



OFFICE OF THE SANGGUNIANG PANLUNGSOD

EXCERPT TAKEN FROM THE JOURNAL OF THE REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD OF THE CITY OF ALAMINOS, PANGASINAN HELD ON APRIL 20, 2021

PRESENT:

- | | |
|--|---------------------------------|
| Vice Mayor Jose Antonio Miguel Y. Perez | - Presiding Officer |
| Councilor Apolonia G. Bacay | - Presiding Officer Pro-Tempore |
| Councilor Cirilo B. Radoc | - Majority Floor Leader |
| Councilor Oscar A. Boling | - Minority Floor Leader |
| Councilor Carolyn D. Sison | - Member |
| Councilor Michelle S. Segundera | - Member |
| Councilor Joselito O. Fontelera | - Member |
| Councilor Verna S. D. Rabago | - Member |
| Councilor Froebel A. Ranoy | - Member |
| Councilor Dahlia M. de Leon | - Member |
| Councilor Alfred Felix E. de Castro | - Member |
| LBP Raul B. Bacay | - Ex-Officio Member |
| PPSKP Lovelyly V. Bernabe | - Ex-Officio Member |

---oOo---

ORDINANCE NO. 2021-09

AN ORDINANCE REGULATING THE USE OF PLASTIC BAGS AND POLYSTYRENE FOAM IN THE CITY OF ALAMINOS AND PRESCRIBING PENALTIES THEREFOR

Sponsored by: Councilor Michelle S. Segundera

WHEREAS, Article II, Section 16 of the 1987 Philippine Constitution provides that it is the primary duty of the State to protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature;

WHEREAS, Section 3 (i) of Republic Act 7160 provides that local government units shall share with the national government the responsibility in the management and maintenance of ecological balance within their territorial jurisdiction;

WHEREAS, Section 458 (vi) of R.A. 7160 provides that the Sangguniang Panlungsod is empowered to protect the environment, and to impose appropriate penalties for acts which endanger the environment including such activities which result in pollution, acceleration or eutrophication of rivers and lakes or ecological imbalance;

WHEREAS, non-biodegradable plastic bags, styropor and/or styrofoam used for food packaging and plastic waste materials are one of the major causes of clogging of our canals and creeks that largely contribute to floods during the rainy season;

WHEREAS, it has also been observed that despite serious efforts to protect the environment, non-biodegradable plastic bags, styropor and/or styrofoam and plastic waste materials are regularly collected as waste products within the territorial jurisdiction of the City;

[Handwritten signatures and initials are present at the bottom of the page, including names like 'ago', 'Manny', 'Chison', and 'null'. There are also some scribbles and marks.]



OFFICE OF THE SANGGUNIANG PANLUNGSOD

(Cont. Ord. No. 2021-09, enacted on 20th day of April, 2021)

-page 2 of 5-

WHEREAS, the local government unit desires to regulate, if not totally eliminate, the use plastic bags, polysterene, styropor and/or styrofoam to drastically reduce plastic waste materials in the City;

WHEREAS, the unabated use of plastic products adversely contributes to environmental degradation and poses a serious health and ecological concern to the City of Alaminos and its residents;

WHEREAS, the reduction and eventual elimination of the use of plastic bags, polystyrene, styropor and/or styrofoam is in the best interest of the residents of the City of Alaminos;

NOW, THEREFORE, on motion of Councilor Michelle S. Segundera, duly seconded by Councilor Verna S. D. Rabago, Councilor Carolyn D. Sison, Councilor Alfred Felix E. de Castro, Councilor Apolonia G. Bacay and Councilor Cirilo B. Radoc,

BE IT ORDAINED BY THE SANGGUNIANG PANLUNGSOD OF THE CITY OF ALAMINOS, PANGASINAN, IN SESSION ASSEMBLED, that:

SECTION 1. TITLE. This Ordinance shall be known as **AN ORDINANCE REGULATING THE USE OF PLASTIC BAGS AND POLYESTERENE FOAM IN THE CITY OF ALAMINOS AND PROVIDING PENALTIES THEREFOR.**

SECTION 2. DEFINITION OF TERMS: For purposes of this Ordinance, the following terms shall be defined as follows:

- a. **ALTERNATIVE PACKAGING MATERIALS:** shall mean recyclable, reusable and/or biodegradable packaging materials used to contain, carry, hold or transport goods or products as an alternative to plastic sando or plastic shopping bags;
- b. **CONVENTIONAL PLASTIC BAGS:** shall mean plastic film bags which are made from either High Density Polyethylene (HDPE), Low Density Polyethylene (LDPE), or Linear Low Density Polyethylene (LLDPE), that are commonly used for containing or transporting goods, food items and/or other products which are usually called as sando bags or plastic shopping bags;
- c. **COVERED ESTABLISHMENTS, ENTITIES AND INDIVIDUALS:** shall mean any retail and/or commercial establishments and individuals within the geographical jurisdiction of Alaminos City, conducting business, such as, but not limited to, supermarkets, groceries, minimarts, restaurants, hotels, lodging houses, fast food outlets, food kiosks, food stalls, catering services, ambulant food vendors, eateries and *carinderias*;
- d. **DRY GOODS:** shall mean any product that do not require refrigeration or freezing to maintain freshness, such as but not limited to medicines, groceries, textiles, clothing, toiletries, footwear, kitchenware, electronics, gadgets, school items, office supplies, hardware and construction materials, among others;
- e. **DRY MARKET:** shall mean any establishment that sells products that do not require refrigeration or freezing to maintain freshness;
- f. **PRIMARY PACKAGING MATERIAL:** shall mean first level packaging of goods containing dry or wet products, snacks, frozen foods, hardware, gadgets, and is generally understood to be known as the packaging material used by the manufacturer;



OFFICE OF THE SANGGUNIANG PANLUNGSOD

(Cont. Ord. No. 2021-09, enacted on 20th day of April, 2021)

-page 3 of 5-

- g. **POLYSTERENE FOAM PACKAGING:** shall mean petroleum-based plastic made from styrene monomers and is usually referred to as styropor and/or styrofoam. This material is commonly used in plastic cups, plates or packaging materials often used as disposable foam packaging material.
- h. **REUSABLE BAGS:** shall mean any form of reusable packaging which may include washable cloth bags, woven bags or any shopping bag used for carrying or transporting goods specifically designed and manufactured for multiple reuse, or commonly known as "eco-bags";
- i. **WET GOODS:** shall mean any product that requires refrigeration or freezing to maintain freshness, such as, but not limited to, fish, meat, poultry, fruits, vegetables, including cooked food from restaurants, eateries and *carinderias*;
- j. **WET MARKET:** shall mean any establishment that sells products which require refrigeration or freezing to maintain freshness, such as, but not limited to, the wet section of public markets, supermarkets, groceries, minimarts, restaurants, eateries and *carinderias*.

SECTION 3. COVERAGE: This Ordinance covers all retail and business establishments, including restaurants, hotels, lodging houses, fast food outlets, sari-sari stores, food kiosks, food stalls, catering services, ambulant food vendors, eateries and *carinderias*, within the geographical jurisdiction of Alaminos City except those provided for under Section 7 hereof.

SECTION 4. PROHIBITION ON THE USE OF CONVENTIONAL PLASTIC BAGS: No covered establishments and entities shall be allowed to use, provide, sell or distribute conventional plastic bags as packaging materials of their products to their consumers, subject to the exceptions herein below.

SECTION 5. PROHIBITION ON THE USE OF POLYSTERENE FOAM PACKAGING: No covered establishment shall use, provide, sell or distribute polysterene foam packaging, commonly known as styropor and/or styrofoam, as food containers for food and other products.

SECTION 6. ALTERNATIVE PACKAGING MATERIALS AND REUSABLE BAGS: The use of recyclable and reusable bags and alternative packaging materials shall be encouraged and promoted by Alaminos City. Reusable woven bags (bayongs), cloth bags, and shopping bags made from recycled biodegradable materials shall be used as alternative packaging materials.

SECTION 7. EXCEPTIONS: This Ordinance shall not cover the primary packaging of products which forms part the actual product itself. The products referred to in this section shall include, but are not limited to, snack food, frozen food, hardware items, bottled water or soda, cooking oil, condiments, detergents, dishwashing liquids, fabric softeners, plastic sachet products containing soap, toothpaste, shampoo, conditioners, cosmetics, and the like.

Business establishments, entities and individuals engaged in the actual sale and distribution in the wet and dry markets of unpacked wet goods, unpacked fresh foods and unpacked dry goods, such as but not limited to salt, sugar, flour, rice grains, shall be allowed to use plastic bags as primary packaging material on the grounds of public hygiene, *provided*, that double plastic bagging shall be strictly prohibited.



OFFICE OF THE SANGGUNIANG PANLUNGSOD

(Cont. Ord. No. 2021-09, enacted on 20th day of April, 2021)

-page 4 of 5-

SECTION 8. INFORMATION AND EDUCATION CAMPAIGN. The local government unit, thru the City Information Office, shall conduct massive information and education campaigns using the various media platforms available to date, which shall likewise include the promotion of alternative packaging materials and reusable bags.

SECTION 9. MORATORIUM. All covered business establishments, entities and individuals are hereby given a transition period of one (1) year from the effectivity of this Ordinance, to dispose of their remaining non-biodegradable and reusable materials.

SECTION 10. TECHNICAL WORKING GROUP. A technical working group is herein created composed of the following members:

CHAIRMAN	City Mayor
VICE-CHAIRMAN	City Vice-Mayor
MEMBER	Sangguniang Panlungsod Chairman on Environment
MEMBER	Representative, City Information Office
MEMBER	Representative, Business Permits and Licensing Office
MEMBER	Representative, Market and Cemetery Section

SECTION 11. FUNCTIONS OF TECHNICAL WORKING GROUP. The Technical Working Group shall perform the following functions:

- a. Conduct information and education campaigns during the one (1) year moratorium period; and
- b. Recommend and undertake programs and activities to ensure the effective implementation of this Ordinance.

SECTION 12. MONITORING AND ENFORCEMENT. City General Services Office, Public Order & Safety Office, Business Process and Licensing Office and Market and Cemetery Section shall monitor the implementation and compliance with this Ordinance. They shall likewise prepare quarterly reports regarding its implementation, furnishing copies of the same to the Office of the City Mayor and Sangguniang Panlungsod.

SECTION 13. IMPLEMENTING RULES. Within sixty (60) days from the effectivity of this Ordinance, the City Mayor shall forthwith issue the relevant implementing rules and regulations of this Ordinance.

SECTION 14. PENALTIES. Covered establishments, entities and individuals who violate Sections 4 and 5 hereof shall be penalized as follows:

FIRST OFFENSE	Fine of PhP 500.00
SECOND OFFENSE	Fine of PhP1,000.00
THIRD OFFENSE	Fine of PhP 3,000.00 and cancellation of Business Permit or License to Operate for one (1) year in case of covered establishments.

[Handwritten signatures and initials at the bottom of the page]



OFFICE OF THE SANGGUNIANG PANLUNGSOD

(Cont. Ord. No. 2021-09, enacted on 20th day of April, 2021)

-page 5 of 5-

SECTION 15. NO CONTEST PROVISION. – “Any person/establishment apprehended for violation of this ordinance, who does not wish to contest the violation and is willing to pay voluntarily the fine imposed upon him/her prior to the filing of formal complaint with the Office of the City Prosecutor, shall be allowed to pay said fine with the City Treasurer’s Office to avoid being criminally/civilly prosecuted.


SECTION 16. SEPARABILITY CLAUSE. – If any part of this Ordinance is found to be inconsistent with the Constitution, laws or decrees, other sections which are not affected shall continue to be in full force and effect.

SECTION 17. REPEALING CLAUSE. – All previous issuances, ordinances, rules and regulations, provisions or parts thereof, which are inconsistent or in conflict with the provisions of this Ordinance are hereby repealed or modified accordingly.


SECTION 18. EFFECTIVITY. This Ordinance shall take effect fifteen (15) days after its publication in a newspaper of general circulation.

SO ORDAINED/ENACTED.....

I **HEREBY CERTIFY** to the correctness of the foregoing ordinance consisting of five (5) pages including this page.



LUZ B. VALE
Secretary

ATTESTED:


JOSE ANTONIO MIGUEL Y. PEREZ
City Vice Mayor/Presiding Officer

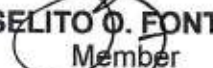

APOLONIA G. BACAY
Presiding Officer Pro-Tempore



CIRILO B. RADOC
Majority Floor Leader


OSCAR A. BOLING
Minority Floor Leader



CAROLYN D. SISON
Member



MICHELLE S. SEGUNDERA
Member


JOSELITO O. FONTELERA
Member



VERNA S. D. RABAGO
Member


FROEBEL A. RANOY
Member



DAHLIA M. DE LEON
Member


ALFRED FELIX E. DE CASTRO
Member


RAUL B. BACAY, LBP
Ex-Officio Member


LOVERLY V. BERNABE, PPSKP
Ex-Officio Member

APPROVED BY:


ARTH BRYAN C. CELESTE
City Mayor

05/07/21
Date