



DEPARTMENT OF HEALTH

ENVIRONMENTAL HEALTH SERVICE

Manila, Philippines

1997



IMPLEMENTING RULES AND
REGULATIONS OF CHAPTER XI

“DANCING SCHOOLS,
DANCE HALLS
AND NIGHT CLUBS”

OF THE CODE ON SANITATION
OF THE PHILIPPINES

(P. D. 856)

Printed by the

Environmental Health Service
Department of Health

Not for Sale

IMPLEMENTING RULES AND REGULATIONS OF CHAPTER XI-
“DANCING SCHOOLS, DANCE HALLS AND NIGHT CLUBS” OF
THE CODE ON SANITATION OF THE PHILIPPINES (P.D. 856)

TABLE OF CONTENTS

Section 1	Scope	1
Section 2	Definition of Terms	1
Section 3	Sanitation Requirements for Operating Dancing Schools, Dance Halls, Night Clubs and Other Similar Establishments	4
Section 4	Requirements Regarding Function Rooms in Night Clubs and Other Similar Establishments	15
Section 5	Review and Approval of Plans of Establishments	16
Section 6	Requirements for Personnel	17
Section 7	Requirements for Dance Students/ Trainees/Talents	18
Section 8	Classification of Night Clubs and Other Similar Establishments	19
Section 9	Evaluation of Dancing Schools/ Studios, Dance Halls and Night Clubs	20
Section 10	Responsibility of the Operators of Dancing Schools/Studios	25
Section 11	Responsibility of the Operators of Night Clubs and Similar Establishments.	25
Section 12	Responsibility of the Local Health Officer	26
Section 13	Responsibility of the Local Government	27
Section 14	Penal Provisions	27
Section 15	Separability Clause	27
Section 16	Repealing Clause	27
Section 17	Effectivity	28



23 December 1997

IMPLEMENTING RULES AND REGULATIONS OF CHAPTER XI - "DANCING SCHOOLS, DANCE HALLS AND NIGHT CLUBS" OF THE CODE ON SANITATION OF THE PHILIPPINES (P.D. 856)

To carry out the provisions of Chapter XI - "Dancing Schools, Dance Halls and Night Clubs" of the Code on Sanitation of the Philippines (P.D. 856), these rules and regulations are hereby formulated for enforcement and strict compliance of all concerned.

SECTION 1. SCOPE

These implementing rules and regulations shall apply to all dancing schools/studios, dance halls, discos/discotheques, night/day clubs, bars, cabarets, folkhouses, karaoke bars, videoke bars, music lounges and other similar establishments, facilities, premises, appurtenances and their personnel.

SECTION 2. DEFINITION OF TERMS

As used in these rules and regulations, the following terms shall mean:

- 2.1 **BAR** - includes cocktail lounges and similar establishments with counter at which food and drinks, especially alcoholic beverages, are served.
- 2.2 **CABARET** - an establishment serving food and drinks and providing entertainment, usually singing and/or dancing.
- 2.3 **DANCE** - rhythmic and expressive body movements, usually coordinated into a pattern and adopted to musical accompaniments.
- 2.4 **DANCE HALL** - a public or privately owned room suitable for dances and offering facilities for dancing. This shall include bistros, cabarets, discos, discotheques, ballroom dance halls and similar establishments.
- 2.5 **DANCE INSTRUCTOR/INSTRUCTRESS** - a person who conducts lessons on ballet, modern dancing, jazz dancing, ballroom dancing, ethnic dancing, folk dancing, theater dancing and other forms of dancing.

- 2.6 **DANCING SCHOOL/STUDIO** - an establishment offering training or instructions on ballet, modern dancing, jazz dancing, ballroom dancing, ethnic dancing, folk dancing and other forms of dance. This shall include dance training/talent schools/studios managed by placement agencies that recruit dancers for work abroad or locally.
- 2.7 **DEPARTMENT** - the Department of Health.
- 2.8 **DISCO/DISCOTHEQUE** - an establishment serving food and drinks, equipped with electronic sound and lighting system and similar accessories, and providing a space for dancing.
- 2.9 **EGRESS** - an arrangement of facilities to assure a safe means of exit from the building.
- 2.10 **EQUIPMENT** - include all appliances, furniture, machinery, instruments, apparatus and articles used or intended to be used in the establishment.
- 2.11 **ENTERTAINERS** - include hosts/hostesses, singers, hospitality girls, male and female escorts, receptionists, guest relation officers, ago-go dancers, male and female sexy dancers, dance instructors/ instructresses and models of night/day clubs and similar establishments who entertain patrons or customers by seating and conversing, dancing, singing, eating or drinking with them.
- 2.12 **ESTABLISHMENT** - a collective term construed to include dancing schools, dance halls, discos, discotheques, night/day clubs, cabarets, folkhouses, karaoke bars, videoke bars, music lounges and other similar establishments or facilities.
- 2.13 **FOOT CANDLE** - a unit of illumination on a surface that is everywhere one foot from a uniform source of light of one candle and equal to one lumen per square foot. One foot candle is equivalent to 10.76 lux.
- 2.14 **FUNCTION ROOM** - a room in an establishment serving food and drinks and rented for public or social ceremonies, gatherings or festivities.
- 2.15 **HAZARD** - the risk or danger to one's health or life.
- 2.16 **FOLKHOUSE/KARAOKE BAR/VIDEOKE BAR/MUSIC LOUNGE** - an establishment serving food and drinks and where the major form of entertainment is singing or listening to music.
- 2.17 **LOCAL GOVERNMENT UNIT** - the local political subdivision which refers to the province, city, municipality or barangay.
- 2.18 **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.

- 2.19 **LOCAL HEALTH OFFICER** - the provincial, city or municipal health officer.
- 2.20 **KITCHEN** - a room or some other space with facilities for the preparation and cooking of food.
- 2.21 **NIGHT/DAY CLUB** - an establishment open during the night or day usually serving liquor and food, providing a show or live entertainment, or music and space for dancing.
- 2.22 **NUISANCE** - anything that injures health, endangers life, offends the senses or produces discomfort to the community.
- 2.23 **OPERATOR** - the owner or manager or administrator or occupier of the establishment or the actual holder of the sanitary permit.
- 2.24 **REGIONAL DIRECTOR** - an official who heads the regional health office of the Department of Health.
- 2.25 **SAFETY** - the condition of being free from danger and hazards which may cause accidents or diseases.
- 2.26 **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.
- 2.27 **SANITATION INSPECTOR** - an officer employed by the national, provincial, city or municipal government, who enforces sanitary rules, laws and regulations and implements environmental sanitation activities under the supervision of the provincial/city/municipal health officer/sanitary engineer.
- 2.28 **SANITARY PERMIT** - a certification in writing by the city or municipal health officer or in his absence by the chief or head of the sanitation division/section/unit attesting that the establishment complies with the existing sanitation requirements upon evaluation or inspection conducted in accordance with Presidential Decrees No. 522 and 856 and local ordinances.
- 2.29 **SECRETARY** - the Secretary of Health.
- 2.30 **VERMIN** - a group of insects or small animals such as flies, mosquitoes, cockroaches, lice, bedbugs, mice and rats that are vectors of diseases.
- 2.31 **VERMIN ABATEMENT PROGRAM** - a series of preventive and control procedures and activities in the control of vermin.

SECTION 3. SANITATION REQUIREMENTS FOR OPERATING A DANCING SCHOOL, DANCE HALL, NIGHT CLUB AND OTHER SIMILAR ESTABLISHMENT

3.1 Sanitary Permit

- 3.1.1 No person or entity shall operate a dancing school, dance hall, night club and other similar establishment for public patronage without securing a sanitary permit (EHS Form No. 101).
- 3.1.2 Any extension or additional construction or alteration in an establishment shall require a new sanitary permit before it could be operated.
- 3.1.3 **Application or renewal of sanitary permit**
- a. The application or renewal of sanitary permit shall be filed with the city or municipal health office having jurisdiction over the establishment utilizing EHS Form No. 110.
 - b. The sanitary permit shall be issued only upon compliance to at least a satisfactory rating utilizing the form for sanitary inspection of public places establishment (EHS Form Nos. 103-A and 103-B).
 - c. 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.
- 3.1.4 **Noting of Permit.** If there is a change in ownership or occupancy of any dancing school, dance hall, night club, and other similar establishments, the new owner or occupant shall apply to the city/municipal health office within fourteen (14) working days to have such change noted in the records and sanitary permit and shall pay the corresponding fee for such noting.
- 3.1.5 **Validity.** The sanitary permit shall be valid on the day of issuance until the last day of December of the same year, unless otherwise revoked and shall be renewed every beginning of the year thereafter.
- 3.1.6 **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 sanitation rules and regulations.
- 3.1.7 **Posting of Permit.** The sanitary permit shall be posted in a conspicuous place of the establishment for public information and shall be available for inspection by health and other regulatory personnel.

3.1.8 Record of Sanitary Permit

- a. Every city or municipality shall keep a record of all establishments, which have been issued sanitary permit and renewal thereof.
- b. The record shall in every case show the following:
 - i. The name and address of the holder of the sanitary permit who in every case shall be the actual occupant of the establishment;
 - ii. The location of the establishment;
 - iii. The nature/kind of business for which the permit has been issued;
 - iv. The date when the first permit was issued and the dates of any renewal thereof;
 - v. Every change of management of the establishment since the first permit was issued;
 - vi. Sanitary conditions under which the permit was first issued or any renewal thereof granted; and
 - vii. The revocation of the sanitary permit.
- c. The record shall be available at all reasonable times for inspection by authorized officer of the Department of Health or local government unit.

3.2 General Requirements for the Issuance of the Sanitary Permit

3.2.1 Water Supply

- a. The drinking water supply shall be adequate and potable whether from a public or private water supply system and shall be in accordance with the provisions of Chapter II - "Water Supply" of the Code on Sanitation of the Philippines (P.D. 856) and its implementing rules and regulations. The quality of drinking water used shall conform to the Philippine National Standards for Drinking Water.
 - i. All water supply sources shall have a certificate of potability of drinking water issued by local health officer.
 - ii. A minimum of forty (40) liters per capita per day shall be maintained.

- b. 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.
- c. Running water, under adequate pressure, shall be provided in all areas where food is prepared, processed or handled and where food equipment and utensils are washed. Water pressure shall be maintained at 138 KPa (20psi).
- d. 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.
- e. In cases where the establishment is utilizing two or more water supply sources, no cross-connection with unapproved water supplies shall exist.
- f. Drinking water if not supplied from a piped water supply system to the establishment shall be handled, transported, dispensed in a sanitary manner and may be stored in a separate tank, reservoir or container approved by the local health officer.
- g. The provisions of the National Plumbing Code of the Philippines shall strictly be enforced on all water piping installation.

3.2.2 Food and Drinks

Dancing schools, dance halls, night clubs and other similar establishments serving food and drinks shall comply with the pertinent provisions of Chapter III - "Food Establishments" of the Code on Sanitation of the Philippines (P.D. 856) and its implementing rules and regulations.

3.2.3 Sewage Disposal and Drainage

- a. All sewage discharged from the establishment shall be disposed in a public sewerage system, or in the absence thereof, in a manner complying with the provisions of Chapter XVII - "Sewage Collection and Disposal, Excreta Disposal and Drainage" of the Code on Sanitation of the Philippines (P.D. 856) and its implementing rules and regulations.

- b. A grease trap shall be used and where practicable be placed outside the establishment.

3.2.4 Solid Waste Management

- a. Every room of the establishment shall be provided with two (2) refuse receptacles or containers with swing cover and made of impervious materials, one for biodegradable and one for non-biodegradable wastes.
- b. All receptacles or containers shall be provided with tight fitting lids or covers, so constructed and maintained as to be vermin-proofed and easily cleaned. The receptacles or containers shall be lined with black plastic trash bags for non-biodegradable and green plastic trash bags for biodegradable materials.
- c. After being emptied, each container shall be thoroughly cleaned inside and outside with water, soap and brush.
- d. Storage of refuse shall be done in such a way that it shall be inaccessible to vermin or from becoming a potential insect and rodent attractant and harborage or cause of nuisance.
- e. The segregation, collection, storage and disposal of refuse shall be in accordance with acceptable sanitary procedures and regulations.
- f. Separate storage rooms/bins for dry and wet refuse shall be provided.
- g. Refuse storage areas shall be maintained clean at all times.
- h. All refuse shall be disposed at least once a day, or at such frequencies as may be necessary through the city or municipal collection system or by any approved method and in such manner as to prevent nuisance.
- i. Solid waste management in all establishments shall comply with the pertinent provisions of Chapter XVIII - "Refuse Disposal" of the Code on Sanitation of the Philippines (P.D. 856) and its implementing rules and regulations.

3.2.5 Vermin Control

- a. The establishment owner or operator shall maintain a vermin abatement program in the buildings and its surroundings. If they fail, neglect or refuse to maintain a vermin abatement program, the local health agency shall undertake the activity at the expense of the owner, operator or administrator.

- b. All openings to outdoor space of the establishment shall be effectively screened, unless air-conditioned.
- c. All below grade openings such as windows, lighting and ventilation shall be rat-proofed. Likewise, all openings on the exterior walls, fountains, ground or first floor and roof shall be rat-proofed. In case of heavy rat infestation, wooden exterior doors shall be covered with cuff and chain sheet metal and equipped with an automatic closing device.
- d. The growth of bush weeds and grass outside or at the surrounding area of the establishment shall be controlled to prevent harborage of ticks, bugs and other noxious insects.
- e. All deratting, disinfestation and disinfecting operations using pesticides shall be handled by accredited urban pest control applicator under the supervision of the local health office and conducted at the expense of the owner or operator.
- f. The procedure and frequency of vermin abatement program shall be determined and approved by the local health office.
- g. The vermin abatement program in all establishments shall be in accordance with Chapter XVI - "Vermin Control" of the Code on Sanitation of the Philippines (P.D. 856) and its implementing rules and regulations.

3.2.6 Sanitary Facilities Requirements

a. Wash-hand Basins

- i. Wash-hand basins shall be installed in convenient places and as near as practicable to the person for whose such use are provided for or in such locations as may be otherwise prescribed. The installation of wash-hand basins shall be in accordance with the provisions of the National Plumbing Code of the Philippines.
- ii. Wash-hand basin maintenance
 - a. An adequate supply of soap, detergent, clean towels, roller towels presenting a clean surface to each user from a continuous roller towel dispenser or other hand drying services shall be provided.
 - b. The wash-hand basin and all hand washing facilities shall, at all times, be maintained in good repair and in clean condition.

- c. All wash-hand basins shall, at all times, while the premises are being used, be supplied with running water.

b. Toilet Facilities

- i. Adequate and clean toilet facilities for male, female and disabled customers and for personnel shall be provided.
 - a. Toilet facilities shall be easily accessible to the customers and employees.
 - b. Adequate hand-washing facilities shall be provided within or adjacent to the toilet room.
- ii. Toilets shall not open directly into spaces where food is prepared, stored or served. Where such toilets exist, the doors shall be tight fitting, self-closing and opening outward.
- iii. Toilet rooms shall be completely enclosed, properly lighted and ventilated.
- iv. The number of water closets, urinals and wash-hand basins provided to clients/customers of night clubs and other similar establishments shall be in accordance with the following table:

Table 1. Night Clubs and other Similar Establishments

Club Seating Accommodation	Water Closet		Urinal Stalls	Wash-hand Basin	
	Female	Male		Female	Male
1 - 49	1	1	1	1	1
50 - 60	2	1	1	1	1
61 - 120	2	2	2	2	2
For every additional 60 persons	1	1	1	1	1
One water closet for person with disability	1	1	-	-	-

- v. The number of water closets, urinals and wash-hand basins provided to students/trainees/talents of dancing schools/dance halls and other similar establishments shall be in accordance with the following table:

Table 2. Dancing Schools/Studios and other Similar Establishments

Number of Persons	Water Closet		Urinal Stalls	Lavatories	
	Female	Male		Female	Male
1 - 100	1	1	1	1	1
101 - 200	2	2	1	1	1
201 - 400	3	3	2	2	2
401 - 600	4	4	3	3	3

One (1) Fixture facility for each additional 100 students/trainees/talents. Drinking Fountains - one (1) for each 75 students/trainees/talents. Showers - one (1) for each 15 students/trainees/talents

- vi. The number of water closets, urinals and wash-hand basins provided to personnel of night clubs, dancing schools/dance halls and other similar establishments shall be in accordance with the following table:

Table 3. Personnel of the Establishment

Number of Personnel	Water Closet		Urinal Stalls	Wash-hand Basin	
	Female	Male		Female	Male
1 - 29	1	1	-	1	1
30 - 49	2	1	1	2	2
50 - 99	2	2	2	3	3
For every 100 - up, one (1) fixture for each additional 50 personnel; one (1) shower provided for every 15 personnel; one (1) drinking fountain for every 75 personnel					

- vii. Toilet Structural Requirements

1. The local health officer as recommended by the sanitary engineer shall approve plans of toilet, individual sewage disposal system, sub-surface absorption system or other treatment device.
2. Minimum space requirement:

Table 4. Minimum Space Requirement for Toilet Facilities

Unit	Square meters/unit	Square feet/unit
Water Closet	1.50	16
Lavatories	1.11	12
Urinals	1.11	12

3. Minimum height of ceiling: 2.5 meters
4. Lighting: not less than 10 foot-candles (107.6 lux)
5. Natural ventilation: window space shall be at least 10% of the floor area of toilet room
6. Mechanical ventilation: use of exhaust fans

3.2.7 Structural Requirements

a. Site Requirements

- i. Dancing schools, dance halls and night clubs shall be located only in areas or zones designated by existing laws or ordinances or regulations. The local government unit concerned shall determine the suitability of the location where no zoning law, ordinance or regulation exists.
- ii. It shall be located preferably in areas far from schools and churches.

b. Floors

- i. Floors shall be constructed of smooth and easily cleaned materials and shall be maintained in good condition.
- ii. Materials such as concrete, tile, terrazzo, tongue and grooved hardwood, marble, parquet and other similar materials may be used provided there are no cracks and holes. Defective planks shall not be utilized.
- iii. Floors in bathrooms and other areas subject to wetting shall be constructed of impervious and non-slip materials.
- iv. All floors shall be kept clean at all times.

c. Walls and Ceilings

- i. Walls and ceilings shall be smooth, tightly constructed, even, made of non-toxic materials and maintained in good repair.
- ii. Walls shall be finished with paneling wallpaper or other wall covers that can easily be cleaned without damaging the surface.
- iii. Walls and ceilings shall be painted or made of flat non-glare reflecting materials.

- iv. Wall finished of bathrooms and other areas that are subject to wetting or splashing shall be made of impervious materials.
- v. Decorations, ornaments, lighting fixtures, equipment and other attachments of walls and ceilings shall be maintained clean at all times. All surfaces shall be refurbished, repaired or rehabilitated as often as necessary.

d. **Lighting**

- i. All areas in the dancing schools/studios, nightclubs and other similar establishments shall be properly lighted, both natural and artificial. The following are the minimum standard of illumination that shall be observed:

Table 5. Minimum Standard of Illumination

Area	Lighting Level
Hallways, exits, stairways, landing (on floor), elevators and escalators	5 foot candles (53.8 lux)
Dance halls, dressing rooms, supply rooms, lobbies, lockers, bathrooms and toilets	10 foot candles (107.6 lux)
Storage rooms	20 foot candles (215.1 lux)
Supplemental Illumination in bathroom mirrors	30 foot candles (322.8 lux)

- ii. Intensities of illumination shall be measured at a point 76 centimeters (30 inches) above the floor. The lighting intensity shall be measured by a light meter (Foot-candle meter or Lux meter).
- iii. All lighting lamps and fixtures in the establishment shall be maintained in good condition and shall not be of a type that can be a health hazard.
- iv. Emergency lights shall be made available in case of power failure or emergency situation. It shall be mandatory for exits to be installed with emergency lights.
- v. The use of light-reflecting materials shall be minimized to avoid glare that may hurt the eyes.
- vi. Lighting equipment when installed in such a way that it may descend sometime during the dancing shall be properly guarded.
- vii. Changes in floor levels in the establishment shall be properly lighted or visibly marked to prevent accident.

e. **Sound and Vibration**

- i. Sound-absorbing materials shall be installed in all areas where sound is produced to decrease reverberation.
- ii. Anti-vibration mountings shall be utilized for sound producing equipment.
- iii. Disk jockey booth shall be sound insulated.
- iv. Total enclosure of the establishment or the area where sound and vibration are produced shall be required to prevent the escape of noise that may disturb the neighboring occupants.
- vi. Employees working in areas where sound level exceeds 75 decibels shall be provided with hearing protection equipment.

f. **Ventilation**

- i. Natural and/or mechanical ventilation, which shall be effective, adequate and suitable to maintain comfort and safety of customers, shall be provided in all areas of the establishment.
- ii. Where natural ventilation only is provided, window space shall be at least 25% of the floor area opening to a clear space. Windows shall be kept clean and in good condition.
- iii. In the absence of effective natural ventilation, mechanical ventilation with airflow from a clean area and discharged in such a manner as not to create a nuisance, shall be provided with the following:
 1. Air-conditioning units - provide 1.50 horse power (6,000 BTU/hr) air conditioner for every 50 cubic meter room volume.
 2. Exhaust fans or blowers:
 - a. For dance halls and changeroom - provide a 25 centimeter diameter blower fan per 35 cubic meter room volume.
 - b. For storage and supply rooms - provide a 15 centimeter diameter blower fan per 35 cubic meter room volume.
 - c. For toilets and bathrooms - provide a 15.24 centimeter diameter exhaust fan per 10 cubic meter room volume.

- d. Mechanical exhaust systems shall be connected to the light circuits of windowless bathrooms.
 - iv. Absorptive materials like saw dust and activated carbon shall be provided in rooms to remove odor.
 - v. Fog, mist or other disco gimmicks, shall be allowed to be used provided the ventilation is efficient enough to absorb the fog within a minute period and provided that additives used is not adulterated or do not cause or produce annoyance or irritation to the dancers/clients.
 - vi. Non-smoking areas shall be provided. Smoking in certain areas of the establishment may be permitted, provided adequate ventilation is installed, and/or in accordance with existing local ordinance.
- g. Dance Halls/Areas**
- i. A minimum of 1.10 square meter floor area shall be provided for every dancer in dance halls.
 - ii. Dancing area shall in no case be smaller than 20 square meter in floor area.
 - iii. For night clubs and other similar establishments, the dance hall shall not be more than one-half (1/2) of the dining area.
 - iv. Passageways, aisles, work spaces and other areas to which students/trainees/talents and personnel of the establishment have access shall be unobstructed and sufficient enough to permit movement of employees and customers.
 - v. Dance halls shall be cleaned daily or as often as possible and disinfected weekly.
 - vi. All other floor spaces of the establishments shall comply with the provisions of the National Building Code of the Philippines.
- h. Changerooms**
- i. Dancing schools and other similar establishments shall provide dance students/trainees/talents separate changerrooms for each gender. It shall be located adjacent to the bathroom.
 - ii. Changerrooms shall be provided with individual lockers.

- iii. Changerrooms shall likewise be provided with chairs and lounges.

i. Egress

- i. Dancing schools, dance halls, night clubs and similar establishments shall provide two (2) egress for their patrons/ customers/ students/ trainees/talents.
- ii. Front doors of all establishments shall be at least 2.0 m. wide and opening outward.
- iii. Emergency exit doors and passageways shall be kept unobstructed and shall have proper signs installed.
- iv. All egress shall lead and connect to clear areas.

3.2.8 First-Aid Measures

Establishments shall be provided with first-aid kit, telephone numbers of accessible physician and hospital of the place or locality for emergency purposes.

SECTION 4. REQUIREMENTS REGARDING FUNCTION ROOMS IN NIGHT CLUBS AND OTHER SIMILAR ESTABLISHMENTS

4.1 Function rooms in these establishments may be permitted subject to the following requirements:

- 4.1.1. Minimum floor area shall be at least 15 square meters including a bar, kitchenette/sushi bar and handwashing facility.
- 4.1.2 The room shall have a minimum sitting capacity of eight (8) persons at one time.
- 4.1.3 Floor, walls, ceilings, lighting, sound and ventilation requirements of these rules and regulations shall be applied herein.
- 4.1.4 Door of the room shall be of the swing-type without lock.
- 4.1.5 Furniture and equipment in the room shall be maintained clean, in good repair and condition and disinfected regularly.
- 4.1.6 Food preparation, handling, serving and storage and vermin control shall be in accordance with the provision of Chapter II - "Food Establishments" of the Sanitation Code of the Philippines (P.D. 856) and its implementing rules and regulations.

- 4.1.7 The total floor area of all function rooms shall not be more than one-half (1/2) of the floor area of the establishment.
- 4.2 Operators of establishments are strictly prohibited to operate private rooms or separate compartments for public use except those used for lavatories, dressing rooms, bars and kitchens.

SECTION 5. REVIEW AND APPROVAL OF PLANS OF ESTABLISHMENTS

5.1 For New Establishments

- 5.1.1 Prior to the construction of the establishments intended to be operated as dancing school, dance hall, night club, or similar establishment, plans shall be submitted for approval by the local health officer, as recommended by the sanitary engineer, as to the site, water supply, plumbing, sewage and drainage, solid waste facilities, vermin-proofing, sanitary facilities, structural requirement, floor area allocations and arrangement of equipment and furniture and the materials to be used if complying to the sanitation standards.
- 5.1.2 Approval for the issuance of the sanitary permit to operate shall be subject to the compliance to the previously approved plans. Prescribed application form (EHS Form No. 110) shall be used for requesting for the issuance or renewal of sanitary permit.

5.2 For Existing Establishments

- 5.2.1 Existing dancing schools, dance halls, night clubs, and other similar establishments already operating before the issuance of these rules and regulations shall be evaluated by the local health office concerned. Any additional construction, renovation, alteration or improvement in the establishment shall conform to the requirements of these rules and regulations. The owner/operator shall submit the required plans before the issuance of a new sanitary permit.

SECTION 6. REQUIREMENTS FOR PERSONNEL

The following requirements shall be strictly enforced:

6.1 General Requirements for Personnel

- 6.1.1 All personnel shall wear clean and presentable working garments.
- 6.1.2 They shall observe good personal hygiene and practices.
- 6.1.3 Smoking is allowed only in designated areas, however, drinking alcoholic beverages while working shall not be allowed except for employees which require such in their nature of work.

- 6.1.4 Use of prohibited drugs is strictly prohibited.

- 6.1.5 All personnel shall observe proper decorum while working.

6.2 Dance Instructors or Instructresses

- 6.2.1 No dance instructor/instructress shall be allowed to work in an establishment without an updated health certificate issued by the local health officer.
- a. EHS Form No. 102-B: a light green color form shall be used for dance instructor/instructress in dancing schools/studios. Physical and medical examination and immunization are required.
- b. EHS Form No. 102-C: a pink color form shall be used for dance instructor/instructress in dance halls and night clubs. In addition to the physical and medical examination and immunization requirements, the dance instructors/instructresses shall be required to secure STD clearance at least every two weeks from DOH accredited clinic or hospital. Requirements for other examinations such as hepatitis-B antigen (HBsAG), VDRL, HIV/AIDS shall be determined by the local health officer.

- 6.2.2 The health certificate shall be renewed at least every year or as often as required by the local health officer.

- 6.2.3 Health certificates are non-transferable and shall be clipped visibly in the upper left portion of the garment of the employee while working.

6.3 Entertainers

- 6.3.1 No entertainer shall be allowed to work in an establishment without an updated health certificate issued by the local health officer.
- 6.3.2 Requirements mentioned in sub-section 6.2.1 - b, sub-section 6.2.2, and sub-section 6.2.3 of these implementing rules and regulations shall apply to all entertainers.

6.4 Food Handlers

- 6.4.1 No person shall be employed as food handler in any establishment without a health certificate issued by the local health officer. The health certificate shall be issued only after the required physical and medical/laboratory examinations and immunizations. The local health office prior to the issuance of the health certificate shall provide briefings to the recipient.
- 6.4.2 The health certificate (EHS Form No. 102-A) shall be clipped in the upper left front portion of the garment of the employee while working.

6.4.3 The health certificate shall be renewed at least every year or as often as required by local ordinance.

6.4.4 Health certificates are non-transferable.

6.5 Other Personnel

6.5.1 All other personnel in the dancing schools/studios, dance halls and night clubs who are neither dance instructor/instructress or club hostess/host shall possess an up-to-date health certificate (EHS Form No. 102-B: light green color) and shall comply to the requirements of sub-section 6.2.2 and sub-section 6.2.3 of these implementing rules and regulations.

SECTION 7. REQUIREMENTS FOR DANCE STUDENTS/TRAINEES/TALENTS

7.1 Dancing schools/studios shall require prospective students/trainees/talents to submit a medical certificate from a government physician certifying that he/she is physically fit for the dancing lessons.

7.1.1 For students/trainees/talents below 40 years old, a standard physical and medical examination is required.

7.1.2 For students/trainees/talents 40 years old and above, a standard physical and medical examination including electrocardiogram is required.

7.2 Only physically fit students shall be allowed to enroll in specific dance lessons by undergoing a pre-screening before they are accepted.

SECTION 8. CLASSIFICATION OF NIGHT CLUBS AND OTHER SIMILAR ESTABLISHMENTS

8.1 Classification into Class A, B and C:

8.1.1 Class A

The percentage rating shall not be lower than 90%.

8.1.2 Class B

The percentage rating shall not be lower than 70%.

8.1.3 Class C

The inspection rating shall not be lower than 50% and all those who have violated one or more important items of sanitation requirements of the Code on Sanitation of the Philippines (P.D. 856) and its implementing rules and regulations.

8.1.4 Class A establishments found during two successive inspections to have failed to meet Class A requirements shall be degraded to Class B or C as the case may be.

8.1.5 On the other hand, Class B or C establishments who have complied with Class A requirements may apply for upgrading of classification using EHS Form No. 111.

8.1.6 On receipt of such application, the local health officer shall cause an inspection of the premises and shall subsequently issue the appropriate classification placard of the establishment upon payment of the establishment classification fee, the amount of which shall be set through local ordinance; or inform the applicant of any improvement or work which shall be carried out to meet the full requirements of the higher classification as the case may be.

8.2 Space and Facilities Requirements

Requirements for space and facilities for preparation, handling and serving of food shall conform with the pertinent provisions of Chapter II - "Food Establishments" of the Code on Sanitation of the Philippines (P.D. 856) and its implementing rules and regulations.

8.3 Air Conditioning

8.3.1 The premises shall be equipped with sufficient number of appliances so that at all times, the temperature and humidity maybe maintained at a level so as to provide comfortable and healthy conditions that pass sanitation standards.

8.3.2 Air conditioning of at least the dining area is compulsory for Class A and B establishments.

8.3.3 Areas , which are 915 meters (3000 ft.) above sea level in elevation, are exempted from this requirement.

8.4 Public Display of Classification Placard

8.4.1 The classification placard shall be posted conspicuously in the public part of the establishment.

8.4.2 If an inspection of a Class A establishment reveals that the premises are not being maintained in accordance with, or fail to meet any of the requirements of these rules and regulations:

- a. The holder of the sanitary permit shall be notified by the health officer in writing of the action necessary to remedy any defects; and

b. Such defects shall be corrected within 14 days of the service of the notice or the placard removed from the premises.

8.4.3 No person shall display any classification placard indicating the premises meeting the requirements for a Class A establishment:

- a. Without the permission of the local health officer in writing; and
- b. No person shall display any such notice and must remove the placard accordingly after being notified by the local health officer that the premises do not meet the standard for Class A establishments.

8.4.4 No establishment shall use "Class A" or "Grade A" as their name or calling to preclude misleading the public on the classification of the establishment.

SECTION 9. EVALUATION OF DANCING SCHOOLS/STUDIOS, DANCE HALLS AND NIGHT CLUBS

9.1 Responsible Officer

It shall be the duty of the local health officer to cause the evaluation and inspection of every dancing schools, studios, dance halls and night/day clubs, and other similar establishments requiring a sanitary permit for its operations, at least every three (3) months and shall cause as many additional inspections and re-inspections and evaluation as deemed necessary for the enforcement of the provisions of these rules and regulations. Inspection of the establishment shall be conducted within seven (7) days after payment of inspection fee to the city/municipal treasurer concerned.

9.2 Sanitation Inspection Fee

The fees payable for every inspection shall be of such amount prescribed by local ordinance.

9.3 Mission Order

9.3.1 The city or municipal health officer or the chief of the sanitation division or section or unit of the local health office, as the case may be, shall issue a mission order (EHS Form No. 112) for every sanitation inspection that will be conducted by the sanitary engineer/sanitation inspector.

9.3.2 The mission order must contain date, mission order number and series, the name of the inspector and the I.D. number, the business names, addresses, categories of establishments to be inspected and the scheduled date of inspections. The immediate supervisor of the inspector shall monitor the enforcement of the mission order.

9.3.3 Sanitary inspection conducted without a mission order is prohibited.

9.3.4 The operator of establishment shall report to the local health officer or chief of sanitation division/section/unit any unauthorized inspection that was executed.

9.4 Uniform of Inspector and Aids to Inspection

9.4.1 The sanitation inspector shall wear the prescribed uniform of the office with the proper identification card while conducting the inspection.

9.4.2 He shall likewise bring all the equipment and supplies needed in the inspection such as the sanitary inspection of public places establishment form (EHS Form No. 103-B), clipboard, thermometers, flashlight, measuring tape, camera, light meter, water pressure gauge, residual chlorine and pH comparator kits, blacklight, copy of sanitation laws, regulations, standards and other reference materials needed in the inspection.

9.5 Frequency of Inspection

Table 6. Frequency of Inspection

Night Clubs and Other Similar Establishments	Frequency of Inspection (Minimum number of Inspection)
Class A	At least once every three (3) months
Class B	At least once every two (2) months
Class C	At least once a month (1)
Dancing Schools/Studios	At least once every three (3) months

9.6 Recording of Inspection

9.6.1 The sanitary engineer/sanitation inspector shall keep a record of all inspections or evaluation reports in an inspection form (EHS Form No. 103-B).

9.6.2 The sanitary engineer/sanitation inspector shall furnish the original of such report to the operator of the establishment.

9.6.3 Demerits entered in the appropriate column of the inspection form shall indicate that the item does not conform to the requirements of these regulations.

- a. The inspection form has twenty (20) items. Non-complying items are indicated with an (X). Every such item is weighted with a demerit of 5. The rating of the establishment is therefore 100 less (number of demerits x 5). The result is expressed as a percentage (%) rating.

9.6.4 Sanitation Standard

- a. The percentage rating has an equivalent sanitation standard as follows:

Table 7. Sanitation Standard Rating

Percentage Rating	Sanitation Standard	Color Code
90 - 100%	Excellent	Luminous Green
70 - 89%	Very Satisfactory	Luminous Yellow
50 - 69%	Satisfactory	Luminous Red

- b. Dancing schools, dance halls and night clubs with percentage rating below 50% shall be recommended for suspension of operation until compliance.
- c. Sanitation standard rating sticker (SSRS) (EHS Form No. 104-A/C) shall be posted in a conspicuous part of the establishment, preferably at the door, for guidance of the customers. It shall be updated every three (3) months, unless revoked earlier.

9.6.5 The average sanitation standard of every category of establishments shall be evaluated by the local health officer/chief of the sanitation division/section/unit every end of the year to determine its improvement/maintenance of rating.

9.7 Report of Inspection

- 9.7.1 The sanitary engineer/sanitation inspector who conducted the inspection shall complete the sanitary inspection report, and whenever an inspection form issued indicates non-complying items, he shall notify the operator of the establishment of the corrections to be made and indicate a reasonable period for its compliance.
- a. The recommended corrective measures shall be specific in nature for the easy understanding of the owner or manager or occupier of the establishment.
- b. Reasonable period for compliance or grace period shall be inclusive of Saturdays, Sundays and holidays.
- c. The sanitary engineer/sanitation inspector who conducted the inspection shall likewise prepare a sanitary order (EHS Form No. 107) for approval by the city or municipal health officer or chief of the sanitation division/section/unit, as the case may be.

- d. Within 48 hours of the inspection or evaluation, the original of the inspection report (EHS Form No. 103-A or B) and the sanitary order shall be furnished and acknowledged by the holder of the sanitary permit or the operator of the establishment. The inspection report shall be personally delivered, or shall be sent through the postal service, registered with return card.

9.8 Re-inspection

- 9.8.1 If upon re-inspection of the establishment after the deadline, the sanitary engineer/sanitation inspector finds that correction has not been effected, he shall report to the local health officer who shall recommend to the local health authority the revocation of the sanitary permit.
- 9.8.2 A copy of the inspection form and any notice served shall, in all cases be filed and kept by the local health office and be available for inspection by authorized officials.

9.9 Service of Notice

- 9.9.1 Whenever an inspection or evaluation form indicates non-complying items, the city/municipal health officer shall serve to the operator of the establishment a sanitary order requiring him, within the grace period stated in the order, to take such remedial action as may be specified therein.
- 9.9.2 In the event of non-compliance with the terms of the first sanitary order by the operator, the local health officer may serve a second notice.

a. Second Sanitary Order

- i. If the owner of the establishment needs additional time to comply with the first sanitary order, he shall request the city/municipal health officer in writing prior to the expiration of the sanitary order, for an extension of the grace period. The local health officer, upon the recommendation of the sanitary engineer/sanitation inspector who conducted the inspection, will act on such request.
- ii. Notice of Hearing (EHS Form No. 118) The city/municipal health officer shall call the holder of the sanitary permit to show cause, at a time and place stated in the notice, why the permit issued in respect of the establishment shall not be revoked.

9.10 **Revocation of Permit**

9.10.1 After prior notices and hearings as provided above, the local health officer, if satisfied that the terms of the two notices have not been complied with or that failure to comply therewith is not excusable, shall recommend to the local health authority the revocation of the said permit, or;

9.10.2 After the second sanitary order on an extended grace period, a re-inspection was conducted and still the owner fails to comply with such order as reported by the sanitation inspector, the local health officer shall recommend to the local health authority the revocation of the sanitary permit without delay and shall inform other related agencies of the city or municipality of such revocation.

9.10.3 Lifting of suspension of sanitary permit may be recommended by the local health officer to the local health authority whenever the operator of the establishment complies with the notices.

9.10.4 The operator of the establishment may file a motion for reconsideration to the local health authority if he is not satisfied with the action of the local health officer.

9.10.5 The local health authority may file court proceedings against any establishment continuously operating after the revocation of its permit.

9.11 **Summary Suspension of Permit**

Whenever the local health officer finds unsanitary or unhealthy conditions in the operation of an establishment which in his judgement constitute a substantial hazard to the public health, the local health officer may recommend to the local health authority the immediate suspension of the sanitary permit. Any person to whom such order is issued may file a written petition and shall be afforded a hearing within 48 hours.

9.12 **Appeals**

The person or panel conducting the hearing may confirm, modify or reverse the decision appealed from which decision shall be final.

9.13 **Power of Entry**

Any sanitary engineer/sanitation inspector or duly authorized officer of the Department of Health or of the provincial, municipal or city health offices, upon presentation of proper credentials may at all reasonable times enter into any premises of dancing schools/studios, dance halls, cabarets, discos/discotheques, ballroom dancing establishments, bars, pub house, cocktail lounges, KTV/karaoke/sing-along clubs and other similar establishments or any premises used for any of the purposes referred to in these rules and regulations for the purpose of inspection or any other action necessary for administration of these rules and regulations.

9.13.1 Sanitary inspections shall be conducted by officials in accordance with sub-section 9.3 of these rules and regulations.

9.13.2 Sanitary inspections shall be done preferably during the time while the establishment is in operation.

10.14 **Hearings**

The local health authority may conduct hearings regarding the erring establishments to include appeals from establishments. The decision of the local health authority shall be deemed final and executory.

SECTION 10. RESPONSIBILITY OF THE OPERATORS OF DANCING SCHOOLS/STUDIOS

The operators shall:

10.1 Post the sanitary permit and sanitation standard rating sticker in a conspicuous part of the establishment for public guidance;

10.2 Renew the sanitary permit every year;

10.3 Make sure that all employees possess updated health certificates;

10.4 Accept only students/trainees/talents that are physically and medically fit;

10.5 Provide first-aid kit for emergency use and trained first aid personnel;

10.6 Report to the local health officer accidents and notifiable diseases among employees and students;

10.7 Conduct drills for emergencies and provide emergency lights on all egress;

10.8 Conduct periodic in-house inspection of the establishment to determine compliance with the sanitation standard;

10.9 Assist the local health office during the conduct of inspection; and

10.10 Maintain the cleanliness and safety of the establishment and premises.

SECTION 11. RESPONSIBILITY OF THE OPERATORS OF NIGHT CLUBS AND SIMILAR ESTABLISHMENTS

The operators shall:

11.1 Post the sanitary permit and the sanitation standard rating sticker in conspicuous place for public guidance;

- 11.2 Renew the sanitary permit annually;
- 11.3 Employ only personnel with up-to-date health certificate and make sure that the VD clearance of club hostesses/hosts are obtained at least every two (2) weeks.
- 11.4 Provide first-aid kit for emergency use;
- 11.5 Report to the local health officer accidents and notifiable diseases among employees and clients;
- 11.6 Assist the local health officer in the campaign for the prevention and control of STD, AIDS and other diseases;
- 11.7 Conduct drills for emergencies and provide emergency lights to all egress;
- 11.8 Provide control measures to reduce the exposure of employees and patrons to physical hazards;
- 11.9 Provide medical services to employees;
- 11.10 Conduct periodic in-house inspection of the establishment to determine compliance with the sanitation standard;
- 11.11 Assist the local health office during the conduct of inspection;
- 11.12 Prevent the overcrowding of the establishment;
- 11.13 Designate smoking and non-smoking areas in the establishment;
- 11.14 Make sure that there are no private rooms or separate compartments for public use in the establishment except those used for lavatories, dressing rooms, bars and kitchens; and
- 11.15 Maintain the cleanliness and safety of the establishment and premises.

SECTION 12. RESPONSIBILITY OF THE LOCAL HEALTH OFFICER

The local health officer shall:

- 12.1 Inspect or cause the evaluation and inspection of all dancing schools/studios, dance halls, night clubs and other similar establishments as per set frequency of inspection to ascertain their state of sanitation;
- 12.2 Check STD clearances of entertainers at least every two (2) weeks;
- 12.3 Apply precautionary measures to prevent accidents and the spread of communicable diseases among the employees, students and clients of the establishments;

- 12.4 Coordinate with other government agencies for the enforcement of safety regulations in all establishments; and
- 12.5 Enforce the provisions of these rules and regulations.

SECTION 13. RESPONSIBILITY OF THE LOCAL GOVERNMENT

The local government shall:

- 13.1 Pass an ordinance consistent to these rules and regulations to strengthen its enforcement;
- 13.2 Provide supplies, equipment and logistics for use during inspection and evaluation of establishments;
- 13.3 Upgrade the social hygiene clinic of the local health office; and
- 13.4 Enforce the provisions of these rules and regulations.

SECTION 14. PENAL PROVISIONS

- 14.1 Any person who shall violate, disobey, refuse, omit or neglect to comply with any of the provisions of these rules and regulations, shall be guilty of misdemeanor and upon conviction shall be punished by imprisonment for a period not exceeding six (6) months or by a fine not exceeding Php 1,000.00 or both depending upon the discretion of the court.
- 14.2 Any person who shall interfere or hinder, or oppose any officer, agent or member of the Department of Health or of the bureaus and offices under it, provincial, city or municipal health officers, sanitary engineers and sanitation inspectors in the performance of his duty as provided for under these rules and regulations, or shall tear down, mutilate, deface or alter any placard, or notice, affixed to the premises in the enforcement of these rules and regulations shall be guilty of misdemeanor and punishable upon conviction by imprisonment for a period not exceeding six (6) months or by a fine not exceeding Php 1,000.00 or both depending on the discretion of the court.

SECTION 15. SEPARABILITY CLAUSE

In the event that any rule, section, paragraph, sentence, clause or word of these rules and regulations is declared invalid for any reason, the other provisions thereof shall not be affected thereby.


SECTION 16. REPEALING CLAUSE

All pertinent rules and regulations, which are inconsistent with the provisions of these rules and regulations, are hereby repealed or amended accordingly.

SECTION 17. EFFECTIVITY

These rules and regulations shall take effect after fifteen (15) days from date of publication in the official gazette or a newspaper of general circulation.

Approved on this 4th day of February nineteen hundred ninety eight, Manila, Philippines.


CARMENCITA NORIEGA-REODICA, M.D., M.P.H., CESO II
Secretary of Health

Date of Publication: 16 February 1998
Manila Standard

ACKNOWLEDGEMENT

The Department of Health sincerely appreciates the dedication and enthusiasm of **Dr. Mario C. Villaverde**, Director of the Environmental Health Service for his role in bringing these Implementing Rules and Regulations (IRRs) from concept to reality.

It is also worth mentioning the enduring commitment of the Environmental Sanitation Division headed by **Engr. Victor V. Sabandeja** together with his technical staff in the Plans, Programs and Policies Formulation Section namely: **Engr. Antonio A. Hormillosa, Engr. John C. Foz, Engr. Luis F. Cruz, Engr. Reynante C. Francisco, Engr. Pamela A. Mogol** and **Engr. Joselito M. Riego de Dios** for their invaluable contributions in the revision and refinement of this document.

Deep sense of gratitude is also given to the agencies, associations and organizations who shared their insights and experiences during the writeshops, consultative meetings and series of public hearings conducted nationwide. Their struggles, arguments and even temporary setbacks have enforced feasible sanitation laws. The following agencies, associations and organizations pursued their ongoing interests, invaluable comments and contribution to these efforts:

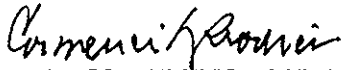
1. Metro Manila Development Authority, Makati City
2. Philippine Society of Sanitary Engineers, Inc., Manila
3. Department of Environment and Natural Resources, Davao City, NCR
4. Department of Labor and Employment - CAR, Baguio City
5. Office for Public Health Services, Department of Health, Manila
6. Office for Legal Affairs Department of Health, Manila
7. Health Policy Development Staff, Department of Health, Manila
8. Department of Health Regional Offices
9. Provincial Offices of Misamis Oriental, Davao Oriental, Misamis Occidental, Davao del Sur, Aklan, Capiz, Antique, Guimaras, Ilocos Sur, Aurora, Zambales
10. City/Municipal Health Offices of Cagayan de Oro, Davao City, Gingoog City, Oroquieta City, Bacolod City, Sagay City, La Carlota City, Cadiz City, San Carlos City, La Trinidad, Benguet, Cavite City, Makati City, Quezon City
11. Engr. Simon M. Cuevo, City Health Department, Manila
12. Shangri-la KTV, Davao City
13. Billionaire KTV, Davao City
14. E.T. Videoke, Davao City
15. Bunker Hill Videoke, Davao City
16. Music Hall, Davao City
17. Kristin Restaurant, Davao City
18. Square Circle, Davao City
19. Plaza Roman, Davao City
20. Stag Club and Restaurant, Davao City
21. Kristoffer Videoke, Davao City
22. 3rd Eye Disco, Iloilo City
23. Springhead Disco Pub, Iloilo City
24. Cafeteria Bar and Grill, Baguio City

25. Ray Martin Bar and Music Lounge, Baguio City
26. Linda Castillo Music Lounge, Baguio City
27. Star City Disco, Baguio City
28. Uncle Pon's Disco Pub, Baguio City
29. Spirits Disco, Baguio City
30. Strawberry Fields Disco, Baguio City
31. Chaparral Disco Club, Baguio City
32. Wild West Restaurant, Baguio City
33. Se-Bay Resort and Restaurant, San Fernando City, La Union
34. Intercon Disco, San Fernando City, La Union

Recognition is hereby extended to the following DOH personnel who compassionately nurtured the spirit of collaborative effort in the final review and approval of the manuscript:

1. **Dr. Antonio S. Lopez**
Undersecretary of Health
Office for Public Health Services
2. **Atty. Agustin C. Mangila V**
Director III
Office for Legal Affairs
3. **Ms. Myleen Meniado-Beltran**
Officer-in-Charge
Health Policy Development Staff

The Department of Health enjoins all agencies especially the Local Government Executives in meeting the demands and challenges for a healthful living environment as we enter our journey for economic development towards Philippines 2000.



CARMENCITA NORIEGA-REODICA, M.D., M.P.H., CESO II
Secretary of Health