



OFFICE OF THE SANGGUNIANG PANLUNGSOD

EXCERPT TAKEN FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD OF THE CITY OF ALAMINOS, PANGASINAN HELD ON AUGUST 19, 2014

PRESENT:	Hon. Earl James C. Aquino	- City Vice Mayor/Presiding Officer
	Hon. Jose Antonio Miguel Y. Perez	- Presiding Officer/Pro-Tempore
	Hon. Joseph T. Bacay	- Majority Floor Leader
	Hon. Oscar A. Boling	- Minority Floor Leader
	Hon. Jan Marianne R. Fontelera	- Member
	Hon. Margielou Orange D. Humilde	- Member
	Hon. Rany S. De Leon	- Member
	Hon. Rufina J. Gabriel	- Member
	Hon. Perlito V. Rabago	- Member
	Hon. Fatima Ann S. Isla	- Member
	Hon. Orlando R. Go	- Member
	Hon. Salvador C. Camba, LBP	- Ex-Officio Member

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ORDINANCE NO. 2014-16

ZERO WASTE ORDINANCE OF THE CITY OF ALAMINOS

WHEREAS, the city is committed to the protection, preservation and conservation of the ecosystem; and to ensure protection of public health and environment;

WHEREAS, the unsystematic waste disposal by households and commercial/industrial establishments, agricultural farms, causes unsightly surroundings, polluted environment and spread of communicable diseases;

WHEREAS, the practice of waste segregation to facilitate reuse and recycling does not only reduce the cost of collection and disposal of garbage but conserves the natural sources of materials and avoid wasteful consumption of goods;

WHEREAS, waste disposal practices contribute directly and indirectly to the information and release of greenhouse gases that are propelling climate change and causing extreme weather disturbances, among other ill effects;

WHEREAS, concerted and expanded efforts by citizens, business, government and the entire society to prevent, reduce, recycle, reuse and compost discards can cut waste disposal costs and emissions, while providing health, environmental and livelihood benefits;

WHEREAS, the City of Alaminos considers Zero Waste as the preferred option for managing discards that offers enormous potentials for realizing the city's vision of "environmentally-sensitive growth with equity," while enhancing the health and safety of its citizens and the natural systems;

WHEREAS, the City of Alaminos has a distinguished mission of "setting standards in good governance, serving as an architect of holistic development, an integrator of development initiatives and provider of opportunities to the broadest segments of its constituents";

WHEREAS, the City of Alaminos aspires to join the growing league of jurisdictions worldwide that seeks to advance real solutions to the toxic woes from mismanaged discards by applying the precautionary principle and working towards Zero Waste;



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WHEREAS, Presidential Proclamation No. 760, dated May 5, 2014 declared the month of January as "Zero Waste Month";

WHEREFORE, premises considered, and on motion of Councilor Margielou Orange D. Humilde, co-sponsored by Councilor Rufina J. Gabriel and Councilor Fatima Ann S. Isla, duly seconded by Councilor Jan Marianne R. Fontelera and Councilor Joseph T. Bacay

BE IT ENACTED as it is hereby **ENACTED** by the Sangguniang Panlungsod of the City of Alaminos, Pangasinan in session duly assembled that:

ARTICLE I

TITLE OF ORDINANCE

SECTION 1. TITLE OF ORDINANCE – This ordinance shall be known as the "**ZERO WASTE ORDINANCE OF THE CITY OF ALAMINOS**" and shall be hereinafter referred to as the "Ordinance".

ARTICLE II

COVERAGE

SECTION 2. This Ordinance shall apply to all residential houses; commercial establishments such as hotels, restaurants, cinema houses, public and private markets, malls, department stores, groceries, institutions like hospitals, schools, churches, public and private offices, industrial establishments like factories, plants, rice mills and other establishments of any kind; and agricultural areas.

ARTICLE III

AUTHORITY AND PURPOSE/GOALS

SECTION 3. AUTHORITY – This ordinance is enacted to supplement the provisions of existing laws and ordinances related to ecological solid waste management.

SECTION 4. PURPOSE – This ordinance is enacted for the following purposes:

- To guide, control and regulate the generation, storage, collection, transportation and disposal of solid wastes within the city and promote an orderly and sanitary system for the same, and adopt a systematic, comprehensive and ecological solid waste management program.
- To enhance the total environment of the locality through the necessary control and mitigation of negative environmental impacts of solid wastes.
- To promote and protect the public and environment, health, safety, peace and convenience and general welfare of the inhabitants of the city.
- Institutionalize public participation in the development and implementation of the City's integrated, comprehensive and ecological waste management programs.
- Ensure the proper segregation, collection, transport, storage, treatment and disposal of solid waste through the formulation and adoption of the best environmental practices in ecological waste management excluding incineration.
- Encourage greater private participation in solid waste management.

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- g. To minimize generation of solid waste possible resource recovery/recycling and utilization by:
 - Maximizing the use of goods and consumption of foods;
 - Allocating fair inputs in the production of goods, foods and services;
 - Encouraging the salvaging of possible "recoverable" from solid wastes for re-use and/or recycling back to production process;
 - Providing assistance and cooperation in the recycling of solid wastes in disposal sites.

SECTION 5. GOAL – The primary goal of this ordinance is to enhance ecological balance of the city through sustainable and integrated waste management.

SECTION 6. OBJECTIVES – The objectives of this Ordinance are the following:

- a. To ensure round-the-clock cleanliness through orderly waste management.
- b. To cease and desist from utilization of open garbage dumps which serve as breeding places of insects causing diseases, foul odors and harmful fumes; emit "greenhouse gases" which contribute to global warming and thinning of the ozone layer; generate "leachate" which pollute soil and water resources; and creates unhealthy scavenging activities in the vicinity.
- c. To eradicate unsightly, uncovered, unsegregated and overflowing waste containers in streets, public places, and open spaces.
- d. To support and encourage at home or backyard composting to achieve volume reduction wastes collected.
- e. To promote eco-friendly products and packaging materials to reduce dependence and generation of problematic materials like single-use plastic bags and containers.
- f. To maximize and optimize sanitary resource recovery for feeds, fuel, materials, energy, etc.
- g. To minimize pollution arising from harmful gases, smoke, and particulates produced by needless burning/dumping; polluted runoffs into water sources/supply; and hazardous substances.
- h. To utilize environmentally sound methods that maximizes the utilization of valuable resources and encourages resources conservation and recovery.

ARTICLE IV

DEFINITION OF TERMS

SECTION 7. TECHNICAL TERMS – The technical terms used in this ordinance shall be defined/referred as follows:

1. **AGRICULTURAL WASTE** – refers to waste generated from planting or harvesting of crops, trimming or pruning of plants and wastes or run-off materials from farms or fields.
2. **BIODEGRADABLE** – please see "Solid Waste" definition
3. **BIOGAS** – is a gas composed largely of methane, carbon dioxide, and hydrogen sulfide which has been produced by the biological breakdown of organic matter (like human and animal wastes) in the absence of oxygen and is commonly used as cooking gas in agricultural communities.

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4. **BULKY WASTES** – refers to waste materials, which cannot be appropriately placed in separate containers because of either its bulky size, shape or other physical attributes. These include large worn-out or broken household, commercial, and industrial items such as furniture, lamps, bookcases, filing cabinets, and other similar items.
5. **COLLECTION** - refer to the act of removing solid waste from the source or from a communal storage point.
6. **COMPOST** – decayed organic material for use as soil conditioner or fertilizer.
7. **COMPOSTING** – biological degradation under controlled conditions; the process of making biodegradable items such as food waste, animal waste, waste, into compost by mixing them with soil, water, biological additives/activators (optional) and air.
8. **DEPARTMENT** – refers to the Department of Environment and Natural Resources.
9. **DISPOSAL** – refers to the discharge, deposit, dumping, spilling, leaking or placing of any solid waste into or in any land.
10. **DISPOSAL SITE** – refers to a site where solid waste is finally discharged and deposited.
11. **ENVIRONMENTALLY ACCEPTABLE** – refers to the quality of being re-usable, biodegradable or compostable, recyclable and not toxic or hazardous to the environment.
12. **ENZYMES** – a protein produced by cells, with substances to initiate or accelerate chemical reactions in plants or animal matter, acting like an organic catalyst.
13. **FERMENTABLE** – fruit peelings, spoiled or over-ripe fruits, juices e.g. buko juice, etc. is made into vinegar, wine or "nata-de-coco", "nata-de-pena", etc.
14. **FERTILIZER MATERIALS** – all compostables or biodegradable such as garden wastes (leaves, twigs, weeds), animal waste (manure carcasses), human waste (feces, urine, blood, all excrete, soiled wipes, pads, diapers (remove plastic portions) etc., are made into compost for organic gardening.
15. **FOOD MATERIAL** – include certain kinds of seeds, pulp, peelings, that are made into pickles, "sweets" or candies, or snacks.
16. **GENERATION**- refers to the act or process of producing solid waste.
17. **GENERATOR** – refers to a person, natural or juridical, who last uses a material and makes it available for disposal or recycling.
18. **HAZARDOUS WASTE** – special types of waste containing the chemical, biological, and radiological elements, which are harmful to human health. This are not considered as solid wastes.
19. **INCINERATION** – the controlled process by which combustible wastes are burned and changes into gasses and residues that contains little or no combustible material.
20. **LEACHATE** – refers to the liquid produced when waste undergo decomposition, and when water percolate through solid waste undergoing decomposition. It is contaminated liquid that contains dissolved and suspended materials.
21. **MATERIALS RECOVERY FACILITY (MRF)** – includes a solid waste transfer station or sorting station, drop-off center, a composting facility, and a recycling facility.
22. **NON-BIODEGRADABLE WASTES** - please see "Solid Waste" definition
23. **OPEN DUMP** – refers to a disposal area wherein the solid wastes are indiscriminately thrown or disposed of without due planning and consideration for environmental and health standards.
24. **RECEPTACLES** – refers to individual containers used for the source separation and the collection or recyclable materials.
of used or waste materials through a process of making them suitable for beneficial use and for other purposes, and includes any process by which solid waste materials are transformed into new products in such a manner that the original products may lose their identity, and which may be used as raw materials for the production of other

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goods or services: Provided, that the collection, segregation and re-use of previously used packaging material shall be deemed-recycling under this Ordinance.

25. **RECYCLABLE MATERIALS** - please see "Solid Waste" definition
26. **RESOURCE RECOVERY** - refers to the collection, extraction or recovery of recyclable materials from the waste stream for the purpose of recycling, generating energy or producing a product suitable for beneficial use: Provided, that such resource recovery facilities exclude incineration.
27. **RE-USE** - refers to the process of recovering materials intended for the same or different purpose without the alteration of physical and chemical characteristics.
28. **SANITARY LANDFILL** - refers to a waste disposal site designed, constructed, operated and maintained in a manner that exerts engineering control over significant potential environmental impacts arising from the development and operation of the facility.
29. **SCHEDULE OF COMPLIANCE** - refers to an enforceable sequence of actions or operations to be accomplished within a stipulated time frame leading to compliance with a limitation, prohibition, or standard set forth in this Ordinance or any rule or regulation issued pursuant thereto.
30. **SECRETARY** - refers to the Secretary of the Department of Environment and Natural Resources.
31. **SEGREGATION** - refers to a solid waste management practice of separating different materials found in solid waste in order to promote recycling and re-use of resources and to reduce the volume of waste for collection and disposal.
32. **SEGREGATION AT SOURCE** - refers to a solid waste management practice of separating, at the point of origin, different materials found in solid waste in order to promote recycling and re-use of resources and to reduce the volume of waste for collection and disposal.
33. **SOLID WASTE** - refers to all discarded household, commercial waste, non-hazardous institutional and industrial waste, street sweepings, construction debris, agricultural waste, and other non-hazardous/non-toxic solid waste. The types of solid wastes are biodegradable and non-biodegradable (recyclable and residual wastes) and special wastes:
 1. Biodegradable/compostable-waste that will decompose under natural conditions or microorganisms. Includes food wastes, yard waste and trimmings, vegetable and fruit residues, fish cleaning/processing wastes, chicken feathers and egg shells, agricultural/garden wastes, wet papers and cartons, animal wastes
 2. Non-biodegradable/non-compostable.
 - 2.1. **Recyclables**- any waste material retrieved from the waste stream and free from contamination that can still be converted into suitable beneficial use or for other purposes. These includes but is not limited to dry paper and cartons/cardboard, tin cans, metals, bottles and broken glass, rubber, textile trimmings, plastics (Polyethylene Terephthalate/PETE,PET, High Density Polyethylene/HDPE, Vinyl or Polyvinyl Chloride/PVC, Low Density Polyethylene/LDPE, Polypropylene/PP, Polystyrene/PS, High Impact Polystyrene/HIPS)
 - 2.2. **Residual Wastes** - Wastes which cannot be used for other purposes. . These includes but is not limited to ashes and soot, dirt, tattered textiles, paper and other packaging materials like cigarette packs, laminates and composite materials, sandbags, thin plastic films, food wrappers, used sanitary napkins, tissue papers and

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disposable diapers, broken ceramic and other glazed materials, tattered/contaminated styropor.

3. **Special Wastes** refers to household hazardous wastes such as paints, thinners, household batteries, lead-acid batteries, spray canisters and the like. These include wastes from residential and commercial sources that comprise of bulky wastes, consumer electronics, white goods, yard wastes that are collected separately, batteries, oil and tires. These wastes are usually handled separately from other residential and commercial wastes.

Unless specifically noted otherwise, the term "solid waste" as used in this Ordinance shall not include:

1. waste identified or listed as hazardous waste of a solid, liquid, contained gaseous or semisolid form which may cause or contribute to an increase in mortality or in serious or incapacitating reversible illness, or acute/chronic effect on the health of persons and other organisms.
2. infectious waste from hospitals such as equipment, instruments, utensils, and fomites of a disposable nature especially from patients who are suspected to have or have been diagnosed as having communicable diseases and must therefore be isolated as required by public health agencies, laboratory wastes such as pathological specimens (i.e., all tissues, specimens of blood elements, excreta, and secretions obtained from patients or laboratory animals), and disposable fomites that may harbor or transmit pathogenic organisms, and surgical operating room pathologic specimens and disposable fomites attendant thereto, and similar disposable materials from outpatient areas and emergency rooms.
3. Waste resulting from mining activities, including contaminated soil and debris.
34. **SOLID WASTE MANAGEMENT** – refers to the systematic management of solid wastes which provides for waste reduction at source; segregation at source for recovery of reusables, recyclables/recoverables and biodegradables / compostable; segregated transportation, storage, transfer, processing, treatment and disposal of solid wastes; and all other waste management activities which do not harm the environment.
35. **SOLID WASTE MANAGEMENT FACILITY** – refers to any resource recovery system or component thereof; any system, program, or facility for resource conservation; any facility for the collection, source separation, storage, transportation, transfer, processing, treatment, or disposal of solid waste.
36. **SOURCE REDUCTION** – refers to the reduction of solid waste before it enters the solid waste stream by methods such as product design, materials substitution, materials reuse and packaging restrictions.
37. **SOURCE SEPARATION** – refers to the sorting of solid waste into some or all of its component parts at the point of generation.
38. **SPECIAL WASTE** – please see "Solid Waste" definition
39. **STORAGE** – refers to the interim containment of solid waste after generation and prior to collection for ultimate recovery or disposal.
40. **TRANSFER STATION** – refers to those facilities utilized to receive solid wastes, temporarily store, separate, convert, or otherwise process the materials in the solid wastes, or to transfer the solid wastes directly from smaller to larger vehicles for transport. This term does not include any of the following.



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- a. A facility whose principal function is to receive, store, separate, convert, or otherwise process in accordance with national minimum standards, manure.
- b. The operations premise of a duly licensed solid waste handling operation that receives, store, transfers or otherwise processes wastes as an activity incidental to the conduct of a refuse collection and disposal business.
41. **WASTE DIVERSIONS**— refers to activities, which reduce or eliminate the amount of solid waste sent to disposal facilities.
42. **WHITE GOODS** – refers to large worn-out or broken household, commercial, and industrial appliances such as stoves, refrigerators, dishwashers, and clothes washers and dryers collected separately. White goods are usually dismantled for the recovery of specific materials (e.g. copper, aluminum, etc.); and
43. **YARD WASTE** – refers to wood, small or chipped branches, leaves, grass clippings, garden debris, vegetables residue that is recognizable as part of a plant or vegetable and other materials identified by the Board.

ARTICLE V

SECTION 8. CITY SOLID WASTE MANAGEMENT BOARD – The City Solid Waste Management Board (CSWMB) shall prepare, submit and implement a plan for the safe and sanitary management of solid waste generated in areas within the territorial jurisdiction of the City.

The City Solid Waste Management Board shall be composed of the City Mayor as head with the following as members:

- a. A representative of the Sangguniang Panlungsod, preferably chairperson of the Committee on Environment, who will be designated by the presiding officer;
- b. President of the Association of Barangay Councils in the City;
- c. Chairperson of the Sangguniang Kabataan Federation;
- d. a representative from NGO'S whose principal purpose is to promote recycling and the protection of air and water quality;
- e. a representative from the recycling industry;
- f. a representative of each concerned government agency possessing relevant technical and marketing expertise as may be determined by the Board;
- g. a representative from different groups/sectors like academe, Operators and Drivers Association, market, religious sector, commercial establishments
- h. a representative of the City Government's Offices involve in environment and planning

The City General Services Office (GSO)- environment and/or solid waste section shall serve as the Secretariat of the CSWMB;

The City Solid Waste Management Board shall have the following duties and responsibilities:

1. Develop the City Solid Waste Management (SWM) Plan that shall ensure the long-term management of solid waste, as well as integrate the various solid waste management plans and strategies of the barangays in its area of jurisdiction. In the development of the Solid Waste Management Plan, it shall conduct consultations with the various sectors of the community;
2. Adopt measures to promote and ensure the viability and effective implementation of SWM programs in its component barangays;

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3. Monitor the implementation of the City Solid Waste Management SWM Plan through its various political subdivisions and in cooperation with the private sector and the NGO'S;
4. Adopt specific revenue generating measures to promote the viability of its SWM Plan;
5. Convene regular meetings for purposes of planning and coordinating the implementation of the SWM plans of the respective component barangays;
6. Oversee the implementation of the City SWM Plan;
7. Review every two (2) years or as the need arises the City SWM Plan for purposes of ensuring its sustainability, viability, effectiveness and relevance in relation to local and international developments in the field of solid waste management;
8. Develop the specific mechanics and guidelines for the implementation of the City SWM Plan;
9. Recommend to appropriate local government authorities specific measures or proposal for franchise or build-operate-transfer agreements with duly recognized institutions, pursuant to R.A. 6957, to provide either exclusive or non-exclusive authority for the collection, transfer, storage, processing, recycling or disposal of municipal solid waste. The proposals shall take into consideration appropriate government rules and regulations on contracts, franchises and build-operate-transfer agreements;
10. Provide the necessary logistical and operational support to the barangays in consonance with the Local Government Code;
11. Recommend measures and safeguards against pollution and for the preservation of the natural ecosystem; and
12. Coordinate the efforts of its component barangays in the implementation of the City SWM Plan.

It shall be the duty of the CSWMB to assist Barangay in their Solid Waste Management, where the Barangay cannot financially or adequately manage all waste segregation, sorting, recovery, recycling and composting.

The City shall assist the Barangay either financially, technically or in any manner deemed necessary in order to achieve the Waste Management Program. Provided, that within 45 days of the effectivity of this ordinance, the Liga ng mga Barangay shall assess and thereby determine, those Barangay requiring assistance from the City, shall subsequently inform the CSWMB of its findings.

The City Solid Waste Management Board may, from time to time, call on any concerned agencies or sectors, as it may deem necessary.

Representatives from the NGO's, recycling and manufacturing or packaging industries shall be selected through a process designed by themselves and shall be endorsed by the government agency representatives of the Board.

SECTION 9. BARANGAY SOLID WASTE MANAGEMENT COMMITTEE

The Barangay SWM Committee shall have the following functions and responsibilities:

- a. Formulate solid waste management program consistent with city plan;
- b. Segregation and collection of biodegradable, compostable, reusable wastes;
- c. Establish materials recovery facility;
- d. Allocate Barangay funds; look for sources of funds;
- e. Organize core coordinators;
- f. Submit monthly report to the city.

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MEMBERSHIP OF THE BARANGAY SOLID WASTE MANAGEMENT COMMITTEE

The Barangay SWM Committee shall be composed of the Barangay Captain as chairman with the following as members:

- a. One (1) Kagawad
- b. SK Chairman
- c. Presidents-of Home Owners Association
- b. Public/Private school principals or representative
- c. One (1) Parents and Teachers Association president or representative
- d. One (1) Religious organization representative
- e. One (1) Business Community Representative
- i. One (1) Environmental NGO representative
- j. President of Market Vendors Association; One (1) representative from junkshop owners' association.

SECTION 10. ESTABLISHMENT OF MULTI-PURPOSE ENVIRONMENT COOPERATIVES OR ASSOCIATIONS IN EVERY BARANGAY- Multi-purpose cooperatives and associations that shall undertake activities to promote the implementation and/or directly undertake projects in compliance with the provisions of this Ordinance shall be encouraged and promoted in every Barangay. The CSWMB may request the CGSO, DENR and DTI, through their appropriate bureaus for technical assistance and advisory guidance to any interested Barangay including to set up the multi-purpose environmental cooperatives or associations.

ARTICLE VI

IMPLEMENTATION OF THE ECOLOGICAL SOLID WASTE MANAGEMENT

OVERALL POLICY

It shall be the overall policy of the City to strictly implement the provisions of the Implementing Rules and Regulations of this Ordinance. The implementation of the ecological solid waste management shall fundamentally take into account the management of waste in the following hierarchy:

- a. Source reduction/minimization of wastes generated at source;
- b. Resource recovery, the cycling and re-use of wastes at the Barangay;
- c. Efficient collection, proper transfer and transport of wastes by city/barangay; and
- d. Efficient management of residuals and of final disposal sites and/or any other related environment-friendly technologies for the conversion, processing or re-use of residuals.

SECTION 11. LOCAL GOVERNMENT SOLID WASTE MANAGEMENT PLANS- The city, through its local waste management boards, shall prepare its respective 10 years solid waste management plans. Provided, that the waste management plan shall be for the re-use, recycling and composting of wastes generated within the jurisdictions: Provided, further, that the solid waste management plan of the City shall ensure the efficient management of solid waste generated within its jurisdiction. The plan shall place primary emphasis on the implementation of all feasible re-use, recycling and composting programs while identifying the amount of landfill and transformation capacity that will be needed for solid waste which cannot be re-used, recycled, or composted. The plan shall contain all the components provided in this ordinance and timetable for the implementation of the solid waste

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management program Provided, finally, that it shall be reviewed and updated every two (2) years by the City Solid Waste Management Board.

- e. The City solid waste management plans shall be consistent with the national framework and in accordance with the provisions of RA 9003 and of the policies set by the Commission.

SECTION 12. IMPLEMENTATION SCHEME

The City government through the City General Services Office (CGSO)- environment and/or solid waste section and CSWMB shall be primarily responsible for the implementation/enforcement and monitoring of compliance on the ecological solid waste management systems within the City.

Waste segregation and collection shall be conducted at the Barangay level. It shall be stored at the Barangay/cluster of Barangays Materials Recovery Facility (MRFs). Residual and special waste shall be collected from the MRFs and shall properly be disposed of by the city.

SECTION 12.A. WASTE SEGREGATION AND VOLUME REDUCTION AT SOURCE

Volume reduction at the source shall be the first priority of the ecological SWM system. The City shall actively promote among its constituencies the reduction and minimization of waste generated at source; responsibility for sorting and segregation of biodegradable and non biodegradable wastes shall be at the household level and all other sources.

MINIMUM REQUIREMENTS FOR SEGREGATION AND VOLUME REDUCTION

The following shall be the minimum requirements for segregation and storage of solid waste pending collection:

- a. There shall be a separate container/plastic bags for each type of waste from all sources. For bulky waste, it will suffice that the same be collected and placed in separate container/plastic bags and in designated areas;
- b. The solid container depending on its use shall be properly marked or identified for on-site collection as "biodegradable", "recyclable" or "special waste", or any other classification as may be determined by the CSWMB;

SECTION 12.B. ESTABLISHING MANDATORY SOLID WASTE DIVERSION – The City SWM plan shall include an implementation schedule which shows that within five (5) years after the effectivity of this Ordinance; the City shall divert at least 25% of all solid waste from waste disposal facilities through re-use, recycling, and composting activities and other resource recovery activities: Provided, that the waste diversion goals shall be increased every three (3) years thereafter: Provided, further, that nothing in this Section prohibits a City Government and Barangay from implementing re-use, recycling, and composting activities designed to exceed the goals.

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SECTION 12.C. MANDATORY SEGREGATION OF SOLID WASTES – The City shall evaluate alternative roles for the public and private sectors in providing collection services, type of collection system, or combination of systems, that best meet their needs: Provided, that segregation of wastes shall primarily be conducted at the source, to include household, institutional, industrial, commercial and agricultural sources: Provided, further, that waste shall be segregated into the categories provided in this Ordinance.

For premises containing six (6) or more residential units; hospitals; industries; educational institutions; markets and other large scale commercial establishments, the CGSO and/or CSWMB shall promulgate regulations requiring the owner or person in charge of such premises to:

- Provide for the residents a Materials Recovery Facility (MRF) for temporary storage prior to collection by the Barangay/City General Services Office (GSO) or private collector;
- Notify all workers, employees, occupants and entities working in the premises of the requirements of this Ordinance and the regulations promulgated pursuant thereto; and
- No scavenging or unauthorized collection in designated segregation containers or areas shall be allowed.

SECTION 13. WASTE GENERATION AND STORAGE

All waste generators shall learn the kinds/classifications of solid wastes as defined in this Ordinance.

SECTION 13.A. RESIDENTIAL AREAS

- The concerned resident shall ensure that the generated solid waste shall be properly separated in three (3) enclosed containers for "biodegradable", "non-biodegradable" and "special wastes". The leftovers or kitchen refuse shall directly be given to the animals as feeds or stored temporarily for composting and/or biogas production.
- Residents shall choose proper containers such as cans, sacks, bags, bins, etc.; that will facilitate sanitary, efficient handling, storage, collection, transport or disposal at least cost. Food waste shall be placed in covered cans or pails.
- Public thoroughfares and grounds in front or in the vicinity of residential houses shall be kept clean and tidy by the owner/lessee of the house or building at all times.
- Trees, shrubs and other vegetation within the vicinity of residences shall be regularly cared for and maintained to minimize generated wastes/yard wastes and unpleasant sight.

SECTION 13.B. COMMERCIAL AREAS (including markets/agoras):

- The storage containers for segregated commercial wastes shall be communal or individual with cover depending on its location for collection and transport process. A Materials Recovery Facility (MRF) shall be constructed/established if possible.
- The enclosed communal receptacle possibly on wheels shall be located along the collection route where the generated wastes shall be brought and stored by the stall lessee.
- The lobby and fronting sidewalks/immediate grounds of commercial establishments shall be maintained clean and presentable by the owner/operator/lessee of the



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establishments (shops, stalls, stores, restaurants, eateries, billiard halls, folk houses, beer gardens, discos, cocktail lounges, dancing halls, cabarets, bistros, etc.).

SECTION 13.C. INSTITUTIONAL/INDUSTRIAL AREAS

- a. The head of any institutional/industrial firm shall ensure the proper and hygienic storage of generated and segregated wastes in receptacles/containers, which shall be situated along collection routes. All industries and institutions are encouraged to establish ecoshed/MRFs.
- b. Hazardous wastes shall be stored safely in good, durable, and duly covered receptacles, which should be located in a secured and distant site, prior to final collection/disposal subject to existing laws, rules and regulations. It should be properly labeled as "hazardous waste".

SECTION 13.D. AGRICULTURAL AREAS (Including farms for livestock, poultry, etc.)

Homogenous agricultural wastes (rice straws, corn cobs, leaves, animal manure, etc.) shall be properly stockpiled/stored by the concerned farmer.

SECTION 14. WASTE PROCESSING AND RESOURCE RECOVERY

SECTION 14.A. RESIDENTIAL AREAS

- a. Segregated recyclables shall be properly stored before collection. These recyclables shall be collected separately and brought to recycling centers, eco-centers or junk dealers.
- b. Local waste managers shall be designated in every Barangay by the CSWMB who shall oversee the collection of recyclables and shall be responsible in coordinating with accredited dealers or manufacturers of recycled product.
- c. Food and kitchen refuse shall be collected as fodder or feeds for animals, those that are not suitable as fodder shall be composted at source.
- d. Residents shall not practice open burning of solid wastes and adopt recycling, re-use, practicing the F's scheme (feed, fermentable, food and fuel). Fuel materials from households waste consists of two kinds:
 1. **Firewood Material** – consists of twigs, branches, leaves, husks, shell, cobs, chaff, saw dust, wood shavings, soiled papers, bagasse, stalks, etc.; and
 2. **Flammable Gas** – produced by anaerobic decomposition of all biomass or biodegradable materials in biogas digester.

SECTION 14.B. COMMERCIAL AREAS

- a. Segregation of wastes from commercial areas (shopping malls, restaurants, commercial complexes, recreational centers, etc.) shall be mandatory before issuance of or renewal of business permits from the City Government.
- b. Markets/agoras shall adopt a segregation scheme that will facilitate the segregation of recyclables, biodegradables like food/vegetables wastes, non-recyclables, etc.
- c. Biodegradable wastes may be composted at the commercial area's MRF, if any, or may be collected for recovery at the Barangay MRF. Food wastes from commercial centers (e.g. food centers, restaurants, canteens, etc.) shall be collected as fodder/animal feeds and shall not be disposed to sewers.

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- d. To encourage proper implementation, incentives in the form of rebates may be provided to consumers who will adhere to the ordinance. Owners and operators may be given incentives like discounts on hauling services by the City government when a 50% diversion rate is met.

SECTION 14.C. INDUSTRIAL/INSTITUTIONAL

- a. All industrial and institutional establishments are mandated to temporarily store their segregated wastes at the MRFs/ecoshed prior to collection to avoid foul odors and proliferation of flies.
- b. Schools (both private and public) shall adopt appropriate resource recovery and recycling strategies.

SECTION 14.D. AGRICULTURAL AREA (Including farms for livestock, poultry, etc.)

- a. Agricultural wastes (e.g. rice straws, corn, etc.) shall not be burned but shall be stockpiled in a proper location composted. Animal manure can also be composted or used for biogas production.

SECTION 15. COLLECTION AND TRANSPORTATION OF SOLID WASTES

SECTION 15.A RESIDENTIAL AREAS

- a. The concerned resident shall ensure that the solid wastes are brought out in front of his gate/door and/or along the collection route of the collection vehicle/cart, during the collection period.
- b. He/she shall report to the Barangay and/or to the City General Services Office (GSO) or concerned official for any uncollected solid waste within the vicinity of his/her residence.
- c. Garbage not segregated and placed in approved container by the City shall not be collected and shall be treated as disposed of in violation of the anti-littering provision of this ordinance and shall be penalized accordingly.
- d. The specific date and hour of garbage collection in particular location shall be scheduled and announced for strict compliance by all concerned.

SECTION 15.B. COMMERCIAL AREAS

- a. The owner/operator/lessee of any enterprise shall be responsible for the timely positioning of stored solid wastes during collection period which shall be made known in advance by the proper authorities which shall likewise assist wherever necessary in the sanitary means of loading wastes for collection purposes.
- b. He/she shall remind the Environmental / Sanitation Unit of the General Services Office in the collection of uncollected solid wastes and other related matters.

SECTION 15.C. INSTITUTIONAL/INDUSTRIAL AREAS

- a. The head of any institutional/industrial establishment shall assist the City Government in the orderly and sanitary way of collecting and transporting its solid waste.

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The collection and transportation of any hazardous wastes (if necessary) shall be duly coordinated with the government agencies concerned with such type of waste.

SECTION 16. DISPOSAL OF SOLID WASTES

SECTION 16.A. RESIDENTIAL, COMMERCIAL AND INSTITUTIONAL WASTES

- Incineration or open burning of solid waste is hereby prohibited. Residuals of solid wastes after resource recovery, recycling and composting shall be disposed of by sanitary land filling or to an alternative waste management facility.
- Illegal dumping of solid waste along streets, alleys, riverbanks, and in any public places shall be strictly prohibited.

SECTION 16.B. INDUSTRIAL WASTES

- Hazardous waste shall be buried only after getting the proper assistance/guidance from concerned government agencies.

Other hazardous waste shall be disposed in accordance with the laws, rules, regulations and guidelines of the concerned government agencies like the Environment Management Bureau of the Department of Environment and Natural Resources (DENR-EMB), Department of Health (DOH), Philippine National Research Institute (PNRI) and General Services Office (GSO).

ARTICLE VII

WASTE MANAGEMENT FACILITIES

SECTION 17. ESTABLISHMENT OF CITY MATERIALS RECOVERY FACILITY – There shall be established a Materials Recovery Facility (MRF) in every Barangay or cluster of barangays. The facility shall be established in a Barangay-owned or leased land or any suitable open space to be determined by the Barangay through its Sanggunian.

For this purpose, the Barangay or cluster of Barangay shall allocate a certain parcel of land for the MRF. The determination of site and actual establishment of the facility shall likewise be subject to the guidelines and criteria set by CGSO/CSWMB pursuant to this Ordinance. The MRF shall receive biodegradable wastes for composting and mixed non-biodegradable wastes for final segregation, re-use, and recycling. Provided, that each type of mixed wastes is collected from the source and transported to the MRF in separate containers.

The resulting residual wastes shall be transferred to a long-term storage or conversion or disposal facility or sanitary landfill.

SECTION 18. GUIDELINES FOR ESTABLISHMENT OF MATERIALS RECOVERY – Materials recovery facilities shall be designed to receive, sort, process, and store compostable and recyclable materials efficiently and in an environmentally sound manner. The facility shall address the following considerations:

- The building and/or land layout and equipment must be designed to accommodate efficient and safe materials processing, movement, and storage; and
- The building must be designed to allow efficient and safe external access and to accommodate internal flow.

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SECTION 19. PROHIBITION AGAINST THE USE OF OPEN DUMPS FOR SOLID WASTE – No open dumps shall be established and operated within the jurisdiction of the City, nor any practice or disposal of solid waste by any person, which constitute the use of open dumps for solid waste, be allowed after the effectivity of this ordinance.

SECTION 20. PERMIT FOR SOLID WASTE MANAGEMENT FACILITY CONSTRUCTION AND EXPANSION – No person shall commence operation, including site preparation and construction of a new solid waste management facility or the expansion of an existing facility until said person obtains an Environmental Compliance Certificate (ECC) from the Department of Environment and Natural Resources pursuant to P.D. 1586 and other permits and clearances from the City and from concerned agencies.

ARTICLE VIII

FINANCING SOLID WASTE MANAGEMENT

SECTION 21. SOLID WASTE MANAGEMENT FUND- There is hereby created, as a special account in the City Treasury, a Solid Waste Management Fund to be administered by the CSWMB. Such fund shall be sourced from the following:

- Fines and penalties imposed, proceeds permits and licenses issued by the City under this Ordinance. Donations, endowments, grants and contributions from domestic and foreign sources; and
- Amounts specially appropriated for the Fund under the Annual Budget of the city.

The Fund shall be used to finance the following:

- Products, facilities, technologies and processes to enhance proper solid waste management;
- Awards and incentives;
- Research programs;
- Information, education, communication and monitoring activities

SECTION 22. ESTABLISHMENT OF LOCAL SWM FUND - Barangay councils may enact council resolutions/ordinances for the creation of a Local Solid Waste Management Fund (also known as the Local Fund), pursuant to the relevant provisions of RA 7160. The Local fund shall be derived from the collection of fines. The ordinance may vest authority in the Local SWM Board to administer the Local Fund as a special account of the Barangay, and to develop pertinent guidelines on the management of the Local Fund.

In no case of clustered Barangays, a governing Memorandum of agreement of the cluster may be created in addition to ordinance, stipulating that the Local SWM Cluster Board shall administer the Local Fund. Moreover, stipulating that the Local SWM Cluster Board shall develop schemes to sustain the Local Fund including resource generating ventures and placing appropriate monies as Trust.

The ordinance may stipulate that reporting on the status of the Local Fund be transparent and that a report be issued annually, to the City Solid Waste Management Board. The Local SWM Cluster Board may conduct the same process of reporting. Further, the ordinance may include, however, shall not be limited to the following provisions:

SECTION 23. SOURCES AND USE OF THE LOCAL SWM FUND- Funds that will constitute the Local SWM Fund can be sourced from the following:

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- a. Donations, endowments, grants and contributions from domestic and foreign sources.
- b. Allocation of fines collected.
- c. Fees collected from provision of solid waste services such as collection, recycling, and transport among others.
- d. Sub-contracting fees including management, transport and others, as stipulated in the contract or Memorandum of Agreement of SWM services, respectively.
- e. City may allocate fund from the 20% Development Fund for waste management.

The Local Fund may be used to support endeavors, which enhance the implementation of this Ordinance. These may include activities/projects on the following:

- a. Products, facilities, technologies and processes to enhance proper solid waste management.
- b. Research activities.
- c. Information, education, communication and monitoring activities.
- d. Capability building activities.

ARTICLE IX

SECTION 24. SOLID WASTE MANAGEMENT FEES. There is hereby imposed fees in the amount sufficient to pay the cost of preparing, adopting and implementing the Zero Waste Ordinance.

The fees shall be collected from every household owners/lessees, commercial, industrial and institutional establishments located within the area covered by the garbage collection area.

The fee imposed in this Ordinance shall be paid to the City Treasurer or his/her authorized representative either monthly, quarterly or semi-annually or annually. Schedule of payment/s shall be as follows:

- | | | |
|---------------------|---|---|
| > monthly basis | - | it shall be paid on or before 5 th day of every month; |
| > quarterly basis | - | it shall be paid within 1 st five (5) days of January, April, July and October; |
| > semi-annual basis | - | it shall be paid within 1 st five (5) days of January and 1 st five (5) days of July; |
| > annually | - | it shall be paid within the first twenty (20) days of January of every year. |

A 10% discount shall be given to those who will pay on an annual basis following the schedule of payment.

The fees collected shall be used to pay the actual costs incurred by the City Government (General Services Office) that are directly related to the adoption and implementation of the City Solid Waste Management Plan, the setting and collection of Local fees.

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SOLID WASTE MANAGEMENT FEES

	Waste Generators/Source	Monthly	Annually	10% discount	Actual Annual Dues
I	Industrial and Manufacturing Firm				
A.	Big industries such as metal smelting plant, Bottling company, food-processing plant, etc.;	1,500.00	18,000.00	1,800.00	16,200.00
B.	Medium scale, big scale furniture manufacturers, garment factory, concrete and asphalt mixing plants, tire recapping plant, LPG recharging plants, etc.;	750.00	9,000.00	900.00	8,100.00
C.	Small scale industries, rice, corn, and feed mills, manufacturers of bricks tiles, ceramic pipe and other concrete products, bihon, miswa, noodles manufacturing, etc.	350.00	4,200.00	420.00	3,780.00
II	Institutions				
A.	Educational Institutions				
1	Universities, Colleges, vocational schools, tertiary education only	400.00	4,800.00	480.00	4,320.00
2	Universities, Colleges, tertiary education with:				
a.	High School, Elementary, and Pre-Elementary	1,146.96	13,763.52	1,376.35	12,387.17
b.	High School and Elementary	860.22	10,322.64	1,032.26	9,290.38
c.	High School and Pre-Elementary,	860.22	10,322.64	1,032.26	9,290.38
d.	Elementary and Pre-elementary	860.22	10,322.64	1,032.26	9,290.38
e.	High School	860.22	10,322.64	1,032.26	9,290.38
f.	Elementary	573.48	6,881.76	688.18	6,193.58
g.	Pre-elementary/Nursery schools	573.48	6,881.76	688.18	6,193.58
3	High Schools	286.74	3,440.88	344.09	3,096.79
4	Elementary, Kinder or Nursery Schools	286.74	3,440.88	344.09	3,096.79
5	Physical Fitness Schools	286.74	3,440.88	344.09	3,096.79
B.	Medical Institutions				
1	Hospital	510.00	6,120.00	612.00	5,508.00
2	Medical Clinics with patient confinement facilities, Lying-ins	400.00	4,800.00	480.00	4,320.00
3	Medical and Dental Clinic, X-Ray, Ultrasound, CT Scan, Laboratory Clinics	300.00	3,600.00	360.00	3,240.00
4	Drug Stores	129.00	1,548.00	154.80	1,393.20
5	Optometrist Shop	129.00	1,548.00	154.80	1,393.20

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6	Animal/Veterinary Clinics	129.00	1,548.00	154.80	1,393.20
III. COMMERCIAL ESTABLISHMENTS					
1	Malls	15,000.00	180,000.00	18,000.00	162,000.00
2	Mart/Supermarket and the like	12,000.00	144,000.00	14,400.00	129,600.00
3	Public Market	15,000.00	180,000.00	18,000.00	162,000.00
4	Private Market				
	a. Not more than 50 stalls	10,000.00	120,000.00	12,000.00	108,000.00
	b. With 51-100 stalls	12,000.00	144,000.00	14,400.00	129,600.00
	c. With 101 stalls and up	15,000.00	180,000.00	18,000.00	162,000.00
5	Dry Goods/Grocery Store	200.00	2,400.00	240.00	2,160.00
6	Fast Food Stores				
	a. small/medium scale like burger stands, mobile food stores and the like	200.00	2,400.00	240.00	2,160.00
	b. large scale like Mc Donalds, Jollibee, Chowking and the Like	1,667.00	20,004.00	2,000.40	18,003.60
7	Hotels, motels and the like				
	a. with restaurant and other recreational amenities	500.00	6,000.00	600.00	5,400.00
	b. without restaurant and other recreational amenities	300.00	3,600.00	360.00	3,240.00
8	Restaurants				
	a. small/medium scale restaurants like Carenderia and Eateries	200.00	2,400.00	240.00	2,160.00
	b. large scale restaurants like Eat's a Deal, Cindy's Bakery and restaurant and the Like	300.00	3,600.00	360.00	3,240.00
9	Gasoline and Service Station	114.00	1,368.00	136.80	1,231.20
10	Lumberyard and Hardware	114.00	1,368.00	136.80	1,231.20
11	Motor Vehicle Dealer	114.00	1,368.00	136.80	1,231.20
12	Appliance Dealer	114.00	1,368.00	136.80	1,231.20
13	Fish, Meat and Chicken Vendor	114.00	1,368.00	136.80	1,231.20
14	Vegetables and Fruits Vendors	114.00	1,368.00	136.80	1,231.20
15	Glassware & Aluminum Store	114.00	1,368.00	136.80	1,231.20
16	Bakeries and Bakeshops	114.00	1,368.00	136.80	1,231.20
17	Shoe Store	114.00	1,368.00	136.80	1,231.20
18	Barber and Beauty Shops	114.00	1,368.00	136.80	1,231.20
19	Dress and Tailoring Shops	114.00	1,368.00	136.80	1,231.20
20	Flower Shop	114.00	1,368.00	136.80	1,231.20
21	Music and Record Shop	114.00	1,368.00	136.80	1,231.20
22	Copying Machines, Wood Frames, and Photography Shop	114.00	1,368.00	136.80	1,231.20
23	Pet Shop	114.00	1,368.00	136.80	1,231.20

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24	LPG Stores	114.00	1,368.00	136.80	1,231.20
25	Auto Supply	114.00	1,368.00	136.80	1,231.20
26	Book Stores and School Supplies	114.00	1,368.00	136.80	1,231.20
Energy, Transport and Communication Firm					
27	Bus Companies with Terminals	300.00	3,600.00	360.00	3,240.00
28	Electric Companies	200.00	2,400.00	240.00	2,160.00
29	Telephone and Communication	200.00	2,400.00	240.00	2,160.00
30	Water Service Companies	200.00	2,400.00	240.00	2,160.00
Wholesales and Dealers					
31	Chicken Dealer with Chicken Dressing fauses	500.00	6,000.00	600.00	5,400.00
32	Coconut and Buko Dealer with Wholesale	200.00	2,400.00	240.00	2,160.00
33	Beer and Soft drinks Dealer	114.00	1,368.00	136.80	1,231.20
34	Meat Dealer	114.00	1,368.00	136.80	1,231.20
35	Fruit and Vegetable Dealer	120.00	1,440.00	144.00	1,296.00
Financial Firms					
36	Banks	114.00	1,368.00	136.80	1,231.20
37	Financing, Lending and Credit Loan	114.00	1,368.00	136.80	1,231.20
38	Pawnshop and Jewelry Shop	114.00	1,368.00	136.80	1,231.20
39	Insurance Companies/Agencies	114.00	1,368.00	136.80	1,231.20
Communication Firm					
40	TV and Radio Stations	114.00	1,368.00	136.80	1,231.20
Entertainment Firms					
41	Cinemas	120.00	1,440.00	144.00	1,296.00
42	Cockpit Arenas	120.00	1,440.00	144.00	1,296.00
43	Night Clubs, Pubhouse, Cabarets and Karaoke	120.00	1,440.00	144.00	1,296.00
44	Billiards and Pool Rooms	114.00	1,368.00	136.80	1,231.20
45	Video Game Shop	114.00	1,368.00	136.80	1,231.20
46	Computer Shop	114.00	1,368.00	136.80	1,231.20
47	Bowling Alley	114.00	1,368.00	136.80	1,231.20
48	Swimming Resort with entrance fee	114.00	1,368.00	136.80	1,231.20
Offices					
49	Accounting, Lawyers, Civil State, Advertising	114.00	1,368.00	136.80	1,231.20
Agricultural					
50	Nursery Orchids and Flower Growers	114.00	1,368.00	136.80	1,231.20
51	Piggery, Poultry and other Agricultural Farms	114.00	1,368.00	136.80	1,231.20
Repair Shops					
52	Motor Vehicle Repair Shop	114.00	1,368.00	136.80	1,231.20
53	Battery and Electrical Shop Radiator	114.00	1,368.00	136.80	1,231.20

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54	Appliance Repair Shop	114.00	1,368.00	136.80	1,231.20
55	Machine Shop	114.00	1,368.00	136.80	1,231.20
56	Brake and Clutch Bonding Shop	114.00	1,368.00	136.80	1,231.20
57	Vulcanizing Shop	114.00	1,368.00	136.80	1,231.20
	Others				
58	Gravel and Sand	114.00	1,368.00	136.80	1,231.20
59	Iron and Metal Craft	114.00	1,368.00	136.80	1,231.20
60	Sash and Woodcraft	114.00	1,368.00	136.80	1,231.20
61	Coffin/Casket Maker	114.00	1,368.00	136.80	1,231.20
62	Memorial Park /Funeral Parlor	200.00	2,400.00	240.00	2,160.00
63	Parking Lot with Parking Fee	114.00	1,368.00	136.80	1,231.20
64	Furniture Stores	114.00	1,368.00	136.80	1,231.20
65	Junk shops	500.00	6,000.00	600.00	5,400.00
IV	Household/s	38.50	462.00	46.20	415.80

SECTION 25. Collection and Retention of Fines – the collection of fines under Section 24 of this Ordinance may be conducted by the CSWM Board. The collection shall be receipted and deposited under CSWM Fund. The procedure of disbursement shall be defined by the Board.

SECTION 26. Special Account – the CSWM Board shall establish appropriate special accounts for the fines, fees, donations and other various collected or generated under this Ordinance.

ARTICLE X

PROHIBITED ORDINANCE, PENALTIES AND PENAL PROVISIONS

SECTION 27. PROHIBITED ACTS - The following Acts are prohibited:

1. Undertaking activities or operating, collecting or transporting equipment in violation of sanitation operation and other requirements or permits set forth in or established pursuant to the Ordinance;
2. The open burning of solid waste;
3. Causing or permitting the collection of non-segregated or unsorted waste
4. Squatting in open dumps and landfills;
5. Open dumping, burying of biodegradable or non-biodegradable materials in flood prone areas;
6. Unauthorized removal of recyclable material intended for collection by authorized persons;
7. The mixing of source-separated recyclable material with other solid waste in any vehicle, box, container or receptacle used in solid waste collection or disposal;
8. Establishment or operation of open dumps as enjoined in the Ordinance, or closure of said dumps in violation of Sec. 6 of the Ordinance;
9. The manufacture, distribution or use of non-environmentally acceptable packaging materials;
10. Importation of consumer products packaged in non-environmentally acceptable materials;

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11. Importation of toxic wastes misrepresented as "recyclable" or "with recyclable content";
12. Transport and dumping in bulk of collected domestic, industrial, commercial, institutional wastes in areas other than centers of facilities prescribed under this Ordinance;
13. Site preparation, construction, expansion or operation of waste management facilities without an Environmental Compliance Certificate required pursuant to Presidential Decree No. 1586 and the Ordinance not conforming with the Land Use Plan of the LGU.

SECTION 28. SPECIFIC PROHIBITION AGAINST THE USE OF OPEN DUMPS FOR SOLID WASTE - No open dumps shall be established and operated, nor any practice or disposal of solid waste by any person, including LGU's, which constitutes the use of open dumps for solid waste, be allowed.

SECTION 29. LITTERING

No person shall litter, throw, dump, place, scatter waste, refuse or garbage, paper trash, plastic bags of any kind, cigarette butts, empty cigarette packs, candy/bread wrapper, empty boxes, packages, matchsticks, banana-que sticks, barbeque sticks and the like, plastic cups, food packages, disposable diapers, etc., masticated chewing gum, and the like; animal or human waste, in any streets, public building or property, public market, inside public vehicles, parks, plazas – including waterways, creeks, canals, brooks, gutter, esteros and riverbanks, not otherwise designated as garbage dumping areas/trash cans/receptacles.

- a. The apprehending officer (POSO) shall issue tickets/receipts/citation to violators of this Ordinance, remit the collection to the Office of the Treasurer. The fines and penalties collected shall accrue to the Solid Waste Management Fund of the City.

SECTION 30. FINES AND PENALTIES

- a. Any person who violates Sec. 27, pars. (1) and (2) shall, upon conviction, be punished with a fine of not less than Three Hundred Pesos (₱ 300.00) but not more than One thousand pesos (₱ 1,000.00) or imprisonment of not less than three (3) days to not more than fifteen (15) days, or both such fine and imprisonment at the discretion of the court;
- b. Any person who violates Section. 27 par. (3) shall be fined as follows:
 1. 1st offense – P500.00 plus reparation for damages made plus damages.
 2. 2nd offense – P1,000.00 plus reparation for damages made plus damages.
 3. 3rd offense – P1,500.00, imprisonment of 3 days or both such fine and imprisonment upon the discretion of the court plus reparation for damages made plus damages.
- c. Any person who violates Sec. 27, pars. (4), (5), (6) and (7) shall, upon conviction, be punished with a fine on not less One thousand pesos (₱ 1,000.00) but not more than Three thousand pesos (P 3,000.00) or imprisonment of not less than fifteen (15) days but not more than six (6) months, or both such fine and imprisonment at the discretion of the court;
- d. Any person who violates Sec. 27, pars. (8), (9), (10) and (11) for the first time shall, upon conviction, pay a fine of Five thousand pesos (₱ 5,000.00) plus an amount not less than five percent (5%) but not more than ten percent (10%) of his net annual income during the previous year.

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The additional penalty of imprisonment of a minimum period of one (1) year shall be imposed for second or subsequent violations of Sec. 39, paragraphs (9) and (10).

- e. Any persons who violates Sec. 27, pars (12) and (13), shall, upon conviction be punished with a fine of not less than Five thousand pesos (₱ 5,000.00) or imprisonment of not less than fifteen (15) days but not more than one (1) year, or both such fine and imprisonment at the discretion of the court;
- f. Any person who violates Sec. 28 shall, upon conviction, be punished with a fine not more than Five thousand pesos (₱ 5,000.00) or imprisonment of not more than six (6) months, or both such fine and imprisonment at the discretion of the court.
- g. Any person who violates Sec. 29 shall be punished with the fines and penalties stipulated in section 6 of Ordinance No. 2011-08 or the Anti-Littering Ordinance of the City of Alaminos.

If the offense is committed by a corporation, partnership, or other juridical entity duly organized in accordance with law, the chief executive officer, president, general manager, managing partner or such other officer-in-charge shall be liable for the commission of the offense penalized under this Ordinance.

If the offender is an alien, he shall after service of the sentence prescribed above, be deported without further administrative proceedings.

The fine herein prescribed shall be increased by at least ten percent (10%) every three (3) years to compensate for inflation and to maintain different function of such fines.

For habitual violators, who are willfully violating any provision in this ordinance shall upon conviction be punished by a fine of ₱3,000.00 or by imprisonment of 15 days or both at the discretion of the court.

ARTICLE XI

MISCELLANEOUS PROVISIONS

SECTION 31. CITIZENS SUITS - For purpose of enforcing the provisions of this Ordinance or its implementing rules and regulations, any citizen may file an appropriate civil, criminal or administrative action in the proper courts/bodies against:

- a. Any person who violates or fails to comply with the provisions of this Ordinance or its implementing rules and regulations
- b. The Department or other implementing agencies with respect to orders, rules and regulations issued inconsistent with this Ordinance; and/or
- c. Any public officer who willfully or grossly neglects the performance of an Ordinance specifically enjoined as a duty by this Ordinance or its implementing rules and regulations; or abuse his authority in the performance of his duty; or in any manner, improperly performs his duties under this Ordinance or its implementing rules and regulations; Provided, however, that no suit can be filed until after three (3) notices had been given to public officer and the alleged violator concerned and no appropriate action has been taken thereon.

The Court shall exempt such action from the payment of filing fees and shall, likewise, upon prima facie showing of the non-enforcement or violation complained of,

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exempt the plaintiff from the filing of an injunction bond for the issuance of a preliminary injunction.

In the event that the citizen should prevail, the Court shall award reasonable attorney's fees, moral damages and litigation costs as appropriate.

SECTION 32. PUBLIC EDUCATION AND INFORMATION – The City Government through the CSWMB/CGSO, City Information Office, Barangay Solid Waste Management Committee (BSWMC), shall, in coordination with Community Environment and Natural Resources Office (CENRO), DepEd, TESDA, CHED, DILG and PIA, conduct a continuing education and information campaign on solid waste management. Such education and information program shall not be limited to the following;

- Aim to develop public awareness of the ill effects of and community-based solution to the solid waste problem;
- Concentrate on activities which are feasible and which will have the greatest impact on the solid waste problem of the country, like resource conservation and recovery, recycling, segregation at source, re-use, reduction and composting of solid waste; and
- Encourage the general public, accredited NGO's and people's organizations to publicly endorse and patronize environmentally acceptable products and packaging materials.

SECTION 33. BUSINESS AND INDUSTRY ROLE – The City Government/CSWMB shall encourage commercial and industrial establishment, through appropriate incentives other than tax incentives, to initiate, participate and invest in integrated ecological solid waste management projects, to manufacture environment – friendly products, to introduce, develop and adopt innovative processes that shall recycle and re-use materials, conserve raw materials and energy, reduce waste, and prevent pollution and to undertake community activities to promote and propagate effective solid waste management practices.

SECTION 34. INCENTIVES – Rewards of monetary or otherwise shall be given to individuals, private organizations and entities, including non-government organizations that have undertaken outstanding and innovative projects, technologies, processes and techniques or activities in the re-use, recycling and reduction of wastes.

The incentives schemes shall be based on Chapter IV Section 45 of R.A. 9003 – The Philippine Ecological Solid Wastes Management Act of 2000.

SECTION 35. APPROPRIATIONS – For the initial operating expenses of the CSWMB as well as the expenses of the General Services Office (GSO) to carry out the mandate of this Ordinance, the amount of Two Million Pesos (P 2,000,000.00) is hereby appropriated from any fund available. Thereafter, it shall be incorporated in the City Treasury annually in the Annual Budget of the City.

ARTICLE XII

SECTION 36. SEPARABILITY CLAUSE - If any section or provision of this Ordinance is held or declared unconstitutional or invalid by a competent court, the other section or provisions hereof shall

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continue to be in forced if the sections or provisions so annulled or voided had never been incorporated herein.

SECTION 37. REPEALING CLAUSE - All ordinances, executive orders, rules and regulations or parts thereof inconsistent with this ordinance are hereby revised, amended, modified and/or superseded as the case may be.

SECTION 38. AMENDMENTS - This ordinance may be amended and/or modified from time to time by the Sangguniang Panlungsod if ever deem necessary.

SECTION 39. DENR Administrative Order No. 2001-34 - Implementing Rules and Regulation of Republic Act No. 9003 is a part and parcel of this Ordinance.

SECTION 40. EFFECTIVITY - This ordinance shall take effect fifteen (15) days after its approval, posting in conspicuous places and publication in local newspaper of province-wide circulation.

ENACTED.....

I HEREBY CERTIFY to the correctness of the foregoing ordinance consisting of twenty four (24) pages including this page.

ATTESTED:

LUZ B. VALE
Secretary

EARL JAMES C. AQUINO
City Vice Mayor/Presiding Officer

JOSE ANTONIO MIGUEL Y. PEREZ
Presiding Officer/Pro-Tempore

JOSEPH T. BACAY
Majority Floor Leader

OSCAR A. BOLING
Minority Floor Leader

JAN MARIANNE R. FONTELERA
Member

MARGIELOU ORANGE D. HUMILDE
Member

RANY S. DE LEON
Member

RUFINA J. GABRIEL
Member

PERLITO V. RABAGO
Member

FATIMA ANN S. ISLA
Member

ORLANDO R. GO
Member

SALVADOR E. CAMRA, LBP
Member

APPROVED BY:

ARTHUR F. CELESTE
City Mayor

10-14-14
Date