

**[HLURB ADMINISTRATIVE ORDER NO. 01, S.
1999, March 10, 1999]**

**THE IMPLEMENTING RULES AND REGULATIONS GOVERNING THE
PROCESSING OF APPLICATIONS FOR LOCATIONAL CLEARANCE
OF FUNERAL ESTABLISHMENTS, AS AMENDED (RESOLUTION NO.
R-638, DATED MARCH 10, 1999)**

The attached Implementing Rules and Regulations Governing the Processing of Applications for Locational Clearance of Funeral Establishments, as Amended, approved by the Board of Commissioners on 10 March 1999 under Resolution No. R-638, was published in Ang Malaya and Nation Today on 12 and 19 May 1999.

Accordingly, the same takes effect fifteen (15) days after the completion of the publication, or on 03 June 1999.

For your guidance and information.

Adopted: 10 March 1999

(SGD.) ROMULO Q.M. FABUL
Commissioner and Chief Executive Officer

BOARD OF COMMISSIONERS
RESOLUTION NO. R-638, SERIES OF 1999

Approving The Amendments To The Implementing Rules And Regulations Governing
The Processing Of Applications For Locational Clearance Of Funeral Establishments

RESOLVED AS IT IS HEREBY RESOLVED, that the Implementing Rules and Regulations to Govern the Processing of Applications for Locational Clearance of Funeral Establishments as Amended, hereto attached as Annex A, BE APPROVED as the same is hereby APPROVED.

Approved, 10 March 1999, Quezon City.

(SGD.) KARINA CONSTANTINO-DAVID
*Chair, HUDCC
Ex-Officio Chair*

(SGD.) ISAGANI B. VALDELLON
*Deputy Director-General, NEDA
Ex-Officio Commissioner*

(SGD.) REGIS V. PUNO

*Undersecretary, DOJ
Ex-Officio Commissioner*

*(SGD.) JESUS I. INGENIERO
Assistant Secretary, DILG
Ex-Officio Commissioner*

*(SGD.) JOEL L. ALTEA
Assistant Secretary, DPWH
Ex-Officio Commissioner*

*(SGD.) ROMULO Q.M. FABUL
Commissioner and Chief Executive Officer*

*(SGD.) TERESITA A. DESIERTO
Commissioner*

*(SGD.) ROQUE ARRIETA MAGNO
Commissioner*

Attested:

*(SGD.) CHARITO M. BUNAGAN
Board Secretary*

ANNEX A

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 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.
12. RULES — shall mean the Rules Implementing the Design Standards and Guidelines for Funeral Establishments.
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 on 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 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

a) 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)
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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)
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Category III	GRZ (General Residential Zone) GCZ (General Commercial Zone) C1 (Low Density Commercial Zone) C2 (Medium Density Commercial Zone)
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