



Republic of the Philippines  
**MUNICIPALITY OF BONGABONG**  
Province of Oriental Mindoro



**OFFICE OF THE SANGGUNIANG BAYAN**

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF BONGABONG, ORIENTAL MINDORO HELD ON SEPTEMBER 03, 2012 AT THE MUNICIPAL SESSION HALL

Present:

Hon. ALFONSO A. MONTALBO, DMD	VICE MAYOR Presiding Officer
Hon. JEREMY I. ENRIQUEZ	MEMBER
Hon. EVELYN B. ALEA	MEMBER
Hon. MARIETA A. SELDA	MEMBER
Hon. RICHARD S. CANDELARIO	MEMBER
Hon. OWEN C. LIWANAG	MEMBER
Hon. ROGELIO C. MAULION	MEMBER
Hon. DOLORES U. DE GALA	MEMBER
Hon. CLEOPATRA M. ENRIQUEZ	S.K. Mun. Federation President

On Official Business:

Hon. ROBERT H. SOSA	MEMBER
Hon. VICTORIA B. PADULLO	ABC Mun. Federation President

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**MUNICIPAL ORDINANCE No. 03**  
Series of 2012

**AN ORDINANCE PROHIBITING THE USE OF PLASTIC BAGS ON DRY GOODS AND REGULATING ITS UTILIZATION ON WET GOODS, AND PROHIBITING THE USE OF STYROFOAM WITHIN THE MUNICIPALITY OF BONGABONG, ORIENTAL MINDORO AND PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF**

WHEREAS, Article II, Sec. 6 of the Philippine Constitution provides that the State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature;

WHEREAS, Sec. 3 (i) of RA 7160 provides that the Local Government Units shall share with the national government the responsibility in the management and maintenance of ecological balance within their territorial jurisdiction;

WHEREAS, Sec. 458 (vi) of RA 7160 also empowers the Sangguniang Bayan to protect the environment and impose appropriate penalties for acts which endanger the environment including such activities which results in pollution acceleration or eutrophication of rivers and lakes or of ecological imbalance;

WHEREAS, Republic Act 9003 otherwise known as the Ecological Solid Waste Management Act of 2000 provides for the identification and listing of Non-Environmentally Acceptable Products (NEAP) and packaging material. The National Solid Waste Management Commission (NSWMC) has adopted and issued guidelines for NEAP and has identified plastic packaging as one of only 5 product groupings that shall undergo assessment;

  
HERCULES A. UMALI  
Municipal Mayor

WHEREAS, plastic bags are rampantly used as packaging materials in the Municipality of Bongabong and elsewhere;

WHEREAS, plastic bags and Styrofoam, being non-biodegradable materials clog canals, creeks, rivers and other waterways, and during rainy season cause the town proper inundated;

WHEREAS, DESPITE SERIOUS EFFORTS OF THE Municipality to segregate compostable, recyclable and reusable waste materials, plastics and other similar materials remain in the waste stream and eventually become residuals;

WHEREAS, the Municipality is spending a considerable amount of money for operational and maintenance expenses on waste disposal;

WHEREAS, the Municipality of Bongabong in its desire to reduce if not totally eliminate the use of plastic film bags as packaging materials, encourages the utilization of alternative packaging materials such as woven bags (bayong), cloth bags (katsa), paper bags and other similar materials (e.g. banana leaves, taro leaves, etc.) and at the same time enjoins to promote the "Bring Your Own Bag" policy;

WHEREAS, there is now a need to regulate the use of plastic bags to prevent potential serious ecological imbalance particularly in the Municipality's drainage, canals and other waterways;

NOW THEREFORE, on motion of Hon. RICHARD S. CANDELARIO, unanimously seconded, be it enacted by the Sangguniang Bayan of Bongabong in a session duly assembled that:

SECTION 1. -Title. This ordinance shall be known as "An Ordinance Prohibiting the Use of Plastic Bags on Dry Goods, Regulating its Utilization on Wet Goods, and Prohibiting the use of Styrofoam in the Municipality of Bongabong and prescribing penalties for violations thereof."

SECTION 2. - Definition of Terms. For purposes of this ordinance, the following terms are defined to wit:

a) "Cloth Bag" (Katsa) – refers to a reusable packaging material made of cloth (biodegradable) used in the packaging of flour, wheat and other similar goods.

b) "Dry Goods" – refers to any product that do not require refrigeration or freezing to maintain, such as textiles, clothing, medicines.

c) "Dry Market" – generally refers to the store of products that do not require refrigeration or freezing to maintain.

d) "Plastic Bag" – also known as sando bags, pouch, plastic shopping bags and plastic film bags. It is a type of flexible packaging material made of thin, plastic film that is used for containing and transporting goods and other products. It shall also refer to thin-gauge packaging medium that is used as bags or wraps.

e) "Styrofoam" – refers to a kind of packaging material used as food containers, disposable cups, plates, etc.

f) "Plastic Wastes" – refers to any plastic packaging material thrown as waste.

g) "Primary Packaging Material" – refers to those type of packaging for containing wet produce, snack foods, frozen foods, hardware, etc.

h) "Secondary Packaging Materials" – refers to those types of packaging materials for wet goods to provide support to any primary packaging and intended for convenience of the handler as well.

i) "Wet Goods" – refers to any product that requires refrigeration or freezing to maintain such as fish, meat, fresh poultry products, fruits, vegetables, beverages and cooked foods in carinderias/eateries.

j) "Wet Market" – generally refers to the store of products that require refrigeration or freezing to maintain. These include the wet section in public markets, supermarkets, mini marts, restaurants and carinderias / eateries.

k) "Woven Bags" (a.k.a Bayong) – refers to biodegradable packaging material made of woven pandan or buli leaves and other similar materials.

**SECTION 3. – Prohibition on the Use of Plastic Bags on Dry goods.** No business establishment shall utilize plastic bags as packaging material on dry goods.

**SECTION 4. – Regulation on the Use of Plastic Bags on Wet goods.** Business establishments dealing on wet goods can use plastic bags as primary packaging material.

**SECTION 5. – Prohibition on the Use of Styrofoam.** No business establishment shall use Styrofoam and other similar materials as containers for food, produce and other products.

**SECTION 6. – Prohibition on the Selling of Plastic Bags.** No business establishments shall offer or sell plastic bags to be used as secondary packaging material or as primary packaging material on dry goods.

**SECTION 7. – Plastic Wastes not to be collected.** Discarded plastic bags or other similar plastic waste materials shall not be included in the collection of non-biodegradable wastes. These materials must be cleaned and dried prior to submission to their respective barangays for proper disposal.

**SECTION 8. – Monitoring of Ordinance.** The Municipal Mayor shall create a task force to be headed by the designated Municipal Environment and Natural Resources Officer to monitor the effective implementation of this Ordinance. The task force shall prepare a semi-annual report on the progress of the implementation of this Ordinance.

**SECTION 9. – Information Education and Communication Campaign.** Upon approval of this Ordinance, the Municipality shall conduct massive information education and communication campaigns using quad media (print, radio, television and internet) and shall also include the promotion of alternative biodegradable packaging materials.

**SECTION 10. – Implementing Rules and Regulations.** Within thirty (30) days from the approval of this Ordinance, the necessary rules and regulations shall be issued by the Mayor for the proper and effective implementation of this Ordinance.

**SECTION 11. – Prohibited Acts.** Establishments are hereby prohibited from:

(a) Selling or providing plastic bags to customers as secondary packaging materials on wet goods;

(b) Selling or providing plastic bags to customers as primary packaging material on dry goods;

(c) Selling or providing Styrofoam as containers;

(d) Disposing plastic wastes.

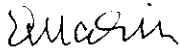
SECTION 12. – Penalties. Establishments or individuals who violate any of the prohibited acts stated above shall be punished a fine of P1,000.00 per offense; Provided that, on the third offense, the business permit of the offender shall be cancelled

SECTION 13. – Separability Clause. If any part of this ordinance is declared as unconstitutional or unlawful, such declaration shall not affect the other parts or sections hereof that are not declared unlawful or unconstitutional.

SECTION 14. – Repealing Clause. All previous ordinances inconsistent with this Ordinance shall be deemed repealed or modified accordingly.

SECTION 15. – Effectivity. This Ordinance shall take effect upon its approval and compliance with the publication or posting as required by RA 7160.

I hereby certify to the truth of the foregoing.

  
Atty. EDUARDO M. MAGSINO  
Secretary to the Sangguniang Bayan

Attested:

  
ALFONSO A. MONTALBO, DMD  
Vice-Mayor  
Presiding Officer

Approved:

  
HERCULES A. UMALI  
Municipal Mayor