



EXECUTIVE ORDER NO. 04
Series of 2024

CREATING THE SMOKE/VAPE-FREE TASK FORCE OF THE LOCAL GOVERNMENT OF ITOGON.

WHEREAS, the 1987 Philippine Constitution declares it a policy of the State to promote the right to health of its people and instill health consciousness among them;

WHEREAS, it is likewise the policy of the State to guarantee the enjoyment of the right of every citizen to breathe clean air;

WHEREAS, as a State-Party to the WHO Framework Convention on Tobacco Consumption, the Philippines is obliged to inform every person of the health consequences of tobacco consumption and exposure to tobacco smoke; to enact effective measures to curb and reduce tobacco use, especially among the youths; and to protect public health policy from the commercial and vested interests of the tobacco industry;

WHEREAS, in observance of the constitutional and legal policies, and in support of international initiatives to which the Philippines is a signatory, the Municipality of Itogon enacted Ordinance Numbered 35, series of 2020 which aims to safeguard public health and ensure the well-being of all its constituents by protecting them from the harmful effects of smoking and tobacco consumption;

WHEREAS, Municipal Ordinance No. 35, series of 2020 also provides for the creation of a Smoke/Vape-Free Task Force in the municipality;

NOW THEREFORE, I, BERNARD S. WACLIN, by virtue of the powers vested in as Municipal Mayor of the Municipality of Itogon, Benguet Province hereby created the Smoke/Vape-Free Task Force of the Local Government of Itogon, to wit;

Section 1. **Composition/Organizational Structure**. Consistent with Section 14 of Municipal Ordinance No. 35, series of 2020, the Smoke/Vape-Free Task Force of the Local Government of Itogon is hereby created which shall be composed of the following:

Chairman:	HON. BERNARD S. WACLIN Municipal Mayor
Vice Chairman:	DR. OLIVER P. GUADAÑA Municipal Health Officer
Members:	HON. ALEJANDRO L. PALANGDAN Chairperson, S.B. Committee on Health and Sanitation, HON. JUDBERT ALICNAS SKF Vice President, S.B. Member

-ATTY. JACQUILINE NABAYSA-GOSINGAN
Municipal Attorney III

MR. ARNEL F. BAHINGAWAN
Municipal Administrator

ENGR. MICHELLE A. BUSACAY
Municipal Engineer

MS. EUSEBIA T. FIANZA
HRMO IV

MS. AMALIA A. IBARRA
BPLO-Designate

MS. IRENE F. FERNANDO
Municipal Treasurer

MR. JONES B. BAUZON JR.
MENRO-Designate

MS. GRACE O. POCSOL
MSWDO

MS. TERESITA F. OLAYAN
Representative from the Academe

MR. JONATHAN G. SADEY
PSDS, Itogon District I

MS. JULIET K. BALDO
PSDS, Itogon District II

MR. NESTOR O. DALAY-ON
Secondary Schools Representative

PMAJ EDWIN C SERGIO or his duly authorized
Representative, IMPS

Representative of Civil Society Organization
to be recommended by the Municipal Health Officer

Provided further, that the Task Force may, upon approval of the Local Chief Executive, designate civilian enforcers to include, but not limited to Barangay Health Workers and Barangay Tanods preferably non-smokers and with good standing in the community as certified by their respective Punong Barangay.

Section 2. **Duties and Responsibilities of the Task Force.** The Task Force shall perform the following:

1. Receive, review and process reports and/or complaints arising from violations of the pertinent provisions of Municipal Ordinance No. 35, series of 2020;

2. Deputize enforcers in accordance with Sections 14 and 17 of the Ordinance and
3. Spearhead the conduct of trainings for the deputized enforcers on how to apprehend violators.

Aside from the above, the Task Force members shall perform the corresponding duties and functions as follows:

1. The Municipal Health Officer:
 - a. Assign a hotline or any other number to which violations of the Ordinance may be reported by telephone call or by SMS, and a person to operate the line and record reports;
 - b. Serve as the overall coordinator for all programs & activities designed to implement and enforce Ordinance; No 35-2020;
 - c. Make Tobacco/Vape control, including the implementation and enforcement of the Ordinance, a part of the Health program to be proposed for funding under the General Budget of the Municipality of Itogon.
2. The Municipal Treasury shall:
 - a) Issue official Citation Tickets to the enforcers;
 - b) Shall collect and receive fines paid by violator
 - c) Shall keep a duplicate copy of all Citation Tickets issued to violators as well as all other records of violation of the Ordinance; and
 - d) Shall delegate the collection of fines to the Barangay treasurers of each Barangay and provide Official Receipts to the Barangays for the purpose:
3. The Municipal Human Resource Management section shall:
 - a. Develop and produce information, education and communication materials which focuses on the harmful effects of smoking including salient provisions of the Ordinance;
 - b. Encourage constituents of the Municipality of Itogon to monitor and report violations of this Ordinance; and
 - c. Assist in developing and promoting a smoking cessation program.
4. The Municipal Legal Officer shall:
 - a) Assist the Task Force in reviewing reports of and complaints for violations of the Ordinance and in determining Liability.
5. The Municipal Engineer/Building official shall:
 - a. Conduct, together with the health office or on its own, inspection activities as provided in the Ordinance; and
 - b. Determine whether or not enclosed or partially enclosed Public places, work places or other Public places comply with the requirements of the ordinance.
6. The Municipal Administrator shall spearhead the following:
 - a) Printing of Citation Tickets;
 - b) Reproduction of copies of Ordinance No.35-2020 & its distribution to the public;
 - c) Development of a primer containing salient provisions of Ordinance No. 35-2020
 - d) Publication/announcement of activities related to the implementation & enforcement of the Ordinance.
7. The Municipal Business Permits and License Officer shall:
 - a) Recommend the issuance of an "Order" for the suspension or revocation of permits and/or Licenses of Business establishment for violation of the

pertinent provisions of Ordinance No.35-2020 in accordance with section 09 thereof;

- b) Ensure that the Business Establishments applying for permit to sell tobacco products or ENDS/ENNDS/HTPs are not covered by the prohibitions under section 5.2(iii) of Ordinance No.35-2020;
 - c) Ensure that business establishments that sell tobacco products comply with the posting of the notice indicating "NO SALE" to individuals below 21 years old;
 - d) Deny applications for the renewal of permits to sell tobacco products to business establishment with repeated violations of Ordinance no.35-2020 as provided under section 5.2(iii) thereof.
8. The Municipal Social Welfare and Development officer shall:
- a) Assist in the enforcement of the Ordinance when persons below 21 are involved;
 - b) Provide the necessary interventions for persons below 21 years old implicated in violations.
9. The Municipal Environment and Natural Resources Officer shall:
- a. Assist in promoting awareness of the Ordinance as a component in the protection and conservation of the environment and in encouraging public support and participation in its implementation and enforcement;
 - b. Assist in the inspection and monitoring of violations of the Ordinance on his own or with any other member of the Task Force;
 - c. Conduct timely monitoring of air, water , soil, quality and other studies pertinent to determining levels of exposure to tobacco smoke, e-cigarette aerosol, residues, by products, and litter, among others; and
 - d. Provide expertise in the application and management of appropriate technologies to avert environmental/health risks, accidents and damage posed by tobacco smoke, e-cigarette aerosol, residues, by products, waste generated, among others.
10. The representative from Dep-Ed, CHED and/or academic institution shall:
- a) Implement the department/commission orders on the integration of tobacco control education into the school curricula;
 - b) Ensure strict compliance of the memos and orders on the protection of the bureaucracy from industry interference as per article 5.3 of the WHO framework convention on tobacco control (FCTC);
 - c) Ensure strict compliance of the schools in enforcing 100%smokefree campuses and school facilities including the school vehicles;
 - d) Assist in the monitoring of tobacco/electronic cigarette products sales advertisements and promotions within 50 meters from the perimeter of schools, public playgrounds and facilities frequented by persons below 21; and
 - e) Ensure the posting in a clear and conspicuous manner "No Smoking/Vaping" signs and notices for the sales ban of tobacco products within 50 meters from the perimeter of schools, public playgrounds, facilities frequented by persons below 21 and health facilities.
11. The CSO representative shall:
- a. Assist in preliminary inspections and in monitoring violations of the Ordinance;
 - b. Assist in promoting awareness of the Ordinance and in encouraging public support and participation in its implementation and enforcement;
 - c. Assist in developing and promoting a smoking cessation program;
 - d. Assist in developing and conducting orientation seminars and training seminars for enforcers;

- e. Assist in evaluating the performance of the Task Force and the effectiveness of the implementation and enforcement of the Ordinance; and
- f. Apprehend violators only after thorough training and orientation as provided under section 21 of the Ordinance;

12. The PNP representative shall:

- a. Apprehend violators in accordance with the provisions of the Ordinance; and
- b. Assist Municipality of Itogon officials and deputized civilians in apprehending violators and in filing the appropriate complaints.

13. Duly Deputized Civilians shall:

- a. Undergo thorough training on apprehending violators to be conducted by the Local Government unit of Itogon to be spearheaded by the Task Force;
- b. Wear valid identification cards duly issued by the Task Force and wear proper uniform while on duty;
- c. Apprehend violators of the Ordinance only during duty hours of 6 o'clock in the morning until 6 o'clock in the evening.

Section 3. Repealing Clauses. All Executive Orders and Issuances inconsistent herewith or parts hereof are deemed repealed and/or modified accordingly.

Section 4. Separability Clause. If for any reason, this Executive Order or parts hereof has been declared invalid or unconstitutional by component authority, other parts hereof not affected by such declaration shall remain in force and effect.

Section 5. Effectivity. This Executive Order shall take effect immediately.

Done this 15th day of MARCH 2024

HON. BERNARD S. WACLIN
Municipal Mayor

Copy furnished:

- All concerned
- Office of The Provincial Governor
- DILG-MLGOO
- SBO
- FILE