

Republic of the Philippines
Province of Iloilo
Municipality of Tigbauan
-00-

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE HONORABLE SANGGUNIANG BAYAN, TIGBAUAN, ILOILO HELD AT THE SB SESSION HALL, TIGBAUAN MUNICIPAL BUILDING, TIGBAUAN, ILOILO ON FEBRUARY 25, 2009 AT 2:10 P.M.

PRESENT:

HON. SUZETTE MARIE HILADO-BANNO, Acting Vice Mayor & Pres. Officer
HON. LORETA LUNGAY-ARIAS, Councilor & Temp. Pres. Officer

HON. AGATON O. TUMABOTABO,	Councilor
HON. MARLON R. TERUÑEZ,	Councilor
HON. NORBERTO T. TURALBA,	Councilor
HON. JOSE T. TAVARRO, JR.,	Councilor
HON. ELMER T. TORRATO,	Councilor
HON. ORVILLE T. TANGENTE,	Pres., Liga Ng Mga Brgy.
HON. LEA E. TORREFLORES,	SKMF President

ON OFFICIAL BUSINESS:

HON. ROEL T. JARINA, Vice Mayor

ABSENT:

HON. SUZETTE TENEFRANCIA-ALQUISADA, Councilor
(*Special Priv. Leave*)

Municipal Ordinance No. 2009-001

ANTI-LITTERING ORDINANCE OF THE MUNICIPALITY OF TIGBAUAN, PROVINCE OF ILOILO

Sponsored by: Hon. Marlon R. Teruñez, Chairman, Committee on Environmental Protection, Housing, Land Utilization, Zonification, Assessment & Expropriation

Seconded by: Hon. Agaton Tumabotabo, Hon. Norberto Turalba, Hon. Jose Tavarro, Jr., Hon. Loreta Lungay-Arias, Hon. Elmer Torrato and Hon. Lea Torreflores

SECTION 1. This ordinance shall hereafter be called "*The Anti- Littering Ordinance of the Municipality of Tigbauan, Province Of Iloilo*".

SECTION 2. It shall be unlawful for any person to throw small litter materials on streets, sidewalks or other public places, including government buildings and offices and public utility vehicles within the Municipality of Tigbauan.

SECTION 3. Definition of Terms:

Small litter materials – shall include, but not limited to cigarette butts, cigarette packs, candy/food wrappers, carton/paper/plastic bags,

masticated chewing gum, fruit seeds and remains, or any kind of waste matter of whatever form.

Community service - shall include cleaning of public places such as plazas, npublic markets, side streets or any other government buildings or places.

Transport vehicles - includes tri-sikads, tricycles, multicabs and jeepneys

Minor (s) – includes children aging 17 years old and below

SECTION 4. Fines/ Penalties for any individual caught littering in violation of Section 2 hereof:

First offense	P 100.00	or	2 hours community service
Second offense	P 200.00	or	4 hours community service
Third offense	P 300.00	or	8 hours community service

The violator who refuses to pay the fine or render community service shall be imprisoned for one (1) day at the discretion of the court.

SECTION 5. The barangay councils of this municipality shall actively participate and are tasked with the implementation of this ordinance in their respective barangays. They shall deputize the necessary personnel as environmental sanitation officers for this purpose. Each personnel so deputized must have sufficient identification and authority to apprehend violators and shall be provided with the necessary apprehension ticket.

SECTION 6. For purpose of enforcing the provisions of this ordinance or its implementing rules and regulations, any citizen may apprehend any person who violates or fails to comply with the provisions of this ordinance or its implementing rules and regulations. Apprehending citizen must coordinate with the deputized personnel (MSWMB or Barangay) for proper action.

SECTION 7. The Municipal Solid Waste Management Board is tasked to supervise the implementation of this ordinance municipal wide and to issue the corresponding Implementing Rules and Regulations (IRR) for effective implementation. It shall coordinate the efforts of all barangays concerned to avoid duplication and conflict in enforcement.

SECTION 8. (a). Public and Private schools within the jurisdiction of the Municipality of Tigbauan are enjoined to implement the ordinance in their respective campuses to maintain cleanliness of the school. Imposition of fines and penalties is subject to the school authorities.

(b). Children below seven (7) years old and person with disability (mental/physical), who violates this ordinance, their parent/guardian are to be reprimanded during the first offense but will be charged the corresponding amount of the penalty in the second and third offenses as stated in Section 4.

SECTION 9. The Municipal Solid Waste Management Board is authorized to issue the apprehension ticket for apprehensions pursuant to this ordinance.

All tickets issued (whether used or unused) must be reported to the MSWMB. Any collection of the fine herein imposed without issuance of the official apprehension ticket shall render the collector to liable criminal prosecution

and if convicted, to a fine of two thousand five hundred pesos (P2,500.00) and imprisonment for one (1) year at the discretion of the court.

SECTION 10. Accrual of Fine. (a) The fine prescribed in Section 4 and 12 hereof shall be remitted/reported to the following:

- * The Municipal Treasurer of the Municipality of Tigbauan, in case the violator was apprehended by a deputized officer of the Municipal Solid Waste Management Board;
- * The Barangay Treasurer of the concerned barangay, in case the violator was apprehended by the deputized officer of the barangay;
- * In case the apprehension was made through a citizen's arrest, the apprehending individual shall refer it to the deputized officer of the barangay or of the Municipal Solid Waste Management Board for proper reporting/remittance.

From the amount of fine remitted, twenty-five percent (25%) thereof shall be granted as incentive to the MSWMB/Barangay deputized officer or any private individual who made the apprehension, while the remaining Seventy-five percent (75%) shall accrue to the general fund of the concerned government unit.

(b) The penalties indicated in Section 4, MSWMB/Barangay deputized officers shall schedule and supervise the community service(s) during Saturdays and Sundays. A clearance shall be given to the violator after rendering community service.

SECTION 11. The MSWMB and the barangay councils/BSWMC are tasked to place waste bins/cans in public areas for easy access of throwing small litter materials. The same shall monitor on the proper waste disposal of the garbage collected.

SECTION 12. (a). Business establishments shall place two (2) waste cans labeled biodegradable and non-biodegradable in front of their buildings/structures as part of their requirements for renewal of business permit. For failure to display two (2) waste bins in their business establishment(s) the following penalty shall be imposed:

First Offense	P100.00
Second Offense	P200.00
Third Offense	P300.00

(b). Transportation vehicle(s) must be provided with one (1) trash bin which will also be a requirement for the renewal of permit. For failure to comply, the following penalty shall be imposed:

First Offense	P 50.00
Second Offense	P100.00
Third Offense	P150.00

SECTION 13. Repealing Clause. Ordinances, orders or regulations inconsistent herewith are hereby amended or repealed.

SECTION 14. Separability Clause. Should any section of this ordinance be declared null and void by a court of competent jurisdiction the remaining sections not so affected shall continue to be in full force and effect.

SECTION 15. Effectivity Clause - This ordinance shall take effect 15 days after its publication and having been posted in two (2) consecutive weeks in the following conspicuous public places: Barangay Hall of every barangay and Municipal Building, this municipality.

ENACTED. February 25, 2009.

I HEREBY CERTIFY that the foregoing Municipal Ordinance No. 2009-001 was approved by the Sangguniang Bayan.

CERTIFIED CORRECT:

ELENA T. MONSERATE
LLSO I

ATTESTED:

SUZETTE MARIE HILADO-BANNO
Councilor & Temporary Presiding Officer

APPROVED:

JAMES EXCELSIOR M. TORRES
Municipal Mayor