be made of waterproof, anti-slip surfaces (i.e.: stone, ceramic tiles, composite granite with nano coating and other durable surfaces); walls should be covered with durable surface material (i.e. ceramic tiles, glass block, natural stone and other durable surfaces).

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Provincial Governor

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External: exterior surfaces should be coated with or constructed with durable, anti-graffiti material, wherever possible. There should be no signs of structural cracks/defects.

- (m) CCTV surveillance. CCTV surveillance devices should be provided outside the entrance of the Public Toilet premise in areas of high traffic (i.e.: Bus stations, Common terminals).

SECTION 4. Building Permit and Certificate of Compliance. - The guidelines are as follows:

- (a) The Building Official shall ensure that construction of all new tourism related establishments or commercial and public structures shall include in their plan toilets compliant with the standards mentioned in Section 3 of this Ordinance before the issuance of a Building Permit;
- (b) The Municipal Tourism Office or the Provincial Tourism Office shall conduct annual inspection of toilets and issue Certificate of Compliance to tourism related establishments compliant with the standards mentioned in Section 3;
- (c) The Certificate of Compliance must be a pre-requisite to issuance/renewal of Business Permit.
- (d) Existing tourism related establishments and other public toilets not compliant to standards mentioned in Section 3 are given two (2) years to comply and rectify.

SECTION 5. Fines and Penalties.

- 1. For failure to comply on Structural Specifications (Sections: 3.b.i, 3.b.ii, 3.b.iii, 3.e.i, 3.e.ii, 3.e.iii, 3.e.iv, 3.e.vi, 3.e.vii, 3.e.viii)

- a. For Newly Constructed Toilets

First Offense - ₱ 2,000.00
 Second Offense - ₱ 3,000.00
 Third Offense - ₱ 5,000.00 and Revocation of Business Permit

- b. For Existing Toilets (to commence after two (2) years *2022*)

First Offense - ₱ 2,000.00
 Second Offense - ₱ 3,000.00
 Third Offense - ₱ 5,000.00 and Revocation of Business Permit

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2. For failure to provide Amenities and Safety (Sections: 3.b.iv, 3.b.v, 3.b.vi, 3.b.vii, 3.b.viii, 3.b.ix, 3.e.v, 3.g, and 3.m)

a. For Newly Constructed and Existing Toilets

First Offense	-	₱ 2,000.00
Second Offense	-	₱ 3,000.00
Third Offense	-	₱ 5,000.00

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3. For any person who shall improperly use the toilet by smoking inside the, failing to flush the toilet after use, casting cigarette butts, tissues, papers, gums or other similar things unto the toilet or sink, committing vandalism, removing or destroying any fixed object or material inside the cubicle, or failing to close the water faucet after use, shall be meted the penalty as follows:

First Offense	-	₱ 2,000.00
Second Offense	-	₱ 3,000.00
Third Offense	-	₱ 5,000.00

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SECTION 6. Separability Clause. – If, for any reason or reasons, any part or provision of this Ordinance shall be held unconstitutional or invalid, other parts which are not affected thereby shall remain to be in full force and effect.

SECTION 7. Repealing Clause. – All ordinances, resolutions, local executive orders or administrative regulations, which are inconsistent with the provisions of this Ordinance are hereby repealed or modified accordingly.

SECTION 8. Effectivity. – This Ordinance shall take effect fifteen (15) days after its publication in a local newspaper of general circulation.

APPROVED UNANIMOUSLY.

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Assistant Secretary to the SP

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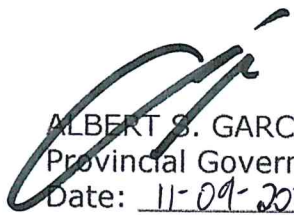

PRECIOUS D. MANUEL
Board Member
(SKF President)


ROSITA N. SISON
Board Member
(IPM Representative)

ATTESTED:


MA. CRISTINA M. GARCIA
Vice Governor
(Presiding Officer)

APPROVED:


ALBERT S. GARCIA
Provincial Governor
Date: 11-09-2020





