

Republic of the Philippines
Province of Iloilo
Municipality of Tigbauan
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OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF TILE HONORABLE SANGGUNIANG BAYAN, TIGBAUAN, ILOILO HELD AT THE CONFERENCE ROOM, TIGBAUAN MUNICIPAL BUILDING, TIGBAUAN, ILOILO ON DECEMBER 4, 2001 AT 2:25 P.M.

PRESENT:

HON. ALFONSITO E. ESTOCE,	Councilor & Temporary Presiding Officer
HON. AGATON O. TUMABOTABO,	Councilor
HON. ROMEO T. LEDESMA,	Councilor
HON. REMEDIOS T. TORRATO,	Councilor
HON. FERNANDO M. VALENCIA,	Councilor
HON. CECILIA T. GARRIDO,	Councilor
HON. GEORGE T. TRIBUNAL,	Councilor
HON. RAMONITA T. ALCALA,	President, Liga ng mga Barangay

Late:

HON. JESSIE G. TERRE,	Vice Mayor
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ABSENT:

HON. REXFEL G. TRIVILEGIO,	Councilor
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GUEST:

HON. JHOZYMELS DELA CRUZ,	SK Chairman
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Municipal Ordinance No. 2001-003

AN ORDINANCE FOR COLLECTION AND DISPOSAL OF SOLID WASTE/GARBAGE IN THE MUNICIPALITY OF TIGBAUAN, PROVINCE OF ILOILO AND PROVIDING PENALTIES THEREOF

SPONSORED BY: Hon. Rexfel G. Trivilegio, Chairman, Committee on Environmental Protection, Housing, Land Utilization, Zonification, Assessment and Expropriation

CO-SPONSORED BY : Hon. Alfonsito E. Estoce

SECONDED BY : Hon. Romeo T. Ledesma

WHEREAS, Section 16 of the Local Government Code of 1991 states that the Local Government Unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare. It shall promote health and safety, enhance the right of the people to a balanced ecology and preserve the comfort and convenience of its inhabitants;

WHEREAS, Section 447 of the said code also states: The Sangguniang Bayan, as the legislative body of the municipality, shall approve ordinances and pass resolutions necessary for an efficient and effective municipal government, and in this connection shall protect the environment and impose appropriate penalties for acts which will endanger the environment and such other activities which will result to pollution or ecological imbalance;

WHEREAS, this municipality is committed to protect, preserve and conserve the environment and ecosystem and in keeping the municipality a garbage-free, clean and green municipality;

WHEREAS, it is the responsibility of the municipal government to effectively and efficiently implement and manage the unsystematic disposal or collection of garbage, plant wastes which cause imbalance/unsightly surroundings, pollution of the environment and prevent the spread of communicable diseases;

NOW, THEREFORE, be it ordained by the Sangguniang Bayan of the Municipality of Tigbauan, Province of Iloilo, in session assembled:

SECTION 1. Title. - This Ordinance shall be known and cited as the Collection and Disposal of Solid Waste/Garbage in the Municipality of Tigbauan, Province of Iloilo and Providing Penalties Thereof.

SECTION 2. Coverage. - This Ordinance shall apply to all residential houses; commercial establishments such as beach resorts, restaurants/food centers, slaughterhouses, public markets, grocery stores, institutions like lying-in clinic, funeral parlors, schools, churches, public and private offices, industrial establishments like factories, plants and other establishments of any kind; and agricultural areas,

SECTION 3. Purpose. - This Ordinance is enacted for the following purposes:

- (a) To guide, control and regulate the generation, storage, collection, transportation and disposal of solid wastes, and to promote an orderly and sanitary system;
- (b) To enhance the total environment through the necessary control and mitigation of negative environmental impacts of solid wastes;
- (c) To promote and protect the health, safety, peace and convenience and general welfare of the inhabitants; and
- (d) To minimize the generation of solid wastes and maximize possible resource recovery/recycling and utilization by:
 - maximizing the use of goods and consumption of foods;
 - allocating farm inputs in the production of goods, foods and services;
 - encouraging the salvaging of possible "recoverables" from solid wastes for re-use of recycling back to production process;
 - encouraging the recycling and resource recovery of backyard wastes through composting and biogas production; and
 - providing assistance and cooperation in the recycling of solid wastes in disposal sites.

SECTION 4. Goal - the primary goal of this ordinance is to enhance ecological balance of the community through sustainable and integrated waste management

SECTION 5. Objectives. - The objectives of this Ordinance are as follows:

- a) To ensure round-the clock cleanliness through orderly waste management;
- b) To cease and desist from the utilization of open garbage dumps which serve as breeding places of insects causing disease, foul odors and harmful fumes; emit "greenhouse gas" which contribute to global warming and thinning of the ozone layer, generate "leachate" which pollute soil and water resources, and creates unhealthy scavenging activities;
- c) To eradicate unsightly, uncovered and overflowing waste containers in streets, public places, and open spaces;
- d) To maximize and optimize sanitary recovery for feeds, fuel, materials, energy etc; and
- e) To minimize pollution arising from harmful gases, smoke, particulates produced by needless burning or dumping, polluted runoffs into water resources or supply and hazardous substances.

SECTION 6. Definition of Terms. - As used in this ordinance the term:

- (a) Biodegradable refers to any material that can be reduced into finer particles (degraded or **decomposed**) by microbiological organisms or enzymes (synonymous with compostable);
- (b) Biogas digester means the "poso negro" Taiwan type or the above - ground portable Valderia model. Biogas is a mixture of methane, carbon dioxide and traces of inert gases produced by the fermentation of animal manure or organic waste in an airtight digester chamber,
- (c) Compost is a decayed organic material for use as soil conditioner or fertilizer;

- (d) Composting is a biological degradation under controlled conditions; the process of making biodegradables such as food waste, garden waste, animal waste, human waste, into compost by mixing them with soil, water, biological additives/activators (optional) and air;
- (e) Domestic waste is the refuse from households, as distinguished from industrial waste, agricultural waste, hospital waste, etc., which may be classified as biodegradable (compostable) or non- biodegradable (non- compostable);
- (f) Enzymes means the protein produced by cells, with substances to initiate or accelerate chemical reactions in plants or animal matter, acting like an organic catalyst;
- (g) Factory returnable are non- biodegradables, non- compostables such as tin cans and metals; bottled and glasses, including broken pieces; and plastic, styrofoam, rubber, dry paper, dry cardboard, dry cloth, fibers, leather, feather, hard shells, hard bones, etc., which are segregated in separate containers or placed in one sack (cans, bottles, containers already rinsed) and are sold or given away to collectors;
- (h) Feed materials are food wastes peelings, vegie trims, fish, entrails, fowl innards, spoiled fruits, leftovers, egg shells, rice, fish, meat, washings, etc. , that should be collected and kept in covered containers as hog, chicken, duck, pets, or fish feeds;
- (i) Fermentables refer to fruit peelings, spoiled or overripened fruits, juices, e.g., buko juice, etc. are made into vinegar, wine or " nata de coco, " nata de pina" , etc.;
- (j) Fertilizer materials are compostables or biodegradables such as garden waste, (leaves, twigs, weeds), animal waste (manure carcasses), human waste (feces, urine, blood) are excreta, solid pipes, pads diapers without the plastic portions etc., are made into compost for organized gardening;
- (k) Filling materials may be compacted, and mixed with rice chaff and "binders" for appropriate construction projects;
 - (1) Fine crafts are non- biodegradables which could be used as materials for handicrafts, cottage industries, art works, toys and other livelihood projects such as paper mache, paper basketry, tin craft, metal craft, plastic twine or rope braids, feather crafts, wooden crafts, even lahar craft. Styrofoam melted in small amount of gasoline solvent provides cheap glue of "binder" for many of the projects;
- (m) Food material includes certain kinds of seed, pulp, peelings, that are made into pickles, "sweets" or candies, or snacks;
- (n) Functional facilities or equipment are equipment or facilities devised or created from discards, throwaways, junks, scraps, e.g. chairs, tables, doormats, play equipment from rubber tires, roofing from milk cans, flower pots, planter from plastic bags, sacks, containers, etc. ;
- (o) Green charcoal is another form of fuel or grass charcoal, manufactured from compostable, organic, cellulosic material with the use of enzymes to break down the lignin or binding material, after which it is molded and dried, then used in charcoal-fed stoves;
- (p) Hazardous wastes are special types of wastes containing chemical, biological, and radiological elements which are harmful to human health;
- (q) Incineration is the controlled process by which combustible wastes are burned and changed into gases and residues that contain little or no combustible materials;
- (r) Landfill leachate is the downward seeping of water through the landfill carrying within the dissolved water-soluble contents of the waste which may be collected by the underground drainage or water system;
- (s) Putrescible is a substance that decomposes at a certain temperature in contact with air and moisture: generally containing nitrogen;
- (t) Recycling means the reuse, retrieval, recommission of element or matter for any and all purposes necessary to healthful and productive living; the process by which waste materials are transformed into new products in such a manner that the original products may lose their identity;
 - (u) Resource recovery is the extraction of materials or energy from waste;
- (v) Solid wastes include anything thrown away, such as garbage, rubbish, trash, litter junk, and refuse from any source (homes, business, farms, industries, or institutions); discarded materials with insufficient liquid content to flow. Examples are those non-liquid wastes resulting from domestic, commercial, agricultural and industrial activities which can be divided into several components, under two broad categories:

- Biodegradable - compostable-putrescible

There are four (4) groups of wastes under this category such as: (a) Food (cooking) waste or kitchen waste: peelings, leftovers, vegetable trims, fish, fowl, meat, etc; (b) agricultural (garden waste) : leaves, flowers, twigs, branches, stems, roots, trimmings, weeds, seeds, inedible fruits, etc.; (c) animal waste: manure, urine, carcasses, etc. ; and (d) human waste: excreta, soiled pads, sanitary napkins, etc.; and

- Non- biodegradable- compostable- putrescible

There are ten (10) groups of waste under this category: (a) metals: tin cans, aluminum, iron, lead, copper, silver etc., (b) glasses: bottles, collets (Broken glass), sheets (shards), minors, bulbs etc., (c) plastics: polyethelene (bags) polypropelene (straws, jute sacks, containers), polyurethane (foam, mattresses)polystyrene (styrofoam), polyvinyl (tubes, pipes, linoleum), polyacetate (fibers, cloth, rayon), etc. , (d) rubber (natural and synthetic), tires, goods, etc.; (e) papers, dry papers, cardboards, etc.; (t) dry processed fibers: cloth, twine, etc.; (h) hard shells; (i) bones; and (j) rocks;

- (w) Solid Waste Management is the purposeful and systematic control of the generation, storage, collection, transport, separation, processing, recycling, recovery and final disposal of solid wastes;
- (x) Sooting at source is the segregation or separation of waste at the point of generation or at the very place where they are produced, into biodegradable and non-biodegradable;
- (y) Recycling of domestic waste refers to the full utilization of domestic wastes into factory returnables (around 50%o-60%), feeds (**about 20%**), fertilizer (about 30%), fuels, fine crafts, fermentables, etc. with little left for filling materials. (Proportions vary with the kind of community; the more affluent, the more factory returnables). This include both man-devised and nature-designed recycling; and
- (z) Zero Waste Resource Management System is an ecological method of handling waste that do not degrade the environment nor pollute air, water, and soil, and facilitates their sanitary retrieval, reuse or recycling.

SECTION 7. Waste Generation and Storage

- (a) Residents shall learn the two (2) kinds of wastes: bio-degradable or compostable and non-biodegradable or non-compostable. These two kinds of wastes shall be stored and segregated at the site or place where they are generated:
 - 1) The concerned resident shall ensure that the generated solid wastes shall be properly separated in three (3) enclosed containers for recoverables, leftovers, compostables and others. The leftovers or kitchen refuse shall either be directly given to the animals as feeds or stored temporarily for composting or bio-gas production;
 - 2) 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 wastes shall be placed in covered cans or pails. Garden and human waste in sacks, can and bags and non-compostable in either, sacks, bags or boxes:

SECTION 8. Littering and Scavenging - No person shall litter, scatter or scavenge solid waste in the streets, highways, sidewalks, vacant lots and other public areas, e.g., parks, playgrounds, rivers, etc., Solid wastes shall include, among others, cigar or cigarette butts, boxes, package, candy and bread wrappers, match sticks, disposable diapers, food packages, etc.

SECTION 9. Waste Processing and Resource Recovery (a)

(a) In residential areas:

- 1) Segregated recyclables shall be properly stored before collection. These recyclables shall be collected separately and brought to recycling center, eco-centers or junk dealers;

- 2) Local waste managers shall be designated in every barangay who shall oversee the collection of recyclables and shall be responsible in coordinating with accredited dealers or manufacturers of recycled products;
- 3) Food and kitchen refuse shall be collected as fodder or feeds for animals. These portions that are not suitable as fodder shall be composted; and
- 4) Residents shall avoid open burning and dumping and adopt recycling, practicing the F s scheme (feed, fermentables, food and fuel). Fuel materials from household wastes consist of two kinds: (i) firewood materials, such as twigs, branches, leaves, husks, shells, cobs, chaff, saw, wood shavings, solid papers, bagasse, stalks, etc., and (ii) flammable gas produced by anaerobic decomposition of all biomass or biodegradable materials in biogas digester.

(b) Waste processing and resource recovery in commercial areas shall be done, as follows:

- 1) Segregation of wastes from commercial areas (food centers/restaurants, canteens, recreational centers, etc.) shall be mandatory before the issuance, or renewal, of business permits
- 2) Markets or agoras shall adopt a segregation scheme that will facilitate the segregation of recyclables, food or vegetable waste, non-recyclables, etc; and
- 3) Food waste from commercial centers, e.g., food centers/restaurants, canteens, etc, shall be collected as fodder or animal foods and shall not be disposed to sewers.

(c) In industrial or institutional establishments:

- (1) Segregation of biodegradable or compostable and non-biodegradable or non compostable wastes shall be performed to avoid foul odors and proliferation of flies;
- (2) Schools, both private and public, shall adopt appropriate resource recovery and recycling strategies; and

SECTION 10. Collection and Transportation of Solid Wastes/Garbage

a) For residential areas:

- (1) Public thoroughfares and grounds in front or in the vicinity of residential houses shall be kept clean and tidy by the owners or lessees of the houses or building at all times;
- (2) Trees, shrubs and other vegetation within the vicinity of residences shall be regularly cared for and maintained to minimize generated wastes, yard waste and unpleasant sight.

b) Waste storage in commercial areas, including markets or agoras shall be done, as follows:

- (1) Storage containers for segregated commercial waste shall be communal or individual with cover depending on the location and transport process;
- (2) The enclosed communal receptacles possibly on wheels shall be located along the collection route where the generated wastes shall be brought and stored by the stall lessees;
- (3) The lobby and fronting sidewalks or immediate ground of commercial establishments shall be maintained clean and presentable by the owners, operators, or lessees of the establishments, e.g. shops, stalls, stores, restaurants, eateries, carinderias, barber shops, beauty parlors, recreational and entertainment facilities like billiard hall, dancing halls, etc.; and
- (4) The fronting sidewalks and immediate areas of stalls and open spaces of markets shall be kept clean and orderly by the lessees of said stalls or spaces at all times.

(c) Waste storage in institutional or industrial areas shall likewise be done, as follows:

- (1) The head of any institutional or industrial firm shall ensure the proper and hygienic storage of generated and segregated waste in receptacles or containers which shall be situated along collection routes;
 - (2) Hazardous wastes shall be stored safely in good durable and duly covered receptacles which shall be located in a secured and distant site, prior to final collection and disposal;
 - (3) The head of any institutional or industrial firm or establishment shall ensure the cleanliness and orderliness of its facilities, yards, and its fronting sidewalks and streets; and
 - (4) Hazardous wastes (chemical, biological, and radio-active substances) shall be stored, collected and transported, and disposed of in accordance with applicable laws. Guidelines, rules and regulations of the Environmental Management Bureau (EMB-DENR), Department of Health (DOH), and Philippines Nuclear Research and Institute (PNRI).
- (d) Homogenous agricultural wastes, i.e., rice straws, corn cobs, leaves, animal manure, etc., shall be properly stockpiled or stored by the concerned farmer. Animal manure can also be composted or used for biogas production.
- 1) The concerned resident shall ensure that the solid waste are brought out in front of his gate or door and along the collection route of the collection vehicle or cart, during the collection period;
 - 2) The concerned resident shall report to the Office of the Municipal Health Officer for any uncollected solid waste within the vicinity of the residence;
 - 3) Garbage not segregated and placed in approved containers shall not be collected and shall be treated as disposed of in violation of the anti-littering provision of this Ordinance and the person liable shall be penalized accordingly; and
 - 4) The specific date and hour of garbage collection in particular location shall be scheduled and announced for strict compliance of all concerned.
- (e) For Commercial areas:
- 1) The owner, operator or lessees of any enterprise shall be responsible for the timely positioning of stored solid wastes during the 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; and
 - 2) The person concerned shall remind the Environmental Sanitation of the Office of the Municipal Health Officer in the collection of uncollected solid wastes and other related matters.
- (f) For institutional or industrial areas:
- 1) The head of any institutional or industrial establishment shall assist the Municipal Government in the orderly and sanitary collection and transportation of solid wastes; and
 - 2) The collection and transportation of any hazardous wastes, if necessary, shall be duly coordinated with the government agencies concerned with such types of wastes.

SECTION 11. Disposal of Solid Wastes or Garbage

(a) Disposal of wastes in residential, commercial and institutional areas shall be done as follows:

- 1) Open burning of solid waste shall be prohibited. Residuals of solid wastes after resource recovery, recycling and composting shall be disposed of by sanitary landfilling or other ecological sound methods:

- 2) Illegal dumping, scattering or scavenging of solid wastes along sidewalks, streets, alleys, riverbanks, or in other public places or private properties shall be strictly prohibited.
- 3) Disposal and dumping of solid waste and other garbage within the vicinity of the Public Market shall be strictly prohibited, except in the duly designated areas.
- 4) Disposal and collection of waste and garbage in the public market designated areas shall be done only within the period from 7:00 to 8:00 in the morning and from 4:00 to 6:00 in the afternoon.

(b) Disposal of industrial wastes shall be as follows:

- 1) Hazardous wastes shall be incinerated only after getting the proper assistance or guidance from concerned government agencies; and
- 2) Other hazardous wastes shall be disposed of in accordance with the laws, rules, regulations and guidelines of the concerned national agencies like Environment Management Bureau (EMB-DENR), Department of Health (DOH) and the Philippine Nuclear Research and Institute (PNRI).

SECTION 12. Miscellaneous Provisions

- 1) It shall be the duty of every family or group of persons occupying a part or whole of a house, apartment or building or owner or lessee or occupant of such a house apartment or building or a part of whole thereof, to provide themselves with the necessary garbage can or container properly identified where to place or deposit their rubbish, garbage, kitchen leftovers and refuse. If the container or can produces obnoxious odor the same shall be covered to the satisfaction of the Municipal Health Officer, such garbage can or container shall remain within the premises of the house, apartment or building until nighttime when it shall be the duty of the family owner, lessee or occupant to place the same on the streetside for its content to be emptied and collected by the municipal garbage trash crew.
- 2) Families, owners, lessees or occupants of the houses, apartments or buildings in whole or in part located in interior blocks, however, maybe exempted from payment of fees provided that they shall themselves dispose of their garbage, rubbish, and kitchen leftovers and refuse by burying them in appropriate places subject to the rules and regulations that the Municipal Health Officer may prescribe for the purpose. This shall not bar them from registering their desire to be serviced, in having their garbage, rubbish, kitchen leftovers and refuse collected by the municipality subject to the requirements in this ordinance.

In the event that they do not properly comply with such rules and regulations, the Municipal Health Officer is hereby vested with the power to require any or all of them to subscribe to the municipal garbage service.

- 3) It shall be the duty of every registered subscriber or customer to place his or her garbage can or container on the side of the street not earlier than 4:00 am for its content to be collected by the Municipal Garbage Trash Crew. Municipal Garbage Truck Crews shall make rounds of collection at specified time schedules and along routes to be established by the Municipal Engineer. Failure on the part of the subscriber or customer to put out for collection his or garbage can or container within the specified time heretofore prescribed, the Municipal Garbage Truck Crew cannot be held accountable for its non-collection and in that event shall be his or her duty to withdraw the garbage can or container from the public view until the night following when the same shall be readied for collection. The Municipal Garbage Truck Crew shall not be held accountable for the loss of any garbage can or container of any subscriber or customer, it being the duty of the owner to withdraw or keep his or her container after the Municipal Garbage Truck Crew has emptied the same. The collection of rubbish, garbage, kitchen leftovers and refuse properly placed within cans or containers hereinbelow prescribed shall be under the direct supervision and control of the Municipal Engineer. Payment of expenses, salaries and wages of employees and laborers incidental thereto shall be presented to and signed by him to be approved by the Municipal Mayor.

SECTION 13. User Fees. Commercial and industrial establishments and likewise residential units shall be charged fees to supplement other sources of revenues for the operations and maintenance of the Solid Waste Management System of the Municipality. For every garbage service rendered daily each registered subscriber or customer, there shall be paid to the Municipal Treasurer in advance due and payable on the last day of the preceding month, upon recommendation of the Municipal Health Officer, of the following:

- For industrial and commercial establishments **P50.00/month**
- For non-industrial and commercial establishments (private parties)... **P20.00/month**

For every excess of container of sizes above specified, the same fee/month shall be collected from the respective subscribers or customers.

SECTION 14. Penalties.

- a) Any person who violates any of the provisions of this ordinance shall, upon conviction, be punished by a fine of not less than **P100.00** or not more than **P500.00** or by imprisonment of not less than (3) days not more than (1) month or both fine or imprisonment at the discretion of the court, without prejudice to the imposition of a higher penalty under any other law or decree such as indicated in the second paragraph of Section 2 of PD 825 (Anti-littering) which states "If the violator is a **corporation**, firm or other corporate entities, the maximum penalty shall be imposed upon the president, manager, director or persons responsible for its operations."
- b) For habitual violators, who willfully violate any of the provisions in this Ordinance shall, upon conviction, be punished by a fine of not less than **P300.00** or not more than **P1000.00** or by imprisonment of not less than (15 days nor more than (2) months or both fine and imprisonment at the discretion of the court.

SECTION 15. Environmental Sanitation Office. - There is hereby created an inspection unit under the Environmental Sanitation Office (ESO) with the primary task of apprehending violators of the anti-littering provision, and of any person who allows littering. Any violator shall be issued Apprehension Ticket by the inspection unit of the ESO.

SECTION 16. Repealing Clause. - Ordinances, Orders or Regulations inconsistent herewith, are hereby amended or repealed.

SECTION 17. Separability Provision. - If any provision of this Ordinance is declared unconstitutional, the remaining provisions shall not be affected by such declaration.

SECTION 18. - Effectivity. - This ordinance shall take effect upon its approval.

ENACTED. December 4, 2001.

I HEREBY CERTIFY that the foregoing Municipal Ordinance was **approved** by the Sangguniang Bayan.

CERTIFIED CORRECT:
(SGD.) LUALHATI A. HILADO
Acting Secretary

ATTESTED:
(SGD.) JESSIE G. TERRE
Vice Mayor & Presiding Officer

APPROVED:
(SGD.) MYRNA M. TORRES
Municipal Mayor