Implementing Rules and Regulations to Govern the Processing of Applications for Locational Clearance of

FUNERAL ESTABLISHMENTS

AS AMENDED

HOUSING AND LAND USE REGULATORY BOARD
Rules and Standards Development Group
March 1999
ACKNOWLEDGMENT

The Rules and Standards Development Group (RSDG) of the Housing and Land Use Regulatory Board (HLURB) acknowledges the following for their invaluable inputs in the form of comments and suggestions which were manifested during their active participation in the various fora intended for the improvement and updating of the Implementing Rules and Regulations (IRR) for Funeral Establishments and via written inputs sent to the Central Office:

1. Department of Health
2. Arlington Memorial Chapel
3. Capitol Memorial Chapels, Inc.
4. Funeraria Paz, Inc.
5. Loyola Memorial Chapels
6. Nacional Memorial Homes

We would like to acknowledge as well the assistance extended by the Regional and Central Staff of the Board for their kind cooperation in the provision of necessary inputs, comments and suggestions relative to the refinement of this amended rules.
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IMPLEMENTING RULES AND REGULATIONS TO GOVERN
THE PROCESSING OF APPLICATIONS FOR LOCATIONAL
CLEARANCE OF FUNERAL ESTABLISHMENTS AS AMENDED

The following Rules and Regulations are hereby promulgated, pursuant to the policies and objectives embodied in Executive Order No. 648, the charter of the Human Settlements Regulatory Commission, now Housing and Land Use Regulatory Board, specifically Article IV Section 5 (c).

These Rules and Regulations shall apply to all applications for locational clearance of Funeral Establishments with the Board or the Local Government Units concerned.

RULE I

DEFINITION OF TERMS

Section 1. Definition of Terms. As used in these Rules, the following definitions/descriptions shall apply:

1. Board - shall mean the Housing and Land Use Regulatory Board.

2. Chapel - also called Reposing and/or Slumber room. It is where the deceased is temporarily laid to rest for viewing by the mourners.

3. Compatibility Use - uses or land activities capable of existing together harmoniously.

4. Dominant Land Use - shall mean that pervasive land use within a perimeter of 500 meter radius from a specific parcel of land or building.

5. Embalming - preparing, disinfecting and preserving dead body before its final disposal.

6. Embalming Establishment - a place where a body of a human being is embalmed or treated for burial with preservatives.

7. Embalmer - a duly licensed person who applies, injects, or introduces any chemical substance or drug or herbs internally or externally to dead human body for the purpose of embalming, disinfecting and preserving it.

8. Funeral Establishment - includes funeral parlors, funeral chapels and any similar place used in the preparation, storage and care of the body of a deceased person for burial or cremation.
Funeral Establishments shall be classified as follows:

8.1 Category I - funeral establishments with chapels and embalming facilities and offering funeral services;

8.2 Category II - funeral establishments with chapels and offering funeral services without embalming facilities; and

8.3 Category III - funeral establishments offering only funeral services from the house of the deceased to the burial place.

9. Funeral Services - this covers all undertaking, embalming and brought to burial site and crematorium.

10. Morgue - a place in which dead bodies are temporarily kept pending identification or burial.

11. Preparation Room - the place/room for dressing and cosmetizing the deceased.


13. Sanitary Permit - the permission or certification in writing of the city or municipal health officer or in his absence the chief or head of the Sanitation Division/Section/Unit that the establishment complies with existing sanitation requirements upon evaluation or inspection conducted in accordance with Presidential Decree No. 522 and 856 and local ordinances.

14. Undertaker - a duly licensed person who practices the care, transport and disposal of the body of a deceased person by any means other than embalming.

15. Undertaking - the care, transport and disposal of the body of a deceased person by means other than embalming.

16. Viewing Room - any enclosed place where the family can view the preparation of the remains.

**RULE II**

**APPLICATION FOR LOCATIONAL CLEARANCE**

Section 2. Scope and Coverage. These Rules and Regulations shall apply to development and/or expansion of existing funeral establishments.
Section 3. Application for Locational Clearance. A registered owner of a parcel of land who wishes to utilize the same as site for Funeral Establishment/s shall apply with the Board or the Local Government Unit concerned pursuant to Executive Order No. 71 and Executive Order No. 72 for the approval of plans for funeral establishments by accomplishing and filing in duplicate the following:

A. Requirements for LC/Other Permits
   1. Vicinity Map
      Drawn to the scale of 1:10,000 showing clearly and specifically the exact location of proposed site and all existing adjacent land uses/establishments within 500-meter radius.
   2. Site Development Plan
      Drawn to the scale of 1:200 indicating lot property boundaries, building layout and future expansion area (if any), entrance or exit to the main service road and parking.
   3. Transfer Certificate of Title (TCT) or contract of sale or lease together with an approved survey plan if available.
   4. After securing a locational clearance, obtain an initial clearance from the city or municipal health office that the plans are in accordance with the provisions of PD 856 per Funeral Establishments Category I, II and III.
   5. Floor plan showing the different areas or rooms within the building.
   6. Environmental Compliance Certificate (ECC) from DENR for Category I project, prior to application for building permit.

B. A Locational Clearance is required for all proposed Funeral Establishments to be located in cities and municipalities with or without Comprehensive Land Use Plans and/or Zoning Ordinances.

C. Inspection
   Inspection of the proposed site shall be conducted considering the following factors:
   1. Conformity of the project to the land use plan/zoning ordinance or compatibility of the project to the dominant existing land use in the locality in the absence of a land use plan/zoning ordinance.
2. Accessibility

3. Presence of/or the ability to provide utilities/facilities in the site.

4. Degree of traffic generation.
   
   This provision shall be in accordance with the Local Government Unit concerned on traffic management, especially during wakes (evening) or actual interment.

5. Determine if proposed site is flood prone (through observation, interview, etc.)

D. Evaluation

Evaluation shall be based on substantial conformance to the herein standards and provisions of applicable codes.

1. PD 825 (Providing Penalty for Improper Disposal of Garbage and other Forms of uncleanliness and for Other Purposes) and its Implementing Rules and Regulations prescribing and regulating disposal of wastes in public places to promote environmental sanitation.

2. PD 856, Code on Sanitation of the Philippines and its Implementing Rules and Regulations regulating the establishment of all trades and occupations, institutions, commercial undertaking, refuse disposal system, sewage collection and disposal system, etc. in accordance with prescribed guidelines and standards promoting environmental sanitation hygiene.

3. Other related rules and regulations.

RULE III

DESIGN STANDARDS AND REQUIREMENTS

Section 4. Design Standards and Requirements

A. General Guidelines

1. Site Criteria
   
   1.1 Conformity with Zoning Ordinance/Land Use Plan
Funeral Establishments shall be allowed in the following zones subject to Rule III Sec. 4.A.1.1c

**Category I**  -  C2 (Medium Density Commercial Zone)

**Category II**  -  GRZ (General Residential Zone)
                  GCZ (General Commercial Zone)
                  C1 (Low Density Commercial Zone)
                  C2 (Medium Density Commercial Zone)
                  GIZ (General Institutional Zone)
                  SIZ (Special Institutional Zone)

**Category III**  -  GRZ (General Residential Zone)
                   GCZ (General Commercial Zone)
                   C1 (Low Density Commercial Zone)
                   C2 (Medium Density Commercial Zone)
                   GIZ (General Institutional Zone)
                   SIZ (Special Institutional Zone)

b. Category II & III must have an existing valid contract with a Category I establishment for embalming purposes.

c. Any shift or change from a lower Category to a higher Category shall be subject to Rule III Sec. 4.A.1.1a; F and G of these rules.

1.2 Physical Suitability

No funeral establishment/s shall be allowed in floodprone areas.

1.3 Accessibility

a. The site must be served by a road and accessible by public transport.

b. Funeral establishment/s shall be at a minimum radial distance from the following: 1) restaurants, food center and other food establishments - at least 25 meters; 2) markets - at least 50 meters; 3) abattoirs, schools and hospitals - at least 200 meters. (See Figure I)

2. Planning Considerations

2.1 Funeral establishments and all properties therein shall be used for
funeral purposes only including flower shop with proper maintenance of the premises.

2.2 Maintenance

Maintenance of the funeral establishment/s shall be the sole responsibility of the owner/operator.

2.3 Easements

Where such project is traversed by a water course, drainage way, channel or stream, an easement or right-of-way prescribed by the Forestry and Water Code must be maintained.

Easement for public utilities shall likewise be provided and shall conform with relevant codes.

2.4 Setbacks and Parking Requirements

Setback and parking requirements for all categories of funeral establishments shall be in accordance with the provisions specified in the National Building Code and its updated Implementing Rules and Regulations (IRR).

B. Sanitary Permit (as per IRR Chapter XXI of the Code on Sanitation of the Philippines PD 856)

1. No establishment mentioned in the preceding paragraph shall be operated without a sanitary permit issued by the city or municipal health officer where it is located.

2. Any extension or additional construction or alteration in an establishment shall require a new sanitray permit before it could be operated.

3. The sanitary permit shall be posted in a conspicuous place of the establishment.

4. Sanitary permit shall be renewed annually.

C. Sanitary and Utility Requirement for Funeral Chapels (as per IRR Chapter XXI of the Code on Sanitation of the Philippines PD 856)

1. Funeral chapels shall be adequately lighted and ventilated. Power supply shall be connected to an approved public or commercial power supply system. In addition, a stand by power generator must be provided.
2. Each funeral establishment shall be provided with sanitary facility as per DOH standard.

3. There shall be adequate potable water always available for use of its personnel and visitors. Where available it shall be connected to an approved public or community water system.

4. The food preparation area shall be in accordance with Chapter III - "Food Establishments" of the Code on Sanitation of the Philippines (PD 356) and its Implementing Rules and Regulations.

5. A DOH approved sewage disposal system shall be provided subject to the requirements of the Code on Sanitation of the Philippines (PD 856) and its Implementing Rules and Regulations.

6. There shall be two (2) waste receptacles one for biodegradable and the other for non-biodegradable waste with tight-fitting cover and placed in appropriate visible location for easy access and collection in accordance with Chapter XVIII - "Refuse Disposal" of the Code on Sanitation of the Philippines (PD 856) and its Implementing Rules and Regulations.

7. A regular vermin abatement program shall be maintained in accordance with Chapter XVI - "Vermin Control" of the Code on Sanitation of the Philippines (PD 856) and its Implementing Rules and Regulations.

D. Sanitary Requirements for Embalming and Dressing Room (as per IRR of Chapter XXI of the Code on Sanitation of the Philippines PD 856)

1. Embalming and dressing rooms shall be constructed of concrete or semi-concrete materials.

2. There shall be provided a minimum working space of 1.50 m. x 2.0 m. for every remains.

3. The floor shall be constructed of concrete or other impervious or easily cleaned material that is resistant to wear and corrosion and shall be sloped to drain; all angles between the floors and the walls shall be rounded off to height of not less than 7.62 cm. (3 inches) from the floor.

4. Floor drains shall be provided. It shall be constructed and sloped to drain that all washing and body fluids shall flow to waste water treatment facility separate from the septic tank. All solid wastes which include pathological and infectious wastes shall be placed in receptacles lined with yellow plastic bag while sharps shall be placed in receptacles lined with red plastic bag or any approved type of sharps collector.
5. The internal surface of walls shall have a smooth, even, non-absorbent surface easily cleaned without damage to the surface and constructed of dust-proof materials.

6. All ceilings or if no ceiling is provided, the entire under-surface of the roof shall be dust-proof and washable.

7. All lightings shall be free from glare and distributed so as to avoid shadows.

8. Ventilation shall be provided which shall be effective and suitable to maintain comfortable condition. The natural air supply in any room shall in no instance be less than 0.005 cubic meter per second per person.

9. Embalming shall be performed on a table made of single marble slab or aluminum, stainless steel or other equally impervious materials with a minimum size of 0.60 x 1.80 m.

10. Embalmers and assistants shall use personal protective equipments such as rubber gloves, aprons, boots and safety goggles while working.

11. Washing facilities with soaps, detergents and germicidal solutions shall be provided for use of the working personnel.

12. Embalmers and assistants shall be provided with lockers and closets for personal protective equipment and a separate closet for chemicals used for embalming.

E. Sanitary Requirements for Morgue (as per IRR of Chapter XXI of the Code on Sanitation of the Philippines PD 856)

1. Location

The morgue shall be constructed either as a separate structure or part of the funeral and embalming establishments. In either case, strict privacy must be maintained.

2. Size

The size of the morgue depends on the number of remains to be stored. The cadavers shall be contained in tanks divided into compartments. Each compartment must have the following dimensions: length of 2.50 meters, width of 1.50 meters and a depth of 2.50 meters. Every compartment shall be provided with a drain pipe leading into a separate
compartment shall be provided with a drain pipe leading into a separate waste water treatment facility from the septic tank. The cover of each compartment shall be provided with tight fitting lids.

3. Lighting and Ventilation

The aggregate window area shall not be less than 1/10 of the floor area. The room shall be well ventilated and well lighted. In addition to those openings, exhaust ducts of at least 1/50 of the floor area shall be provided in the ceiling or as close to the ceiling as possible.

F. Facility Requirements

Minimum facility requirements shall depend on type of funeral establishment enumerated as follows:

Category I

1. Administration Offices
2. Chapels
3. Family room
4. Preparation room
5. Selection room/casket display room
6. Comfort room
7. Garage
8. Parking area
9. Viewing room (optional)
10. Embalming room

Category II

1. Administration offices
2. Chapels
3. Family room
4. Selection room/casket display room
5. Comfort rooms
6. Garage
7. Parking area

Category III

1. Casket display area
2. Business area
3. Storage room
4. Garage
6. Parking area

G. Minimum Area Requirements*

1. Size of Funeral Establishment shall depend on the category given as follows:
   - Category I - minimum land area of 600 square meters
   - Category II - minimum land area of 420 square meters
   - Category III - minimum land area of 280 square meters

2. Administration Offices

   The administration offices shall include the manager's office, clerical pool's office, clinic, employee's locker and quarters and storage rooms.

   A minimum area of 25 sq. m. for personnel and 1.10 sq. m. for each additional personnel.

3. Cadaver Viewing Room (Optional)

   A minimum area of 30 square meters

4. Embalming Room

   Minimum area of 30 sq. m. to accommodate 4 cadavers/remains at one time and 3 sq. m. for each additional cadavers/remains.

5. Family Rooms

   Family rooms connecting to the chapel must have a minimum area of 20 sq. m. and at least 43.20 cubicmeter of air space.

*As agreed among participants and DOH in the consultation meeting on funeral establishments conducted by HLURB.
6. Family Room Comfort Room
(1 water closet, 1 lavatory, 1 urinal, 1 shower) - a minimum of 5 sq.m./comfort room.

7. Funeral Chapels
Chapels must be able to accommodate a variable number of visitors, with a minimum area of 45 sq. m. for 30 persons and at least 1.77 sq. m. for each additional person.

8. Garage
Minimum area of 15 sq. m. for each funeral car

9. Morgue/Preparation Room
A minimum area of 60 sq. m. to accommodate 4 cadavers/remains at one time (3 sq. m. for each additional cadavers/remains) and 4 cadaver tanks (3.75 sq. m. for additional tanks)

10. Parking Area
Minimum area of 50 sq. m. for each chapel

11. Selection Room/Casket Display Room
A minimum area of 40 sq. m.

12. Communal Comfort Room (for Funeral Establishments)
A. Male Comfort Room

<table>
<thead>
<tr>
<th>No. of Males</th>
<th>Water Closet</th>
<th>Urinal</th>
<th>Lavatory</th>
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<tbody>
<tr>
<td>Below 50</td>
<td>1</td>
<td>-</td>
<td>1</td>
</tr>
<tr>
<td>50 - 100</td>
<td>2</td>
<td>1</td>
<td>2</td>
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<tr>
<td>For each additional 100 persons</td>
<td>1</td>
<td>1</td>
<td>1</td>
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</tbody>
</table>

Source: DOH Standards

B. Female Comfort Room

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<th>Number of Females</th>
<th>Water Closet</th>
<th>Lavatory</th>
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<td>Below 30</td>
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<td>1</td>
</tr>
<tr>
<td>30 - 100</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>For each additional 50 females</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>For each additional 100 females</td>
<td></td>
<td>1</td>
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</table>

Source: DOH Standards

C. Funeral Parlor Personnel

<table>
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<th>Number of Personnel</th>
<th>Water Closet</th>
<th>Male Urinal</th>
<th>Lavatory</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Male</td>
<td>Female</td>
<td>Male</td>
</tr>
<tr>
<td>Below 30</td>
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<td>1</td>
<td>1</td>
</tr>
<tr>
<td>30 - 49</td>
<td>1</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>50 - 99</td>
<td>2</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>For each additional 50 personnel</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
</tbody>
</table>

Source: DOH Standard
RULE IV

TRANSITORY PROVISION

The owner of a non-conforming Funeral Establishment shall program the phase-out of relocation of the non-conforming use within five (5) years from the effectivity of this Rule.

RULE V

MISCELLANEOUS PROVISIONS

Section 5. Monitoring. The DOH/LGU, may exercise its right to monitor funeral establishment projects granted locational clearance. It may exercise visitorial power at any reasonable hours during weekdays.

Section 6. Fees. As per HLURB Resolution No. 622 series of 1998 adopting a revised schedule of fees charged and collected by the Board, the following locational clearance fee shall be collected based on the following project cost:

1. Project cost of P100,000.00 and below - P 1,000.00
2. Over P100,000.00 - P 1,000.00 + 1/10 of 1% of cost in excess of P100,000

Section 7. Fines and Penalties. Violation of any of the provisions of these Rules shall be subject to fines and penalties provided for in HLURB schedule of fines as per Resolution No. 622 series of 1998.

Section 8. Effectivity. These Rules and Regulations shall take effect after the publication for two consecutive weeks in two newspapers of general circulation.
**FUNERAL ESTABLISHMENT**

○ MINIMUM DISTANCE OF 25m. AWAY - RESTAURANTS, FOOD CENTERS & FOOD ESTABLISHMENTS

□ MINIMUM DISTANCE OF 50m. AWAY - MARKETS

△ MINIMUM DISTANCE OF 200m. AWAY - ABATTOIRS, SCHOOLS AND HOSPITALS

<table>
<thead>
<tr>
<th>CATEGORY</th>
<th>DESCRIPTION</th>
<th>ZONE</th>
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<tbody>
<tr>
<td>CATEGORY I</td>
<td>Funeral establishments with chapels and embalming facilities and offering funeral services.</td>
<td>C2</td>
</tr>
<tr>
<td>CATEGORY II</td>
<td>Funeral establishments with chapels and offering funeral services without embalming facilities; and</td>
<td>GRZ, GCZ, C1, C2, GIZ, SIZ</td>
</tr>
<tr>
<td>CATEGORY III</td>
<td>Funeral establishments offering only funeral services from the house of the deceased to the burial place.</td>
<td>GRZ, GCZ, C1, CZ, GIZ, SIZ</td>
</tr>
</tbody>
</table>

**FIGURE 1**
PROJECT STAFF
RULES AND STANDARDS DEVELOPMENT GROUP (RSDG)

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