QUEZON CITY COUNCIL

Quezon City

18th City Council

PO2011-93

49th Regular Session

ORDINANCE NO. SP- 2134 *, S-2012,*

AN ORDINANCE PROHIBITING ALL PERSONS, ENTITIES, AND BUSINESS ESTABLISHMENTS IN QUEZON CITY TO CHARGE ANY FEE TO SENIOR CITIZENS, PERSONS WITH DISABILITY, AND EXPECTANT MOTHERS FOR THE USE OF ANY RESTROOM OR COMFORT ROOM AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

Introduced by Councilors ALEXIS R. HERRERA, ALFREDO D. VARGAS III and RODERICK M. PAULATE.

Co-Sponsored by Councilors Dorothy A. Delarmente, Anthony Peter D. Crisologo, Ricardo T. Belmonte, Jr., Joseph P. Juico, Precious Hipolito Castelo, Eden "Candy" A. Medina, Godofredo T. Liban II, Julian ML. Coseteng, Jaime F. Borres, Gian Carlo G. Sotto, Eufemio C. Lagumbay, Jesus Manuel C. Suntay, Raquel S. Malañgen, Marvin C. Rillo and Ranulfo Z. Ludovica.

WHEREAS, it is now the practice of some business establishments to charge a fee for the use of comfort rooms or rest rooms located within their establishment;

WHEREAS, due to this practice, most people who need to use the comfort room or restroom are constrained to look for the "free comfort room or restroom" which are oftentimes not easily accessible;

WHEREAS, the senior citizens, persons with disability and expectant mothers are at a great disadvantage since they are less mobile/incapable of walking further in order to respond to the "call of nature";

WHEREAS, this Ordinance seeks to provide preferential treatment to our senior citizens, persons with disability and expectant mothers as regards easy access to public facilities like [illegible] for [illegible].

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NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY IN REGULAR SESSION ASSEMBLED:

Section 1. It shall be prohibited for all persons, entities, and business establishments in Quezon City to charge any fee or require any condition to senior citizen from Quezon City, all persons with disability and expectant mothers for the use of any restroom or comfort room.

Section 2. It shall be the duty of the senior citizen to present his/her senior citizen valid I.D. issued by the Office of the Senior Citizens Affairs (OSCA) of Quezon City to the attendant/cashier of any pay restroom/comfort room located in Quezon City. No other I.D. shall be entertained.

Section 3. It shall be the duty of persons with disability and the expectant mothers to notify the person manning a pay comfort room/restroom that a person with disability and expectant mothers wish to use the pay restroom/comfort room. One who is totally blind or has lost any major part of his body (hands, arms, feet, or legs) or if the same is no longer functioning shall be automatically considered a person with disability.

Section 4. Penal Clause. – The individual owner of the establishment with pay rest room who shall prohibit or cause the prohibition of any senior citizen as defined in Section 2 herein or a person with disability and expectant mothers in Section 3 herein from entering a pay restroom/ comfort room free of charge shall be penalized with a fine of Five Thousand Pesos (P5,000.00) or serve an imprisonment for a period not exceeding one year, or both, at the discretion of the court. If the establishment is owned by a partnership, the partners who own such establishment where such senior citizen, person with disability or expectant mothers is prohibited from entering a pay restroom/comfort room free of charge shall likewise be held liable for violation of this Ordinance. If the establishment is owned by a corporation, the President and/or Manager of such corporation shall be liable thereof.

Section 5. It shall be the duty of the establishment, person, or entity operating a pay restroom to put a prominent sign which states "Senior citizens of Quezon City, persons with disability and expectant mothers are Free of Charge". Failure to put said signage shall likewise result in penalties contained in Section 4 hereof.

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Section 6. All complaints of violation of this Ordinance shall be directed either at the OSCA or the Office of the Punong Barangay where the violation occurred.

Section 7. Repealing Clause – All Ordinances and other issuances inconsistent herewith are hereby repealed or amended accordingly.

Section 8. Separability clause – If any provision of this Ordinance is subsequently declared as unconstitutional, the validity of the remaining provisions shall remain in full force and effect.

Section 9. Effectivity Clause – This Ordinance shall take effect immediately upon its approval.

ENACTED: February 13, 2012.

JOSEPH P. JUICO
President Pro-Tempore
Acting Presiding Officer

ATTESTED:

Atty. JOHN THOMAS S. ALFEROS III
City Gov't Asst. Dept Head III

APPROVED:

HERBERT M. BAUTISTA
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on February 13, 2012 and was PASSED on Third/Final Reading on February 20,2012.

Atty. JOHN THOMAS S. ALFEROS III
City Gov't Asst. Dept Head III

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