



Republic of the Philippines
OFFICE OF THE SANGGUNIANG BAYAN
Municipality of Bongabong
Province of Oriental Mindoro



EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE 10TH SANGGUNIANG BAYAN OF BONGABONG, ORIENTAL MINDORO HELD ON FEBRUARY 7, 2022 AT THE SANGGUNIANG BAYAN SESSION HALL, 2ND FLOOR, EXECUTIVE AND LEGISLATIVE BUILDING, POBLACION BONGABONG, ORIENTAL MINDORO

PRESENT:

Hon. RICHARD S. CANDELARIO	VICE-MAYOR Presiding Officer
Hon. VICTORIA BAES-PADULLO	MEMBER
Hon. JAYSON M. BARCELONA	MEMBER
Hon. ALFONSO A. MONTALBO, DMD	MEMBER
Hon. EVELYN B. ALEA	MEMBER
Hon. ARNOLD R. VARGAS	MEMBER
Hon. DOLORES U. DE GALA	MEMBER
Hon. JEREMY I. ENRIQUEZ	MEMBER
Hon. NIÑO G. LIWANAG	MEMBER
Hon. LOVELY MAE A. ANULAO	S.K. REPRESENTATIVE
Hon. MAYNARD M. PANGANIBAN	PRESIDENT, ASSOCIATION OF PUNONG BARANGAYS
Hon. MATIGON T. SULIGAN	IPMR

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MUNICIPAL ORDINANCE No. 2022-02

AN ORDINANCE REQUIRING HOUSEHOLD, ESTABLISHMENT AND INSTITUTION IN THIS MUNICIPALITY TO SEGREGATE WASTE DISPOSAL, DESIGNING A SYSTEM OF GARBAGE COLLECTION, IMPOSING PENALTIES FOR VIOLATION THEREOF, AND FOR OTHER PURPOSES

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WHEREAS, Republic Act No. 9003 provides for an Ecological Solid Waste management program, creates the necessary institutional mechanisms and incentives, declares certain acts prohibited and provides penalties for violations;

WHEREAS, Section 10 of Republic Act No 9003 provides that, "Pursuant to the relevant provisions of R. A. No. 7160, otherwise known as the local Government Code, the LGU's shall be primarily responsible for the implementation and enforcement of the provisions of this Act within their respective jurisdictions";

WHEREAS, Section 16 of Republic Act No. 9003 provides that, "The province, city or municipality, through its local solid waste management boards, shall prepare its respective 10-year solid waste management plans consistent with the National Solid Waste Management Framework: Provided, That the waste management plan shall be for the re-use, recycling and composting of wastes generated in their respective jurisdictions: Provided further, that the solid waste management plan of the LGU shall ensure the efficient management of solid waste generated within its jurisdiction";

WHEREAS, Section 47 of Republic Act No. 9003 provides that, " The local government unit shall impose fees in amounts sufficient to pay the cost of preparing, adopting, and implementing a solid waste management plan prepared pursuant to this Act";

WHEREAS, Section 4, rule XIX of the Implementing Rules and Regulations (IRR) of Republic Act No. 9003 provides that the local government units shall be required to legislate appropriate ordinances to aid in the implementation of Republic Act No. 9003 and in the enforcement of its provisions; provided, such ordinances shall be formulated pursuant to relevant provisions of R.A. No. 7160.

WHEREAS, the Municipality of Bongabong is committed to the protection, preservation and conservation of the environment, through the implementation of integrated, comprehensive ecological solid waste management program.

NOW THEREFORE, BE IT ORDAINED, AS IT IS HEREBY ORDAINED by the Sangguniang Bayan of the Municipality of Bongabong, Oriental Mindoro, in session duly assembled, that;

Section 1. TITLE. This Ordinance shall be otherwise known as "Solid Waste Segregation Ordinance of The Municipality of Bongabong".

Section 2. SCOPE AND COVERAGE. The Thirty-six (36) Barangays of Municipality shall be covered by the implementation of this ordinance.

Section 3. DECLARATION OF POLICY AND PURPOSE. This Ordinance is enacted in order to effectively carry out the Solid Waste Management Plan of the Municipality.

Section 4. DEFINITION OF WORDS AND PHRASES. When found in this Ordinance, the following words and phrases are explained thus:

- a. Agricultural Waste – shall refer to waste generated from planting or harvesting of crops, trimming or pruning of plants, animal manure and waste or run-off materials from farm or fields;
- b. Barangay Material Recovery Facility Cage – are along the road/street side to be designated by the barangay waste disposal committee conveniently located and marked where the garbage are to be placed and where segregated waste shall be piled up for pick up by garbage trucks and collectors.
- c. Buy-back center – shall refer to a recycling center that purchase within, otherwise accepts recyclable materials from the public for the purpose of recycling such materials, example of which are junk shops.
- d. Collection – shall refer to the act of removing solid waste from the source or from a communal storage point.
- e. Composting – shall refer to the controlled decomposition of organic matter by micro – organisms, mainly bacteria and fungi, into a humus-like product.
- f. Controlled dump – shall refer to a disposal site at which solid waste is deposited in accordance with the minimum prescribed standards of site operation.
- g. Disposal – shall refer to the discharge, deposit, dumping, spilling, leaking or placing of any solid waste into or any land.
- h. Disposal Site – shall refer to a site where solid waste is finally discharged and deposited.
- i. Ecological Solid Waste Management – shall refer to the systematic administration of activities, which provide for segregation at source, segregated transportation, storage, transfer, processing, treatment, and disposal of solid waste and all other waste management activities which do not harm the environment.
- j. Environmentally acceptable – shall refer to the quality of being re-usable, biodegradable or compostable, recyclable and not toxic or hazardous to the environment.
- k. Generation – shall refer to the act or process of producing solid waste.
- l. Generator – shall refer to a person, natural or judicial, who last uses a material and makes it available for disposal or recycling.

- m. Materials Recovery Facility – shall include solid waste transfer station or sorting station, drop-off center, a composting facility, and a recycling facility.
- n. Municipal wastes – shall refer to wastes produced from activities within local government unit which includes a combination of domestic, commercial, institutional and industrial wastes and street litters.
- o. Open burning – shall refer to the thermal destruction of wastes by means of direct exposure to fire. Furthermore, this definition shall apply to traditional small-scale methods of community sanitation “siga”.
- p. Open Dump – shall refer to a disposal area with the solid wastes are indiscriminately thrown or disposed of without due planning and consideration for environmental and health standards.
- q. Receptacles – shall refer to individual containers used for the source separation and the collection of recyclable materials.
- r. Recyclable material – shall refer to any waste materials retrieved from the waste stream and free from contamination that can still be converted into suitable beneficial use and for the other purposes, but not limited to, newspaper, ferrous scrap metal, non-ferrous scrap metal, used oil, corrugated cardboard, aluminum, glass, office paper, tin cans, plastic and other materials as may be determined by the Commission.
- s. Recycling – shall refer to the treating 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 goods and services: Provided, that the collection , segregation and re-use of previously used packaging materials shall be deemed recycling under the act.
- t. Re-use - shall refer to the process of recovering materials intended for the same or different purpose without the alteration of physical and chemical characteristics.
- u. Sanitary landfill – shall refer 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 facility.
- v. Segregation – shall refer to sorting and segregation of different materials found in a solid waste in order to promote recycling and re-use of resources and to reduce the volume of waste for collection and disposal.
- w. Segregation at source – shall refer to a solid waste management practice of separating, at the point of origin, different materials found in a solid waste in order to promote recycling and re-use of resources and to reduce the volume of waste for collection and disposal.
- x. Solid Waste – shall refer to all discarded household, commercial waste, non-hazardous institutional, ports/harbor and industrial waste, street sweepings, constructions debris, agricultural waste, and other non-hazardous/ non-toxic solid waste solid waste. Unless specially noted otherwise, the term “solid waste” as used in the Act shall not include:
 - i. 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 the organisms;
 - ii. Infectious wastes from hospitals such as equipment, instruments, utensils and fomites of a disposable nature 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 a 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; and

- iii. Waste resulting from mining activities, including contaminated soil and debris.
- y. Solid waste management – generation , storage, collection, transfer and transport, processing and disposal of solid wastes in a manner that is in accord with the best principles of public health , economics, engineering , conservation, aesthetic, and other environmental considerations, and that is also responsive to public attitudes.
- z. Solid waste management facility – shall refer to any resource recovery system or component thereof; any system, program, or facility for resources conservation; any facility for the collection, source separation, storage, transportation, transfer, processing treatment, or disposal of solid waste.
- aa. Source separation – shall refer to the sorting of solid waste into same or all of its component parts at the point of generation.
- bb. Special Wastes – shall refer to the household hazardous waste such as paints, thinners, household batteries, lead-acid batteries, spray canisters and the like. These include wastes form residential and commercial sources that comprise of bulky wastes, consumers 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.

Section 5. MANDATORY WASTE SEGREGATION AT SOURCE

- a. Every household, establishment and institution in this municipality is strictly required to segregate its daily waste. Garbage must be placed on four (4) different receptacles as:
 - 1. Biodegradable or compostable (Nabubulok)
 - 2. Non-biodegradable or recyclable (Hindi Nabubulok)
 - 3. Residual (Patapon o walang halaga)
 - 4. Special Waste (Espesyal)
- b. Receptacle or garbage containers either in the form of sacks or plastic bin must be provided by the household, establishment or institution.
- c. Households/institutions/establishments are strongly encouraged to practise composting, re-using and re-cycling of waste, if possible, right within their respective backyards or premises.
- d. Open dumping and open burning in barangay or household level is strictly prohibited.

Section 6. **GUIDELINES** – The collection and transport of solid waste shall be undertaken in accordance with the guidelines and mechanisms prescribed in the Municipal Solid Waste Management Plan. The minimum requirements prescribed in RA 9003 and its IRR shall likewise be complied with. Waste generators from the households, institutions, commercial and industrial areas shall ensure that segregated solid wastes are brought to Barangay Materials Recovery Facility Cage along the collection route of the collection vehicle during the designated schedule for collection. The information on collection of solid waste such as

schedule, and other relevant information shall be disseminated by the MENRO together with the barangay officials concerned to the general public.

Section 7. **“NO SEGREGATION, NO COLLECTION POLICY,”** – Only segregated waste and only the types of waste that are scheduled for collection on a particular day time shall be collected. Unsegregated solid wastes shall not be collected.

- a. No, household, establishments or institutions in this municipality shall be collected of its waste based on regular schedule unless it complies with Section 5 of this ordinance.
- b. The municipal government’s garbage truck assigned in the area of Poblacion and other barangays shall collect the segregated wastes (residual or hazardous) on a day and time prescribed by the MENRO and such day and time shall form an integral part of this ordinance.
- c. The LGU garbage truck shall be designed as to have separate container for the segregated waste to be collected.

Section 8. MUNICIPAL MATERIAL RECOVERY FACILITY (MRF) - The Municipal Ecology Center located at Barangay Sagana is hereby identified as the residual containment area. The municipal government shall introduce improvement of the facility to include provisions for receiving, waste segregation, hammer-milling, composting drums, storage for both organic fertilizers produced and recyclable, toilet and office space. Only residuals for disposal will then be dumped at Sanitary Landfill.

Section 9. ESTABLISHMENT OF BARANGAY MATERIAL RECOVERY FACILITY – The Municipality shall monitor the municipal MRF’s at every Barangay. The operation of the MRF shall be in accordance with the strategy and guidelines prescribed in the Solid Waste Management Plan. Likewise, the minimum requirements for establishment and operation prescribed in RA 9003 and its IRR shall be complied with.

Section 10. BARANGAY MATERIAL RECOVERY FACILITIES – The barangay MRF shall be established and operated in accordance with the municipal solid waste management plan. The MENRO shall provide technical assistance on the collection of household trash for the operation of MRF. Likewise, the minimum requirements for establishment and operation prescribed in RA 9003 and its IRR shall be complied with.

Section 11. BACKYARD COMPOSTING – In areas where space is available, compost holds/bins shall be established in every household or cluster of households, institutions and establishments.

Section 12. ROLE OF LGU AND BARANGAYS -

- a. The municipal government and barangays shall coordinate with junk shop operators or owners of buy back centers to which recyclable waste materials, gathered from the collected waste may be bought and sold. These include empty bottles, steels, newspapers, plastic containers, soft drink, cans, etc.
- b. Barangays shall have the option to establish ties with junk shop operators in their barangays who shall accept recyclable wastes from households in the barangay. Only residual (patapon) and hazardous (mapanganib) will then be collected by the LGU garbage truck.

Section 13. ROLE OF BARANGAY SOLID WASTE MANAGEMENT COMMITTEE- As provided under Section 7 (IRR) of RA 9003, the BSWMC, which shall be duly organized by every barangay through an ordinance, shall have the following functions and responsibilities;

- a. Formulate Barangay solid waste management plan consistent with this municipal ordinance/ or municipal plan:
- b. Implement segregation and collection of biodegradable, compostable and reusable wastes.

- c. Establish materials recovery facility / Ecology Center (Gulayan sa Barangay)
- d. Allocate barangay funds, or look for sources funds
- e. Organize core (sitio) coordinators to collect (lagmaw) to the Barangay Ecological Facility; and
- f. Submit quarterly report to Municipal Environmental And Natural Resources Office.

In addition, the BSWMC shall undergo re-echo training on Solid Waste Management practices to be conducted by the Local Trainers Pools (LTP) of the Municipal Government.

Section 14. ROLE OF MUNICIPAL SOLID WASTE MANAGEMENT BOARD (MSWMB) - The board, which shall be duly constituted through an Executive Order, shall have the following duties and responsibilities as provided under Section 4 (IRR) of RA 9003:

- a. Revise the Municipal Solid Waste Management Plan every 2 years if the need arises to 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;
- b. Adopt measures to promote and ensure the viability and effective implementation of solid waste management programs in its component barangay;
- c. Monitor the implementation of the Municipal Solid Waste Management Plan or ordinance through its various political subdivisions and in cooperation with the private sector and the NGO's;
- d. Adopt specific revenue-generating measures to promote the viability of its Solid Waste Management Plan (e.g. sale of compost and recyclables); or strictly impose the garbage fees permanently authorized under the Revised Revenue Code;
- e. Convene regular meetings of purposes of planning and coordinating the implementation of the solid waste management plans of the respective component barangays;
- f. Oversee the implementation of the Municipal Solid Waste Management Plan and this ordinance;
- g. Develop the specific mechanics and guidelines for the implementation of the Solid Waste Management Plan/Ordinance;
- h. Provide the necessary logistical and operational support to its component barangays in consonance with subsection (f) of Section 17 of the Local Government Code;
- i. Recommend measures and the safeguards against pollution and for the preservation of the natural ecosystem;
- j. Coordinate the efforts of its component barangays in the implementation of the Municipal Solid Waste Management Plan/Ordinance;
- k. Propose the appropriation of funds for the sustainability of this project such as for procurement of composting equipment, improvement of MRF and others;

Section 15: ROLE OF MUNICIPAL ENVIRONMENT AND NATURAL RESOURCES OFFICE (MENRO) - As indicated in the 10-year Solid Waste Management Plan, which is also anchored on the Republic Act 9003, the roles of the Municipal Environment and Natural Resources Office are the following:

1. Lead in the preparation and implementation of the Municipality's Solid Waste, Management Plan.
2. Create a Solid Waste Management (SWM) Section, which shall directly supervise all Solid Waste operations-collection, operations, of the Municipal Material Recovery, composting, and disposal facilities. Additionally, the SWM Section shall have the following functions:
 1. Conduct necessary studies (i.e., time and motion study of routes, feasibility studies, and environmental impact assessment) related to collection, monitor, and evaluate of SWM projects.
 2. Provide assistance, logistical, and training support to barangays and communities to help them formulate SWM strategies and plans, and implement, monitor, and evaluate SWM projects.

3. Formulate, review, and refine procedures for SWM operations, and enforcement, including coordination, with groups and sectors providing support to the SWM program.
4. Formulate, review and refine incentives and control systems to reinforce the proper practice of solid waste management
5. Conduct Information Education, and Communication (IEC) Campaigns.
6. Provide technical and logistical support to the IEC team, volunteer enforcers, M and E team, and other groups/tasks forces organized to help implement the SWM plan.
7. Periodically monitor actual implementation of specific SWM initiatives.
8. Periodically prepare reports on the performance status and analysis of implementation and enforcement of solid waste management ordinances.
9. Prepare annual work and financial plans.
10. Collect residual and special wastes.

Section 16. MASSIVE INFORMATION AND EDUCATION CAMPAIGN (IEC) - The Municipal Government shall undertake massive information campaign to be designed by the Municipal SWMB, the SWMU and Local Trainers Pools (LTP). The activities shall include among others, the following:

1. Trainings and seminars to BSWMC (waste segregation, livelihood from recyclables & compost, etc.)
2. Display of posters and streamers, placing of appropriate signs
3. Launching of project thru motorcade or simple program
4. Distribution of leaflets and flyers
5. Incorporation of SWM information in regular meetings of the Municipal Government such as the SK, ABC, local species bodies, etc.
6. As a matter of setting example, solid waste segregation should be practiced within the Municipal Hall Offices.

Section 17. PROHIBITED ACTS

Upon approval of this ordinance, the following acts shall be strictly prohibited;

- a. Use of single-use plastics and similar by-products except in cases allowed by higher law;
- b. Littering, throwing, dumping of waste matters in public places, such as roads, sidewalks, canals, esteros or parks, and establishment, or causing or permitting the same;
- c. Open burning of solid waste;
- d. Causing or permitting the collection of non-segregated or unsorted waste;
- e. Squatting in open dumps and landfills;
- f. Open dumping, burying of biodegradable or non-biodegradable materials in flood-prone areas;
- g. Unauthorized removal of recyclable material intended for collection by authorized persons;
- h. Mixing of source-separated recyclable material with other solid waste in any vehicle, box, container or receptacle used in solid waste collection or disposal;
- i. Manufacture, distribution or use of non-environmentally acceptable packaging materials;
- j. Transport and dumping in bulk of collected domestic, industrial, commercial and institutional wastes in areas other than centers of facilities;
- k. Construction of any establishment within two hundred (200) meters from sanitary landfill;

Section 18. FINES AND PENALTIES - Violators of Section 17 of this ordinance shall be issued a citation ticket with an amount payable to the Office of the Municipal Treasurer and will be penalized as follows:

I - VIOLATION OF PARAGRAPH a, b, and c - the offender shall be summoned for a lecture before the Office of the Mayor through the MENRO, and

First Offense – shall be made to pay a fine of ₱200.00 or rendering community service for one(1) day to the barangay where such prohibited acts are committed, or both at the discretion of the court.

Second Offense – shall be made to pay a fine of ₱500.00 or rendering community service for two (2) days to the barangay where such prohibited acts are committed, or both at the discretion of the court.

Third and Succeeding Offense –payment in the amount ₱1,000.00 or rendering service for not less four(4) days but not more than fifteen(15) days, or both at the discretion of the court.

II - VIOLATION OF PARAGRAPH d – Imposing of “NO SEGREGATION, NO COLLECTION POLICY” (Section 7 hereof) and:

First Offense – payment in the amount ₱300.00 or rendering community service for two(2) days or both at the discretion of the court

Second Offense – payment in the amount ₱500.00 or rendering community service for Three(3) days or both at the discretion of the court

Third and Succeeding Office – payment in the amount ₱1000.00 or rendering community service for not less four (4) days but not more than fifteen (15) days, or both.

III - VIOLATION OF PARAGRAPH e, f, g, h, i, j and k –

First Offense – a fine in the amount ₱1,000.00 or imprisonment of five(5) days or both at the discretion of the court.

Second Offense – a fine in the amount ₱1500.00 or imprisonment of ten(10) days or both at the discretion of the court.

Third and Succeeding Offense – a fine in the amount of ₱2,500.00 or imprisonment of not less than fifteen(15) days but not more than six(6) months or both at the discretion of the court.

If the offender is a firm, corporation or entity, the penalty shall be imposed upon the president, manager, director or person responsible for its operation.

Section 19. IMPLEMENTING RULES AND REGULATIONS -The Municipal Solid Waste Management Board shall promulgate it's Implementing Rules and Regulations.

Section 20. SEPERABILITY CLAUSE

Should any provision of this ordinance or the application thereof to any person or entity be declared invalid, the remainder of the ordinance not otherwise declared so shall remain valid and effective.

Section 21. REPEALING/AMENDATORY CLAUSE

All Ordinances, rules and regulations, executive orders, and other issuances inconsistent with this ordinance are hereby repealed, amended and/or modified accordingly

Section 22. EFFECTIVITY

The Ordinance shall take effect ten (10) days after posting in the barangay halls of the thirty six (36) barangays, in the Municipal Building and in the Public Market.