Commonwealth of the Philippines
Department of the Interior
QUEZON CITY
City Council

ORDINANCE Numbered 37

AN ORDINANCE REGULATING THE DISPOSAL OF THE DEAD, BURIAL, TRANSFER, EXHUMATION, USE AND ADMINISTRATION OF CEMETERIES AND PROVIDING FOR CEMETERY FEES AND OTHER PURPOSES.

Be it ordained by the City Council of Quezon City:

Part - I

DEATH CERTIFICATE

SEC. 1. Issuance of Death Certificate. - Whenever any person shall die in the City. a certificate of dealth shall be furnished the Office of the City Health Officer, by the physician in attendance on such deceased person. If there has been no physician it shall be the duty of the City Health Officer or his duly authorized representative or any registered physician if called upon to do so to inspect the dead and thereafter to furnished the certificate of death herein required.

If the cause of death has not been satisfactorily explained or if there is a suspision of an unlawful act or foul play, it shall be the duty of the person having knowledge of such fact to notify the City Fiscal who shall issue or approve the necessary certificate of death after due investigation thereof.

Sec. 2. Contents of death certificate. - Every certificate of death shall be written in ink and in duplicate copy on Municipal Form No. 103 (Revised 1936), or on such form as may hereafter be prescribed by the Director of Health in lieu thereof. The instructions printed on the back of said Form No. Lo3 must be strictly complied with and the data required there is must be furnished on every death certificate, and failure to do so shall be sufficient ground for the nonacceptance of such certificate for registration in the Records of death of the local Civil Registrar and as basis for the issuance of burial permit, or transfer permit as the case may be.

SEC. 3. Presentation of death certificate, when Within 24 hours from and after the death of a person the corresponding death certificate must be forwarded or presented to the Office of the City Health Officer for the inspection of the dead body and once inspected and after the death certificate is signed by the City Health Officer or his duly authorized representative, the same should be immediately presented to the local Civil Registrar for record purposes and for the issuance of the corresponding permit for burial or transfer,

SEC. 4. Change or correction of death certificate. - If after the registration of a death certificate in the Register of Death, it shall appear that material information contained in said certificate are erroneous and must be changed, no such correction or change shall be made in the Register of Death unless the request therefor shall be presented in the form of an affidavit and the amount of ₱0.50 fee therefor shall have been paid by the party requesting such correction.

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Part 11.

BURIAL AND BURIAL PERMITS

Sec. 5. Time allowed for burial. - Except when required for the purpose of legal investigation or when specially authorized by the City Health Officer or his authorized representative, no dead body shall remain unburried for a period longer than 48 hours after death.

In case immediate burial is necessary or the exposure of the body may be dangerous to public health, the physician or official issuing the certificate of death shall immediately notify the City Health Officer or his authorized representative to that effect.

Whenever, it has been certified or is known that any person died with a reportable communicable disease, the body of such person shall be burried within 12 hours after death unless a longer period is authorized by the City Health Officer or his authorized representative.

Sec. 6. Burial permits. - It shall be unlawful to bury, inter or remove for interment or burial elsewhere, or to cremate or dispose of any Human body or remains, until a permit therefor shall have been issued by the City Civil Registrar or his authorized representative.

Sec. 7. Burial permits, when null and void. - Any permit for burial, interment, disinterment or cremation shall be null and void after a period of 48 hours has elasped from the time of issue of said permit.

Sec. 8. Burial permit, change of burial place. - If for any cause a burial permit previously issued cannot be utilized because of a change of the cemetery or place where the burial is to take place, another burial permit must be secured from the City Civil Registrar who shall thereupon issue another burial permit upon payment of the fee of 50 centavos (P0.50).

Sec. 9. Presentation of burial permits. - No superintendent or other person having charge of a cemetery, burying ground or crematory shall assent to or to allow any interment, disinterment or cremation to be made until a permit from the City Civil Registrar or his authorized representative authorizing the same has been presented to him.

Sec. 10. Conveyance of the dead, permit for. - No dead body or part of a dead body of any human being shall be carried or conveyed from, into or through the City by any person be any means of conveyance without a permit therefor issued by the City Civil Registrar or his authorized representative. Provided, that nothing in this section shall be construed to prohibit the immediate conveyance of the body of any person who has died from other than a reportable or communicable disease by a registered undertaker or embalmer from the place of death to an undertaker's establishment for the purpose of preparing the body for burial or shipment.

Sec. 11. Persons charged with duties of burial. - The duty of burying the body of a deceased person shall devolve upon the following persons [illegible]

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Part IV.

CEMETERIES, THEIR USE AND ADMINISTRATION

Sec. 17. Location of Cemetery. - It shall be unlawful for any person or persons or for any order of society of persons or for any corporation or corporations or for any church or other organization whatsoever to bury or inter any dead body or to use any land or lands in any way whatsoever, as a burial place or as temporary or permanent place of interment or disposal of the dead within 100 meters of either side of any river or rivers or within 100 meters of any spring or well or other source of water supply.

No burial ground or cemetery shall be authorized or established which shall not be at least 50 meters from any dwelling house: Provided, that abandoned houses or houses used by employees or attendants of the cemetery and houses used for administrative or other necessary purposes connected with the cemetery shall not, within the meaning of this section, be considered as dwelling houses.

Sec. 18. Sanitary maintenance. - All burial grounds or cemeteries must be kept in a sanitary condition satisfactory to the Director of Health or his authorized representative.

Sec. 19. Depth of graves. - All graves shall be dug to a depth of at least one meter and fifty centimeters so that there shall be one meter of earth covering bodies that have been enclosed in coffins, boxes or other solid receptacles and at least one meter and twenty centimeters of earth covering uncoffined bodies.

Sec. 20. Unsealed overground tombs. - The placing of the body of any deceased person in any unsealed overground tomb is prohibited unless the coffin or casket containing the remains shall first be permanently and hermetically sealed in a metal case. This provision shall not apply to tombs or vaults that are strictly receiving vaults for remains awaiting shipment from the city for final disposition.

Sec. 21. Disinterments. - The removal of any body from its original place of interment is declared to be a nuisance and prejudicial to the public health and is prohibited unless the same shall be done by permission and under the supervision of the City Health Officer or his authorized representative: Provided, that no disinterments of remains of bodies of persons shall be made unless a permit therefor has been obtained from the City Health Officer or his authorized representative.

Sec. 22. Rules for disinterments. - Whenever, in the opinion of the City Health Officer or his authorized representative, it is deemed advisable to disinter or exhume the bodies or remains of persons who have died with or of other than reportable or communicable diseases, permission may be granted after such bodies have been buried for a period of three years. The body of any deceased person, upon exhumation, shall be immediately [illegible] and inclosed in a coffin, case, or box, securely fastened: Provided, That special permits may be issued for the disinterment or exhumation of the remains of deceased persons who

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after a period from one and one-half years has elapsed from the date of burial, if it be found that the disterment or exhumation of such remains will not be to the detriment of the public health: Provided, however, That special permits may be issued at any time for the disinterment or exhumation of remains of persons dying of other reportable or communicable diseases and that have been properly embalmed, by an undertaker or embalmer, or of bodies that have been placed in a receiving vault awaiting transportation from the City. Boxes containing bodies or remains shall be plainly marked with a paster showing the name of the deceased, place of birth, cause of death, and the point at which they are to be shipped. No body or remains of any person who has died with or of a reportable or communicable disease shall be disinterred until five years from the date of death shall have elapsed: Provided further, That in special cases, and under such sanitary precautions as the City Health Officer or his authorized representative may prescribe, such bodies or remains may be disinterred by special permission of the City Health Officer or his authorized representative after a period of two years shall have elapsed: And provided further, That the City Health Officer or his authorized representative may, upon the request of any guardian, sexton, superintendent, or keeper, or any person or corporation, or religious sect of whatever denomination, in charge of a cemetery or burial ground within the City, grant authority to empty all at one time several niches or vaults of remains which have remained unclaimed, after the legal period of the lease of the niches or vaults has expired, and a reasonable extention of the time has been allowed, and due notice given thereof for the renewal of the lease; with the understanding, however, that the remains removed from said niches or vaults shall always be reinterred within the inclosure of the smae cemetery, and that the remains of the foreigners shall in each case be reinterred separately and permanently marked.

Sec. 23. Administration. - The administration and government of the City cemeteries shall be under the City Engineer.

Sec. 24. Record of Administration. - The City Engineer shall cause to be kept registers, books, and plans, which shall constitute a true and accurate record of the administration of the cemetery, and shall show in detail all lots, blocks, graves, and niches, and the disposition of the same; the names of persons buried; the relatives or other persons procuring their interment; itemized accounts of all moneys received and paid out on account of the cemetery, together with such additional information as may be required by the City Council.

Sec. 25. All cemeteries shall be open to the public every day including holiday from four antemeridian (4:00 A.M.) to eight postmeridian (8:00 P.M.)

Sec. 26. Graves, niches, and plots. - Upon the payment of the prices fixed in Section 33 hereof, graves, niches, and plots may be obtained for present or future use. Except as provided in sections 34 and 36 hereof, grants of graves, niches, [illegible] Provided, That the grantee shall observe the terms of this chapter and such other rules and regulations as may be prescribed by competent authority.

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Sec. 27. Removal of Bodies. - Bodies shall only be removed upon the order of the City Health Officer or his authorized representative, or at the request of the members of the families of the deceased within the third degree.

Sec. 28. Erection of monuments and other structures, planting of trees, etc. - Grantees may, with the approval of the City Engineer, construct monuments, sepulchers, tombs, mausoleums, vaults, niches, chapels, and fences; and plant trees, gardens, and so forth: Provided, That a building permit shall be required for any structure containing interior rooms or compartments designed to temporarily house human beings upon payment in advance the permit fee as provided in section 2 of Ordinance No. 9; and provided further, That the building permit shall be issued until the plans shall have been submitted showing sections, longitudinal and transversal views, and technical description of the structure.

Sec. 29. Maintenance and repair of niches, etc. - The maintenance and keeping in repair of all niches, tombs, mausoleums, monuments, and fences erected by private persons shall be at the cost of such persons, and whenever, because of decay or the failure to keep same in repair, such improvements shall become unsightly or otherwise injurious to the surroundings, the owners thereof shall be required to repair or remove the same, and in case of failure to do so within a reasonable time, the superintendent of the cemetery shall remove them at the expense of the owner.

Sec. 30. Obstruction of avenues, walks, or lots. - No owner of any lot shall maintain any tree, shrubbery, or any other object which shall obstruct or interfere with the reasonable use and enjoyment of the adjoining avenues, walks, or lots. If, in the judgement of the superintendent of the cemetery, any tree, shrubberyy, or other object shall so obstruct, the owner shall be required to remove the same, and in case of failure to do so within a reasonable time, the superintendent of the cemetery shall remove the obstruction at the owner's expense.

Sec. 31. Title to plots, etc., procedure to secure. - A person desiring to secure a plot, grave, or niche in the cemetery shall pay at the office in the cemetery to the representative of the City Treasurer the tariff price for the same and procure a receipt showing such payment, which receipt shall be presented to a representative of the Department of Engineering and public works who shall cause the necessary title papers to be prepared and executed.

Sec. 32. Burial of Paupers. - There shall be set aside in the cemetery certain lots and blocks for the burial of paupers, and except as to the portion so set aside, no burial shall be permitted unless payment shall have been made in accordance with the tariff hereinafter provided. The City Mayor shall determine in every case whether or not a person belongs to the category of a pauper within the meaning of this section

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Sec. 33. Tariff of prices and fees, etc. - The prices of sections, plots, lots, graves, and niches and the cemetery fees, payable in advance, shall be as follows:

(a) For each burial permit issued..... ₱ 0.50
(b) For each disinterment permit issued..... 1.00
(c) For each niche in Quezon City, adult, five years..... 30.00
(d) For each niche in Quezon City, child, five years..... 12.00
For each extention of one year or fraction, child..... 2.00
(e) For each transcript of record of five years or less..... 1.00
(f) For each transcript of record of more than five years..... 2.00
(g) For each permit to transport a body into or out of the city, one peso: Provided, That in case the deceased was at the time of death in the employ, or dependent for support upon a person in the employ, of the United States or Philippine Government, or was paid from the appropriation for the support of the United States Army and Navy, and provided further, That nothing in this chapter shall be construed as interfering in the right of the Philippine Health Service of issuing gratis burial permits for burial or other disposition of the remains of paupers: or of issuing gratis, transcripts of such records as may be required by the courts or by officers of the Government for official purposes or to persons unable to pay for the same.

2. (a) Sections. lots, plots, graves, and niches shall be sold in quarter, half, or full lots, payable in advance, at the rate of ₱5.00 per square meter: Provided, That the price per square meter, payable in advance, of sections fronting on Avenue A, shall be ₱10.00: And provided further, That the price per square meter payable in advance, of the above sections fronting on or lying at the side of streets or Avenues, other than Avenue A, shall be ₱7.00.

(b) Single graves may be sold in perpetuity as follows:

Single graves in pertuity according to dimensions:

Length	Breath	Area	Prices per graves interior. (Payable in advance)	Prices per grave fronting on street (Payable in advance)
Meter	Meters	Sq. meters		
2.00	1.00	2.00	₱ 8.00	₱ 12.00
1.40	.80	1.12	5.00	7.00
.80	.60	.48	[illegible]	3.00

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(c) Niches in pertuity:

Length	Breath	Area	Price per niche (Payable in advance)
Meters	Meters	Sq. Meters	
2.30	0.90	2.07	₱50.00
1.70	.70	1.19	25.00
1.10	.5L	.55	12.00

(d) For the half hour of use or occupation of chapel no change shall be made.

(e) For each quarter hour of use after first half hour, there shall be charged a fee, payable in advance, of two pesos and fifty centavos.

(f) For the deposit of a body in its urn or case, per day there shall be charged a fee, payable in advance, of two pesos and fifty centavos (₱2.50).

(g) For services for disinterment of body, there shall be charged a fee of five pesos (₱5.00), payable in advance. (₱7.50) - see ord. 145 - S. 19

(h) For furnishing flowers and decorating grave for burial, there shall be charged a fee, payable in advance, of two pesos (₱2.00)

(i) For the care of lots, plots, or sections for the period of one year there shall be charged, per square meter, a fee, payable in advance, of eight centavos.

(j) For the care of one single grave for the peri of one year, there shall be charged a fee, payable in advan of twenty-five centavos (₱0.25)

(k) Fees, payable in advance for the perpetual care of sections, lots, plots, graves, and niches, shall be accepted by the City as follows:

For single grave or niche.....₱25.
For sections, lots, and plots, per sq. m..... 8

(l) For special planting on any lot, plot, or section, the value of the plants and labor plus ten per cent, advance deposit to be required.

(m) For repair to or erection of, monuments, fences and crosses, the value of the material and labor, plus ten per cent, advance deposit to be required: Provided, That all agreements for perpetual care shall be made in writing and on the form to be known as "Contract for perpetual care", which shall be approved by the City Council and the Mayor: And provided further, That in exceptional cases, the city shall have the right to cha the fees for this service; However that in all cases, t fees stipulated in the contract for the perpetual care shall remain unaffected by any such change.

(n) In default of payment for the care of l sections, niches, and graves, the city may discontin care for same, without neglecting, however, the gener cleaning required of the cemetery.

(o) "Care of," wherever used in this chapter means the cutting, watering, and renewing og the grass or bedding plants, and so forth, but it does not include the repair of monuments, fences, and crosses.

(p) Sections, lots, plots, graves, and niches shall be sold only in the name of the relatives or administrators of the deceased, or in the name of the persons or officials desiring to purchase same for families fraternal organizations, so forth

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(c) Niches in pertuity:

Length	Breath	Area	Price per niche (Payable in advance)
Meters	Meters	Sq. Meters	
2.30	0.90	2.07	P50.00
1.70	.70	1.19	25.00
1.10	.5L	.55	12.00

(d) For the half hour of use or occupation of chapel no change shall be made.

(e) For each quarter hour of use after first half hour, there shall be charged a fee, payable in advance, of two pesos and fifty centavos.

(f) For the deposit of a body in its urn or case, per day there shall be charged a fee, payable in advance, of two pesos and fifty centavos (P2.50).

(g) For services for disinterment of body, there shall be charged a fee of five pesos (P5.00), payable in advance. (P7.50) - see ord. 145 - S. 1

(h) For furnishing flowers and decorating grave for burial, there shall be charged a fee, payable in advance, of two pesos (P2.00)

(i) For the care of lots, plots, or sections for the period of one year there shall be charged, per square meter, a fee, payable in advance, of eight centavos.

(j) For the care of one single grave for the peri of one year, there shall be charged a fee, payable in advan of twenty-five centavos (P0.25)

(k) Fees, payable in advance for the perpetual care of sections, lots, plots, graves, and niches, shall be accepted by the City as follows:

For single grave or niche.....P25.
For sections, lots, and plots, per sq. m..... 8

(l) For special planting on any lot, plot, or section, the value of the plants and labor plus ten per cent, advance deposit to be required.

(m) For repair to or erection of, monuments, fences and crosses, the value of the material and labor, plus ten per cent, advance deposit to be required: Provided, That all agreements for perpetual care shall be made in writing and on the form to be known as "Contract for perpetual care", which shall be approved by the City Council and the Mayor: And provided further, That in exceptional cases, the city shall have the right to cha the fees for this service; However that in all cases, t fees stipulated in the contract for the perpetual care shall remain unaffected by any such change.

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(p) Sections, lots, plots, graves, and niches shall be sold only in the name of the relatives or administrators of the deceased, or in the name of the persons or officials desiring to purchase same for families fraternal organizations, and so forth.

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acknowledgement of the transaction, both the vendor and the vendee shall sign the title and title stub.

(q) Nothing contained in this chapter shall be construed to amend or modify the terms of any written reservation or option that the City Council and the Mayor may have granted or approved heretofore except as provided herein.

Sec. 34. Reversion to city graves and niches, when. - Graves and niches becoming vacant by reason of the disinterment of remains shall revert to the city upon the payment by it of the following percentages of the original cost or the owner of same:

	Per cent
If vacated within 25 years after concession.....	60
If more than 25 years and less than 50 years after concession.....	40
If more than 50 years and less than 75 years after concession.....	20

All graves and niches vacated after the expiration of seventy-five years from the date of the grant of the concession shall revert to the city without the obligation of returning any portion of the cost price of the same.

Sec. 35. Expenses of Interment and Exhumation. - All expenses of interment and exhumation except as provided in subsections (a) and (b) of section thirty-three hereof: Provided, That when by reason of decay or when in the process of disinterment the case or coffin shall be destroyed, it shall be the duty of the party desiring the removal of the body to provide at the cemetery a suitable case for the remains, which shall be properly cleaned and disinfected and placed therein by the cemetery authorities.

Sec. 36. Inability to pay cost; deposit of remains. - When those desiring the interment of a body shall be unable to pay the entire cost of the grave or niche, they may pay one-half thereof in advance and the other half within five years thereafter. In case of failure to make such additional payment within the time stated, the remains shall be exhumed and the grave or niche declared vacant, and the same shall thereupon revert to the city. The remains exhumed from the graves or niches declared vacant shall be deposited in graves, niches, or jars as may be expedient; and shall be suitably identified and faithfully cared for.

Sec. 37. Penalty. - Any violation of the provisions of this Ordinance shall be punished by a fine of not more than ₱200.00 or by imprisonment for not more than six months or by both, in the discretion of the court.

Unanimously passed, March 18, 1940.

ATTESTED:

(Sgd) A. D. WILLIAMS
City Secretary

(Sgd) TOMAS B. MORATO
Mayor

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