

## **Comprehensive Anti-Smoking Ordinance**

- An ordinance amending Regulation Ordinance 2006 – 150 otherwise known as “An Ordinance providing for a Comprehensive Anti-Smoking Ordinance in the City of Iloilo and for other purposes.
- Sponsored by Councilor Joshua C. Alim and unanimously co-sponsored by Councilors Lyndon V. Acap, Jason R. Gonzales, Carlos P. Guarin, Liezel Joy Zulueta-Salazar, Lady Julie Grace L. Baronda, Jose Efrain G. Treñas III, Plaridel C. Nava II, Nielex C. Tupas, R-Leone N. Gerochi, Armand Parcon, Rodel F. Agado, Sheen Marie S. Mabilog, and Eduardo L. Peñaredondo

### **SECTION 5. PROHIBITED ACTS (INDIVIDUAL)**

- Section 5.1 Smoking or using Electronic device systems, shishia and the likes shall be **ABSOLUTELY** prohibited in the following:
  - a. School compounds and within 10 meters from entrance gates and fences of its surrounding premises
  - b. Public buildings and within 5 meters from entrance and walls of its surrounding premises
  - c. Conveyances and government-owned vehicles, whether moving or stationary, with/without passenger or while in the act of solicitation of passengers is going on or while the vehicle is waiting for passengers
  - d. Locations in which fire hazards are present such as gasoline station and storage areas for inflammable liquids, gas explosives or combustible materials, whether open or enclosed
  - e. Within 100 meters of the surrounding premises of the buildings of public and private hospitals, medical, dental, optical clinics and pharmacies
  - f. Accommodation, such as hotels, motels, and the likes
  - g. Restaurants, Bars, Disco houses and other entertainment establishment
  - h. Private workplaces open to the general public
  - i. Public places where ten (10) or more persons convened
  - j. Waiting shed, with in the compound of plazas, in front of sari-sari stores, wellness centers, recreations and exercise areas open or enclosed; within the compound of churches, sports center, sports complex, gyms, cockpits and the likes
  - k. Any areas owned by the government and declared by the City Mayor thru executive order as a no smoking area or place

### **SECTION 6. PROHIBITED ACTS (ADMINISTRATIVE VIOLATION)**

- a. No signages of **NO SMOKING** in the entrance and inside the establishments
- b. Providing ash trays in tables with in the **NO SMOKING AREA**
- c. Knowingly allowing, abetting, or tolerating smoking any tobacco or using Electronic devices systems, shishia and the likes
- d. Designating Smoking Area within the building or establishment
- e. Selling/allowing minors to smoke in their establishments
- f. Non-declaration in the business permit indicating that their establishment is a smoke-free establishment
- g. Allowing smoking during events
- h. Selling of cigarette in front of schools within 100 meter (RA 9211).
- i. Selling of cigarette within the 20-meter perimeter of recreational activities, hospitals, medical clinics, pharmacies and laboratories.
- j. No “**NO SMOKING**” signages on Public Utility Vehicle.

### **SECTION 7. STANDARDS FOR DESIGNATED SMOKING AREA**

- No Smoking Area is allowed inside establishments, buildings, and working place and alike. Smoking shall only be allowed and should be in open spaces not covered by any wall and roofing either permanent or temporary except those mentioned in Section 5, 5:1 (j), smoking is not allowed within 10 meters from any entrances and walls of establishments and buildings, whether tourism accredited or not, within the territorial jurisdiction of Iloilo City as herein above defined;

#### SECTION 8. NO SMOKING SIGNAGES

- Non-smoking signages shall have at least two (2) legible and visible sign posted in the Entrance and inside the Establishments. Saying “NO-SMOKING AREA” or “NO SMOKING” in English or Filipino for the guidance of all concerned, with a measurement not less than 3 inches height and 8 inches in width and in bold letters with an international no smoking sign and under no circumstance shall any mark, device, word or image associated with any tobacco company be included in any of these signs and materials.

#### SECTION 9. PENALTIES

- Any individual violating 5.1 of this Ordinance and the manager/owner of the establishment who tolerate the violation of this ordinance shall be penalized as follows:
  - a. On the first offense A fine of P500.00 and/or 24 hours community work and/or 3 days imprisonment at the discretion of the court
  - b. On the second offense A fine of P1,000.00 and/or 48 hours community work and/or 5 days imprisonment at the discretion of the court
  - c. On the third offense and subsequent offense A fine of P5,000.0 and/or 60 hours community work and/or 10 days imprisonment at the discretion of the court
- Adult violators who opted for the community works after paying the corresponding fine shall be referred to the GSO for the assigned work. Minors who violated this ordinance shall be referred directly to the nearest DSWD office and likewise be subjected to community works above stated under the supervision of the DSWD.

#### SECTION 10. ADMINISTRATIVE PENALTIES

- For violation of Section 7, 8, and 9 and 14 of this ordinance, the person mentioned in the aforementioned sections and business entity or establishment shall be penalized as follows:
  - a. On the first offense A fine of P1,500.00
  - b. On the second offense A fine of P2,500.00 and suspension of business permit and license to operate for one (1) week in case of business entity or establishment
  - c. On the third and subsequent offense A fine of P5,000.00 and cancellation, revocation of business permit and license in case of business entity or establishment
- Due process shall be observed in the imposition of fines and suspension/revocation of business permit and license. The procedure for suspension/cancellation of business permits as provided for in Ordinance No. 399 as amended shall apply.
- Payments of the fine shall be made directly of the office of the City Treasurer by presenting the citation tickets issued by the ICAST within three (3) days from apprehension. After three (3) days, the case may be filed against the violator through the City Legal Office.