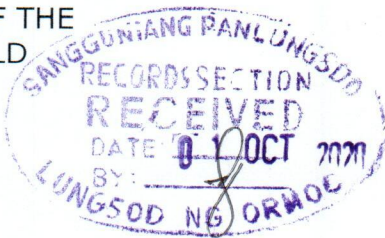


REPUBLICA NG PILIPINAS  
SANGGUNIANG PANLUNGSOD  
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE  
FIFTEENTH SANGGUNIANG PANLUNGSOD NG ORMOC HELD  
AT THE SANGGUNIANG PANLUNGSOD SESSION HALL,  
ORMOC CITY HALL BUILDING  
ON SEPTEMBER 29, 2020



PRESENT:

Leo Carmelo L. Locsin, Jr.	City Vice Mayor & Presiding Officer
Benjamin S. Pongos, Jr.,	SP Member
Roiland H. Villasencio,	SP Member, Majority Floor Leader
Tomas R. Serafica,	SP Member
Nolito M. Quilang,	SP Member, Asst. Majority Floor Leader
Eusebio Gerardo S. Penserga,	SP Member
Jasper M. Lucero,	SP Member
Peter M. Rodriguez,	SP Member
Vincent L. Rama,	SP Member
Gregorio G. Yrastorza III,	SP Member
Lalaine A. Marcos,	SP Member
Esteban V. Laurente,	Ex-Officio SP Member, Chapter President, Liga ng mga Barangay ng Ormoc
Joan Marbie C. Simbajon,	Ex-Officio SP Member, Chapter President, Panlungsod na Pederasyon ng mga Sangguniang Kabataan ng Ormoc

**RESOLUTION NO. 2020-311**

**AN OMNIBUS RESOLUTION DECLARING THAT THE TWO  
(2) BARANGAY ORDINANCES, ALL ENTITLED:  
"BARANGAY ECOLOGICAL SOLID WASTE  
MANAGEMENT ORDINANCE" UNDER REVIEW HAVE  
BEEN FOUND TO BE IN CONFORMITY WITH  
EXISTING LAWS AND ORDINANCES, AND  
INTERPOSING NO OBJECTION TO ITS  
IMPLEMENTATION, TO WIT:**

<u>NAME OF BARANGAYS</u>	<u>BRGY. ORDINANCE NO.</u>
1) <b>BRGY. CAGBUHANGIN</b>	<b>BRGY. ORD. NO. 02-2020</b>
2) <b>BRGY. GUINTIGUIAN</b>	<b>BRGY. ORD. NO. 002-2019</b>

WHEREAS, the Fifteenth Sangguniang Panlungsod ng Ormoc received copies of Ordinances from the above enumerated Barangays, all entitled: "Barangay Ecological Solid Waste Management Ordinance". The copies of the Ordinances together with its attachments are hereto attached and made an integral part hereof;"

WHEREAS, the ordinances were submitted to this Sanggunian pursuant to its review powers over enacted ordinances of all barangays within its territory as provided for in Section 57 and 458 of Republic Act No. 7160, otherwise known as the "Local Government Code of 1991" (LGC) in order to find out whether the subject Ordinances approved by the respective Sangguniang Barangays are within the scope of its prescribed powers and also whether the same are in conformity with law and city ordinances;

WHEREAS, Section 16 of the Local Government Code (RA 7160) provides: "General Welfare. Every 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. Within their respective territorial jurisdictions, local government units shall ensure and support, among other things . . . promote health and safety, enhance the right of the people to a balanced ecology, maintain peace and order, and preserve the comfort and convenience of their inhabitants";

WHEREAS, Section 2 of Republic Act No. 9003, otherwise known as the Ecological Solid Waste Management Act of 2000, under its Declaration of Policy provides that "the policy of the state is to adopt a systematic, comprehensive and ecological solid waste management program which shall ensure the proper segregation, collection, transport, storage, treatment and disposal of garbage, and adoption of the best environmental practices in solid waste management";

WHEREAS, Section 10 of Republic Act No. 9003, under its Solid Waste Management System provides for the role of the Local Government Unit (LGU) in Solid Waste Management, which states that, "the Local Government Unit (LGU) shall be primarily responsible for the effective implementation and enforcement of the provisions of Republic Act No. 9003 within their respective jurisdictions";

WHEREAS, the unsystematic waste disposal by households and commercial or industry establishments cause unsightly surroundings and high possibility of spread of communicable diseases;

WHEREAS, the practice of waste segregation to facilitate reuse and recycle does not only reduce the cost of collection and disposal of garbage but conserves the natural resources of materials and avoid wasteful consumption of goods;

WHEREAS, the Sangguniang Panlungsod and Ormoc City as a whole, is committed to the protection, preservation and conservation of the ecosystem, and recognizes the need to have an effective, efficient and systematic Solid Waste Management System;

WHEREAS, Section 4, Rule XIX of the Implementing Rules and Regulations (IRR) of Republic Act No. 9003 provides that 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, this Sanggunian, finally finds that the Ordinances are valid and lawful and within the scope and authority of the Barangays, and therefore, manifests herein no objections to its implementation, and even urges that they be implemented immediately in order to speedily further the noble ends they seek for welfare of the Barangays;

WHEREFORE, on joint motion of SP Member Lalaine A. Marcos, Chairman, Committee on Environment, Natural Resources and Energy Conservation and SP Member Benjamin S. Pongos, Jr., Chairman, Committee on Laws and Ordinances, severally seconded by SP Members Roiland H. Villasencio, Nolito M. Quilang, Vincent L. Rama, Esteban V. Laurente, Tomas R. Serafica and Joan Marbie C. Simbajon; be it

RESOLVED, AS IT IS HEREBY RESOLVED, to pass an OMNIBUS RESOLUTION DECLARING THAT THE TWO (2) BARANGAY ORDINANCES, ALL ENTITLED "BARANGAY ECOLOGICAL SOLID WASTE MANAGEMENT ORDINANCE" UNDER REVIEW HAVE BEEN FOUND TO BE IN CONFORMITY WITH EXISTING LAWS AND ORDINANCES, AND INTERPOSING NO OBJECTION TO ITS IMPLEMENTATION, TO WIT:

NAME OF BARANGAYS  
1) BRGY. CAGBUHANGIN  
2) BRGY. GUINTIGUIAN

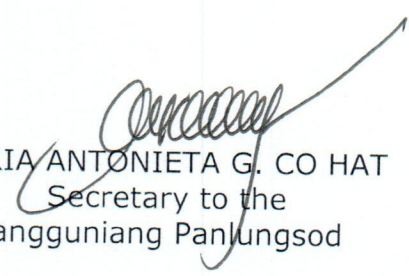
BRGY. ORDINANCE NO.  
BRGY. ORD. NO. 02-2020  
BRGY. ORD. NO. 002-2019

ADOPTED, September 29, 2020.

RESOLVED, FURTHER, to furnish copies of this resolution each to the City Mayor of Ormoc Richard I. Gomez; the City Administrator, Vincent L. Emnas; the City Legal Officer, Atty. Josephine Mejia-Romero; the Office of the Liga ng mga Barangay ng Ormoc; the respective Sangguniang Barangays concerned, the City Local Government Operations Officer-DILG; and other offices for their information and guidance;

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the foregoing resolution.

  
MARIA ANTONIETA G. CO HAT  
Secretary to the  
Sangguniang Panlungsod

ATTESTED:

  
LEO CARMELO L. LOCSIN, JR.  
City Vice Mayor & Presiding Officer



Republic of the Philippines  
OFFICE OF THE SANGGUNIANG BARANGAY  
Brgy. CAGBUHANGIN  
Ormoc City

2020-358  
Res. # 2020-311  
"Annex A"

OFFICE OF THE SANGGUNIANG BARANGAY

EXCERPT FROM THE MINUTES OF THE REGULAR COUNCIL SESSION OF BARANGAY CAGBUHANGIN, ORMOC CITY HELD AT THE BARANGAY SESSION HALL ON AUGUST 25, 2020.

Present:	EDUARDO G. NAZARIO	-	Punong Barangay
	ROMEO C. BANZON JR.	-	SB Member
	MARGARET J. ADOLFO	-	SB Member
	NILDA G. PALACIO	-	SB Member
	RITA CHARLENE G. YBANEZ	-	SB Member
	MELCHOR P. GENERALE	-	SB Member
	RENEBOY P. LASDOSE	-	SB Member
	RALPH L. MORIMONTE	-	SB Member
	ROVELYN D. BANEZ	-	SK Chairperson

PREFARATORY STATEMENT

**WHEREAS**, Section 16 of the Local Government Code (RA 7160) provides: General Welfare. Every local government unit shall exercise the power expressly granted, those necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare. Within their respective territorial jurisdictions, local government units shall ensure and support and support, among other things, promote health and safety, enhance the right of the people to a balanced ecology, maintain peace and order, and preserve the comfort and convenience of their inhabitants";

**WHEREAS**, Section 2 of Republic Act 9003, otherwise known as the Ecological Solid Waste Management Act of 2000, declares "the policy of the state is to adopt a systematic, comprehensive and ecological solid waste management program which shall ensure the proper segregation, collection, transport, storage, treatment and disposal of garbage and adoption of the best environmental practices in solid waste management";

**WHEREAS**, RA 9003 under its Solid Waste Management System provides the role of the Barangay in Solid Waste Management, as responsible for the segregation at source, responsible for segregated collection, the Biodegradable, Non-biodegradable and compostable waste and responsible for the set-up of Material Recovery Facility (MRF);

**WHEREAS**, the practice of segregation, to facilitate reuse and recycle does not only reduce the cost of collection and disposal of garbage but conserves the natural resources of materials and avoid consumption of goods;

**WHEREAS**, Sangguniang barangay of Brgy. Cagbuhangin, Ormoc City as a whole, is committed to the protection, preservation and conservation of the ecosystem, and recognizes the need to have an effective, efficient and systematic Solid Waste Management System;

**WHEREAS**, in the RA 9003 provides that barangays are required to legislate appropriate ordinances to aid in the implementation of RA 9003 and in the enforcement of its provisions, pursuant to relevant provisions of RA 7160;

**WHEREFORE**, all foregoing premises considered, on motion of SB Member Adolfo and unanimously seconded by All Sangguninag Barangay Members present in session; be it

RESOLVED, AS IT IS HEREBY RESOLVED, to enact:

**ORDINANCE NO. 02- 2020**

**AN ORDINANCE ADOPTING CITY ORDINANCE NO.36 S. 2017 OTHERWISE KNOWN AS THE "ORMOC CITY ECOLOGICAL SOLID WASTE MANAGEMENT OF 2017."**

BE IT ORDAINED, by the Sangguniang Barangay of Cagbuhangin, Ormoc City in session duly assembled that:

**ARTICLE I  
GENERAL PROVISIONS**

**SECTION 1.SHORT TITLE.**This Ordinance shall be known as the" Brgy. Cagbuhangin Ecological Solid Waste Management Ordinance of 2019"

**SECTION 2.SCOPE.** This Ordinance shall apply to all residential houses; all sari-sari stores and commercial entities, schools, chapels, public and private entities and agricultural areas situated within the territorial jurisdiction of Brgy. Cagbuhangin, Ormoc City.

**SECTION 3.BASIC CONCEPT.** Any waste generated in this barangay should be the responsibility by the household concerned and all commercial and agricultural both private and public entities and agricultural areas situated within territorial jurisdiction of Brgy. Cagbuhangin, Ormoc City.

**SECTION 4.PURPOSE.**This Ordinance is enacted for the following purposes:

4.1 To control and regulate the generation of solid wastes within the barangay and promote good sanitation practice;

4.2 To promote and protect the health, safety and convenience of the general welfare of the inhabitants of this barangay;

4.3 To minimize the generation of wastes and introduce the recycling, re-using, recover and composting of waste in this barangay;

**SECTION 5.DECLARATION OF POLICIES.**It is hereby declared the policy of Brgy.Cagbuhangin to adopt and implement a comprehensive, integrated and ecological solid waste management program which shall:

5.1 Ensure the protection of public health and the environment for the safety, convenience and general welfare of inhabitants of this barangay;

5.2 Set guidelines for the generation, segregation and disposal of solid waste in accordance with ecologically sustainable development principles;

5.3 Strengthen the Barangay Solid Waste Management organizations/committees at various levels;

5.4 Activate Information, Education and Communication (IEC) Campaign on Solid Waste Management on different households in order to promote environmental awareness and action among the inhabitants in this barangay;

5.5 Implement enforcement plan in the different households in this barangay.

5.6 Promote and institutionalize greater public participation in the program of Solid Waste Management;

**SECTION 6. OBJECTIVES:** The Objectives of this Ordinance are the following:

6.1 To ensure proper segregation of waste through proper management of wastes;

6.2 To utilize agricultural wastes by recycling this waste through composting; and

6.3 To ensure good sanitation practice in this barangay.

**ARTICLE II  
ECOLOGICAL SOLID WASTE MANAGEMENT FUNCTIONS**

**SECTION 7.CREATION OF BRGY.CAGBUHANGIN ECOLOGICAL SOLID WASTE MANAGEMENT COMMITTEE (BESWMC).**The Brgy.Cagbuhangin Ecological Solid Waste Management Committee (BESWMC) shall be composed of the following:

- a. The Punong Barangay as Chairman;
- b. The Chairman of the Committee on Environment and Natural Resources as Vice Chairman;
- c. SK Chairperson

- d. Homeowners Association President
- e. Public or Private School Principal or representative
- f. Public School (PTA) president or representative
- g. Religious organizations representative
- h. Business community president or representative
- i. NGO Representative (concerned about environment)
- j. President of the Market Vendors Association and junkyard owners, if any

#### **SECTION 8. FUNCTION AND RESPONSIBILITIES OF BRGY. CAGBUHANGIN ECOLOGICAL SOLID WASTE MANAGEMENT COMMITTEE (BESWMC)**

- 8.1 Develop or revise the Brgy. Cagbuhangin Ecological Solid Waste Management Plan (BESWMP) which shall ensure the long-term management of solid waste, as well as integrate the various solid waste management plans and strategies of the City of Ormoc;
- 8.2 Review documents, monitor and evaluate current practices, programs and policies of the barangay.
- 8.3 Formulate enabling ordinances to implement the program;
- 8.4 Develop/produce/reproduce and disseminate Solid Waste Management promotional material;
- 8.5 Conduct Information/ advocacy campaign to different households and other waste generators;
- 8.6 Organize and train Barangay Information, Education and Communication (IEC) Committees;
- 8.7 To enter in to partnership with public or private educational institutions in their IEC campaign to different households and waste generators;
- 8.8 Appoint an MRF-in-charge for all Barangay MRFs.
- 8.9 Perform such other functions as may be required;

#### **ARTICLE III WASTE GENERATION AND STORAGE**

#### **SECTION 9. WASTE CLASSIFICATION.** All solid waste generated shall be classified into five (5) Major Groups, as follows:

- a. **Biodegradable or Compostable Waste**- can be defined as a material which can be decomposed by bacteria or other natural organisms and not be adding to pollution including, but not limited to: fruit & vegetable peelings, spoiled food & leftovers, vegetable trimmings, fish scales, egg shells, seafood shells, animal entrails & carcasses, corn cobs & sheaths, rice hulls, peanut shells, wet newspapers & cardboards, wet papers and cartons, coconut shells & husks, seeds, garden & grass clippings, pet/poultry/livestock manure, chipped branches and sawdust.
- b. **Non-Biodegradable Waste**- wastes that cannot be decomposed rapidly by the action of microorganisms or cannot be broken down into natural components, and will exist in the environment for a long time. It includes, but not limited to: cans; metals; plastics; glass bottles;
- c. **Reusable or Recyclable Waste**- waste that can be used again or can be easily converted into something useful. It includes, but not limited to; dry papers and newspapers, dry cardboards, & cartons, plastic materials like plastic containers, plastic water bottles, plastic bottles caps, PVC & PE pipes, computer casing, tin cans, & covers, aluminum cans, iron steel, copper wires, broken transparent glasses, glass bottles, toner cartridges, computer ink cartridges.
- d. **Hazardous or Special Waste** -shall refer to household hazardous waste such as paints, thinners, household batteries, lead acid, batteries, spray canisters and the like. These include waste from residential and commercial sources that comprise of bulky waste, consumers electronics, white goods, yard waste that are collected separately, batteries oil and tires. These waste are usually handles separately from other residential and commercial wastes;
- e. **Bulky Waste**- wastes that are bulky in size or shape. It includes but not limited to: used rubber tires, garden debris, destroyed TV sets, radios, stereos, washing machines, dryers, stoves, refrigerators, & dishwashers; broken furniture, filing cabinets, book cases, beds & cushions.

#### **SECTION 10. MANDATORY SEGREGATION OF SOLID WASTE.** The segregation shall be mandatory, and shall be primarily conducted by the generators at the source, to include households, institutional,

industrial, commercial and agricultural sources based on waste classification provided under Section 9. **No segregation- No Collection Policy.**

**SECTION 11.REQUIREMENT FOR WASTE SEGREGATION.**Households and establishments must have suitable containers or receptacles (i.e sacks, bins, boxes, cans, bags, etc.) for each type of solid waste inside their household or premises. Wastes shall be stored only within the premises of the generator or at the assigned areas pending collection. Separate containers should be properly labeled, marked or identified for on-site collection as follows: **MALATA/BIODEGRADABLE, DI-MALATA/NON-BIODEGRADABLE, DI-MALATA NGA MAGAMIT PA/REUSABLE/RECYCLABLE, and SPECIAL WASTE.**

**SECTION 12.HIERARCHY OF SOLID WASTE MANAGEMENT.**All households and waste generators must observe the following Solid Waste Management practices (according to its order of priority):

- a) **Source Reduction-** reduce waste by using products with less packaging and with reusable materials;
- b) **Re-Use-** reduce waste by reusing materials like plastic bags, paper, glass, metals and other reusable waste materials;
- c) **Recycle-** reduce waste by selling and transforming recyclable waste into materials that can be a means of livelihood to the household of this barangay;
- d) **Composting-** reduce waste by converting food left-overs, kitchen wastes, fruit peelings, dried leaves, vegetable peelings and the like into compost; and
- e) **Disposal** – must be the last option. Waste that cannot be reused, recycled or composted must be segregated and disposed properly.

**SECTION 13.ADDITIONAL REQUIREMENTS FOR PREMISES CONTAINING SIX (6) OR MORE RESIDENTIAL UNITS.**The owner or person in charge of premises containing six (6) or more residential units shall provide for the residents a designated area and containers in which to accumulate source separated recyclable materials for collection. In addition, such owner or person in charge shall notify or inform the residents or occupants of such premises of the requirements of segregation.

**SECTION 14.ADDITIONAL REQUIREMENTS IN AGRICULTURAL AREAS.** Agricultural waste such as rice straws, corn cobs, leaves, animal manure, etc., shall be properly stockpiled by the concerned individual for composting. Burning of agricultural waste shall be prohibited.

### **ARTICLE III COLLECTION AND TRANSPORT**

**SECTION 15.WASTE COLLECTION SYSTEM AND DROP-OFF POINTS.**All households or generators must have a designated strategic collection or drop-off points to facilitate hauling of segregated waste materials.

### **ARTICLE IV WASTE PROCESSING AND RESOURCE RECOVERY**

**SECTION 16.ESTABLISHMENT OF BARANGAY MATERIAL RECOVERY FACILITY (BMRF).**A minimum size of One Meter by Three Meters (1mx3m) must be established in every Purok or Sitio.

**SECTION 17.BACKYARD COMPOSTING.** Aside from the Barangay Material Recovery Facility (BMRF) all household must establish a space to do backyard composting by establishing compost heaps and bins. All households are required to actively participate the Barangay Program “UTANON KADA BALAY PROGRAM.”

### **ARTICLE V SPECIAL PROVISION**

**SECTION 18.ISSUANCE OF ECOLOGICAL SOLID WASTE MANAGEMENT CLEARANCE.**All sari-sari store, commercial, institutional establishments and agricultural businesses shall secure and Ecological Solid Waste Management Clearance/ Certificate. Which will be issued by the Barangay Treasurer of Brgy.Cagbuhangin, Ormoc City. The Ecological Solid Waste Management Clearance/ Certificate will serve

as a proof that the owner/ manager has undergone orientation on Ecological Solid Waste Management conducted by barangay and the Local Government Unit of Ormoc City.

## ARTICLE VI PENAL PROVISIONS

**SECTION 19. PROHIBITED ACTS AND PENALTIES.** The following acts are prohibited under this Ordinance and shall be penalized as follows:

**19.1. Indiscriminately Dumping of Garbage, Littering, Throwing, Dumping of solid Waste Matters in Public Places such as Roads, Sidewalks, Canals, Drainage Systems, Curbs and Gutters, Creeks, Rivers, Tributaries, Rivulets and other Natural Waterways, or causing or permitting the same;**

First offense - PhP 200.00

Second offense - PhP 400.00

Third & succeeding Offense - PhP 800.00

The violator may opt to pay an Administrative Fine half of the penalty prescribed for offenses committed at the Barangay Treasurer of Brgy. Cagbuhangin, Ormoc City.

**19.2. Open Burning of Solid Wastes Including Tires and Plastics in any forms;**

First offense - PhP 200.00

Second offense - PhP 400.00

Third & succeeding Offense - PhP 800.00

The violator may opt to pay an Administrative Fine half of the penalty prescribed for offenses committed at the Barangay Treasurer of Brgy. Cagbuhangin, Ormoc City.

**19.3. Open dumping, burying of Biodegradable or non-biodegradable materials in flood-prone areas;**

First offense - PhP 300.00

Second offense - PhP 500.00

Third & succeeding Offense - PhP 1,000.00

The violator may opt to pay an Administrative Fine half of the penalty prescribed for offenses committed at the Barangay Treasurer of Brgy. Cagbuhangin, Ormoc City.

**19.4. Non-Segregation or Unsorting of Waste.**

First offense - PhP 300.00

Second offense - PhP 500.00

Third & succeeding Offense - PhP 1,000.00

The violator may opt to pay an Administrative Fine half of the penalty prescribed for offenses committed at the Barangay Treasurer of Brgy. Cagbuhangin, Ormoc City.

**19.5. Unauthorized removal of recyclable material intended for collection by authorized persons.**

First offense - PhP 300.00

Second offense - PhP 500.00

Third & succeeding Offense - PhP 1,000.00

The violator may opt to pay an Administrative Fine half of the penalty prescribed for offenses committed at the Barangay Treasurer of Brgy. Cagbuhangin, Ormoc City.

**19.6. Establishment or Operation of Open Dumps for Solid Waste.**

First offense - PhP 500.00

Second offense - PhP 800.00

Third & succeeding Offense - PhP 1,000.00

The violator may opt to pay an Administrative Fine half of the penalty prescribed for offenses committed at the Barangay Treasurer of Brgy. Cagbuhangin, Ormoc City.

**19.7. The Manufacture, Distribution or Use of Non-environmentally Acceptable Packaging Material.**

*All commercial establishments shall use environmentally accepted packaging for their products, as but not limited to paper bags, reusable bags or baskets.*

First offense - PhP 500.00

Second offense - PhP 800.00

Third & succeeding Offense - PhP 1,000.00

The violator may opt to pay an Administrative Fine half of the penalty prescribed for offenses committed at the Barangay Treasurer of Brgy. Cagbuhangin, Ormoc City.

19. 8. Violations shall be accounted per households and the head of the family shall be responsible in the implementation of this ordinance in their respective household. In effect, any violation committed by each household shall be carried by all members of said household except for those household helps, transient visitors, and other temporary visiting individuals.

#### ARTICLE VI PROCEDURE

**SECTION 20. VIOLATIONS OF THE ORDINANCE.** The following procedure shall be observed in case of violation of the Ordinance;

- 20.1. Apprehension;
- 20.2. Issuance of Citation Ticket;
- 20.3. Payment of Administrative fine within Seventy-two (72) hours from issuance of citation ticket and issuance of Official Receipt at the Barangay Treasurer;
- 20.4. Filing of case in court, if necessary.

**SECTION 21. SEPARABILITY CLAUSE.** If for any reason, any provision, portion or part of this ordinance is found to be inconsistent with any law, other provisions or part or parts thereof not so affected shall remain in full force and effect.

**SECTION 22. REPEALING OR AMENDATORY CLAUSE.** All ordinances, rules and regulations or part or parts thereof, which are inconsistent or in conflict with the provisions of this ordinance are hereby repealed, amended and or modified accordingly.

**SECTION 23. EFFECTIVITY.** This Ordinance shall take effect after the end of three weeks consecutive posting in conspicuous places in this barangay, as required under the Local Government Code.

ENACTED August 25, 2020.

RESOLVED FURTHER, to furnish copies of this ordinance one each to the City Mayor Richard I. Gomez; the Environment & Natural Resources Office, DILG and other Offices concerned;  
CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the above ordinance.

  
MYRISIA C. DERIQUITO  
Kalihim

APPROVED:

  
EDUARDO G. NAZARIO  
Punong Barangay



Republic of the Philippines  
OFFICE OF THE SANGGUNIANG BARANGAY  
Barangay Guintigui-an  
Ormoc City

OFFICE OF THE SANGGUNIANG BARANGAY

EXCERPT FROM THE MINUTES OF THE REGULAR COUNCIL SESSION OF BARANGAY GUINTIGUI-AN, ORMOC CITY HELD AT THE BARANGAY SESSION HALL ON DECEMBER 3, 2019.

Present:

ARCHIE C. APAY	-	Punong Barangay
JULITO A. MADURA	-	SB Member
DENIS M. GERUNDIO	-	SB Member
RENATO A. BENSIG	-	SB Member
JOSELITO D. ALISON	-	SB Member
MARCELO A. UGDAMINA JR.	-	SB Member
RUEL S. EBALES	-	SB Member
MANUEL N. ROLDAN	-	SB Member
MELCHOR C. DELA CRUZ	-	SK Chairperson

PREFARATORY STATEMENT

**WHEREAS**, Section 16 of the Local Government Code (RA 7160) provides: General Welfare. Every local government unit shall exercise the power expressly granted, those necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare. Within their respective territorial jurisdictions, local government units shall ensure and support, among other things...promote health and safety, enhance the right of the people to a balanced ecology, maintain peace and order, and preserve the comfort and convenience of their inhabitants”;

**WHEREAS**, Section 2 of Republic Act 9003, otherwise known as the Ecological Solid Waste Management Act of 2000, under its Declaration of Policy provides that “the policy of the state is to adopt a systematic, comprehensive and ecological solid waste management program which shall ensure the proper segregation, collection, transport, storage, treatment and disposal of garbage and adoption of the best environmental practices in solid waste management;

**WHEREAS**, RA 9003 under its Solid Waste Management System provides the role of the Barangay in Solid Waste Management, which states that the Barangay is responsible for the segregation at source, responsible for segregated collection, the Biodegradable, Non-biodegradable and compostable waste and responsible for the set-up of Material Recovery Facility (MRF);

**WHEREAS**, the practice of segregation to facilitate reuse and recycle does not only reduce the cost of collection and disposal of garbage but conserves the natural resources of materials and avoid consumption of goods;

**WHEREAS**, Sangguniang Barangay of Barangay Guintigui-an, Ormoc City as a whole, is committed to the protection, preservation and conservation of the ecosystem, and recognizes the need to have an effective, efficient and Systematic Solid Waste Management System;

**WHEREAS**, in the RA 9003 provides that the barangay will be required to legislate appropriate ordinances to aid in the implementation of RA 9003 and in the enforcement of its provisions; provided , such ordinances shall be formulated pursuant to relevant provisions of RA 7160;

**WHEREFORE**, all foregoing premises considered, on motion of SB Member Manuel N. Roldan and unanimously seconded by All Sangguniang Barangay Members present in session; be it

RESOLVED, AS IT IS HEREBY RESOLVED, to enact:

**ORDINANCE NO. 002 2019**

**AN ORDINANCE ADOPTING CITY ORDINANCE NO. 36 S. 2017 OTHERWISE KNOWN AS THE "ORMOC CITY ECOLOGICAL SOLID WASTE MANAGEMENT OF 2017."**

BE IT ORDAINED, by the Sangguniang Barangay of Barangay Guintigui-an, Ormoc City in session duly assembled that:

**ARTICLE I  
GENERAL PROVISIONS**

**SECTION 1. SHORT TITLE.** This Ordinance shall be known as the "Brgy. Guintigui-an Ecological Solid Waste Management Ordinance of 2019"

**SECTION 2. SCOPE.** This Ordinance shall apply to all residential houses; all sari-sari stores and commercial entities, schools, chapels, public and private entities and agricultural areas situated within the territorial jurisdiction of Brgy. Guintigui-an, Ormoc City.

**SECTION 3. BASIC CONCEPT.** Any waste generated in this barangay should be the responsibility by the household concerned and all commercial and agricultural both private and public entities and agricultural areas situated within territorial jurisdiction of Brgy. Guintigui-an, Ormoc City.

**SECTION 4. PURPOSE.** This Ordinance is enacted for the following purposes:

- 4.1 To control and regulate the generation of solid wastes within the barangay and promote good sanitation practice;
- 4.2 To promote and protect the health, safety and convenience of the general welfare of the inhabitants of this barangay;
- 4.3 To minimize the generation of wastes and introduce the recycling, re-using, recover and composting of waste in this barangay;

**SECTION 5. DECLARATION OF POLICIES.** It is hereby declared the policy of the city of Ormoc to adopt and implement a comprehensive, integrated and ecological solid waste management program which shall:

- 5.1 Ensure the protection of public health and the environment for the safety, convenience and general welfare of inhabitants of this barangay;
- 5.2 Set guidelines for the generation, segregation and disposal of solid waste in accordance with ecologically sustainable development principles;
- 5.3 Strengthen the Barangay Solid Waste Management organizations/committees at various levels;
- 5.4 Activate Information, Education and Communication (IEC) Campaign on Solid Waste Management on different households in order to promote environmental awareness and action among the inhabitants in this barangay;
- 5.5 Implement enforcement plan in the different households in this barangay.
- 5.6 Promote and institutionalize greater public participation in the program of Solid Waste Management;

**SECTION 6. OBJECTIVES:** The Objectives of this Ordinance are the following:

- 6.1 To ensure proper segregation of waste through proper management of wastes;
- 6.2 To utilize agricultural wastes by recycling this waste through composting; and
- 6.3 To ensure good sanitation practice in this barangay.

## **ARTICLE II ECOLOGICAL SOLID WASTE MANAGEMENT FUNCTIONS**

**SECTION 7. CREATION OF BRGY. GUINTIGUI-AN ECOLOGICAL SOLID WASTE MANAGEMENT COMMITTEE (B\_ESWMC).** The Brgy. Guintigui-an Ecological Solid Waste Management Committee (BESWMC) shall be composed of the following:

- a. The Punong Barangay as Chairman;
- b. The Chairman of the Committee on Environment and Natural Resources as Vice Chairman;
- c. Representative from the Youth Development Council as member;
- d. Representative from the Council for Women as member;
- e. Representative of any private sector and organization as member;

**SECTION 8. FUNCTION AND RESPONSIBILITIES OF BRGY. GUINTIGUI-AN ECOLOGICAL SOLID WASTE MANAGEMENT COMMITTEE (BESWMC)**

- 8.1 Develop or revise the Brgy. Guintigui-an Ecological Solid Waste Management Plan (BESWMP) that shall ensure the long-term management of solid waste, as well as integrate the various solid waste management plans and strategies of the City of Ormoc;
- 8.2 Review documents, monitor and evaluate current practices, programs and policies of the city;
- 8.3 Formulate enabling ordinances to implement the program;
- 8.4 Develop/produce/reproduce and disseminate Solid Waste Management promotional material;
- 8.5 Conduct Information/ advocacy campaign to different households and other waste generators;
- 8.6 Organize and train Barangay Information, Education and Communication (IEC) Committees;
- 8.7 To enter in to partnership with public or private educational institutions in their IEC campaign to different households and waste generators;
- 8.8 Perform such other functions as may be required;

## **ARTICLE III WASTE GENERATION AND STORAGE**

**SECTION 9. WASTE CLASSIFICATION.** All solid waste generated shall be classified into five (5) Major Groups, as follows:

- a. **Biodegradable or Compostable Waste** –can be defined as a material which can be decomposed by bacteria or other natural organism and not be adding to pollution including, but not limited to: fruit & vegetable peelings, spoiled food & leftovers, vegetables trimmings, fish scales, egg shells, seafood shells, animal entrails & carcasses, corn cobs & sheaths, rice hulls, peanut shells, wet newspapers & cardboards, wet papers & cartons, coconut shells & husks, seeds, garden & grass clippings, pet/poultry/livestock manure, chipped branches & sawdust.
- b. **Non-Biodegradable Waste** –wastes that cannot be decomposed rapidly by the action of microorganisms or cannot be broken down into natural components, and will exist in the environment for a long time. It includes, but not limited to: cans; metals; plastics; glass bottles;
- c. **Reusable or Recyclable Waste** – waste that can be used again or can be easily converted into something useful. It includes, but not limited to; dry papers and newspapers, dry cardboards, and cartons, plastic materials like plastic containers, plastic water bottles, plastic bottles caps, PVC PE pipes, computer casing, tin cans, & covers, aluminium cans, iron steel, copper wires, broken transparent glasses, glass bottles, toner cartridges, computer ink cartridges.

- d. **Hazardous or Special Waste** – shall refer to household hazardous waste such as paints, thinners, household batteries, lead acid, batteries, spray canisters and the like. These include waste from residential & commercial sources that comprise of bulky waste, consumers electronics, white goods, yard waste that are collected separately, batteries oil & tires. These waste are usually handles separately from other residential & commercial waste;
- e. **Bulky Waste** – waste that are bulky in size or shape – it includes but not limited to: used rubber tires, garden debris, destroyed TV sets, radios, stereos, washing machines, dryers, stoves, refrigerators and dishwashers; broken furniture, filing cabinets book cases, beds & cushions.

**SECTION 10. MANDATORY SEGREGATION OF SOLID WASTE.** The segregation shall be mandatory, and shall be primarily conducted by the generators at the source, to include households, institutional, industrial, commercial and agricultural sources based on waste classification provided under Section 9. **No segregation-No Collection Policy.**

**SECTION 11. HIERARCHY OF SOLID WASTE MANAGEMENT.** All households and waste generators must observe the following Solid Waste Management practices (according to its order of priority):

- a) **Source Reduction-** reduce waste by using products with less packaging and with reusable materials;
- b) **Re-Use-** reduce waste by reusing materials like plastic bags, paper, glass, metals and other reusable waste materials;
- c) **Recycle-** reduce waste by selling and transforming recyclable waste into materials that can be a means of livelihood to the household of this barangay;
- d) **Composting-** reduce waste by converting food left-overs, kitchen wastes, fruit peelings, dried leaves, vegetable peelings and the like into compost; and
- e) **Disposal** – must be the last option. Waste that cannot be reused, recycled or composted must be segregated and disposed properly.

**SECTION 12. ADDITIONAL REQUIREMENTS FOR PREMISES CONTAINING SIX (6) OR MORE RESIDENTIAL UNITS.** The owner or person in charge of premises containing six (6) or more residential units shall provide for the residents a designated area and containers in which to accumulate source separated recyclable materials for collection. In addition, such owner or person in charge shall notify or inform the residents or occupants of such premises of the requirements of segregation.

**SECTION 13. ADDITIONAL REQUIREMENTS IN AGRICULTURAL AREAS.** Agricultural waste such as rice straws, corn cobs, leaves, animal manure, etc., shall be properly stockpiled by the concerned individual for composting. Burning of agricultural waste shall be prohibited.

### ARTICLE III COLLECTION AND TRANSPORT

**SECTION 14. WASTE COLLECTION SYSTEM AND DROP-OFF POINTS.** All households or generators must have a designated strategic collection or drop-off points to facilitate hauling of segregated waste materials.

### ARTICLE IV WASTE PROCESSING AND RESOURCE RECOVERY

**SECTION 15. ESTABLISHMENT OF BARANGAY MATERIAL RECOVERY FACILITY (BMRF).** A minimum size of One ``2Meter by Three Meters (1mx3m) must be established in every Purok or Sitio.

**SECTION 16. BACKYARD COMPOSTING.** Aside from the Barangay Material Recovery Facility (BMRF) all household must establish a space to do backyard composting by establishing compost heaps and bins. All households are required to actively participate the Barangay Program **“UTANON KADA BALAY PROGRAM.”**

**ARTICLE V  
SPECIAL PROVISION**

**SECTION 17. ISSUANCE OF ECOLOGICAL SOLID WASTE MANAGEMENT CLEARANCE.** All sari-sari store, commercial, institutional establishments and agricultural businesses shall secure and Ecological Solid Waste Management Clearance/ Certificate. Which will be issued by the Barangay Treasurer of Brgy. Guintigui-an, Ormoc City. The Ecological Solid Waste Management Clearance/ Certificate will serve as a proof that the owner/ manager has undergone orientation on Ecological Solid Waste Management conducted by barangay and the Local Government Unit of Ormoc City.

**ARTICLE VI  
PENAL PROVISIONS**

**SECTION 18. PROHIBITED ACTS AND PENALTIES.** The following acts are prohibited under this Ordinance and shall be penalized as follows:

**18.1.** *Indiscriminately Bringing out or dumping of garbage outside garbage collection schedule. Dumping of Garbage, Littering, Throwing, dumping of solid Waste Matters in Public Places such as Roads, Sidewalks, Canals, Drainage Systems, Curbs and Gutters, Creeks, Rivers, Tributaries, Rivulets and other Natural Waterways, or causing or permitting the same;*

- First offense - PhP 200.00
- Second offense - PhP 400.00
- Third & succeeding Offense - PhP 1,000.00

The violator may opt to pay an Administrative Fine half of the penalty prescribed for offenses committed at the Barangay Treasurer of Brgy. Guintigui-an, Ormoc City.

**18.2.** *Open Burning of Solid Wastes Including Tires and Plastics in any forms;*

- First offense - PhP 200.00
- Second offense - PhP 400.00
- Third & succeeding Offense - PhP 1,000.00

The violator may opt to pay an Administrative Fine half of the penalty prescribed for offenses committed at the Barangay Treasurer of Brgy. Guintigui-an, Ormoc City.

**18.3.** *Open dumping, burying of Biodegradable or non-biodegradable materials in flood-prone areas;*

- First offense - PhP 300.00
- Second offense - PhP 500.00
- Third & succeeding Offense - PhP 1,000.00

The violator may opt to pay an Administrative Fine half of the penalty prescribed for offenses committed at the Barangay Treasurer of Brgy. Guintigui-an, Ormoc City.

**18.4.** *Non-segregation and non-sorting of solid waste.*

- First offense - PhP 300.00
- Second offense - PhP 500.00
- Third & succeeding Offense - PhP 1,000.00

The violator may opt to pay an Administrative Fine half of the penalty prescribed for offenses committed at the Barangay Treasurer of Brgy. Guintigui-an, Ormoc City.

**18.5.** *Unauthorized removal of recyclable material intended for collection by authorized persons.*

- First offense - PhP 300.00
- Second offense - PhP 500.00
- Third & succeeding Offense - PhP 1,000.00

The violator may opt to pay an Administrative Fine half of the penalty prescribed for offenses committed at the Barangay Treasurer of Brgy. Guintigui-an, Ormoc City.

**18.6. Establishment or Operation of Open Dumps for Solid Waste.**

- First offense - PhP 500.00  
Second offense - PhP 800.00  
Third & succeeding Offense - PhP 1,000.00

The violator may opt to pay an Administrative Fine half of the penalty prescribed for offenses committed at the Barangay Treasurer of Brgy. Guintigui-an, Ormoc City.

**18.7.** Violations shall be accounted per households and the head of the family shall be responsible in the implementation of this ordinance in their respective household. In effect, any violation committed by each household shall be carried by all members of said household except for those household helps, transient visitors, and other temporary visiting individuals.

**ARTICLE VI  
PROCEDURE**

**SECTION 19. VIOLATIONS OF THE ORDINANCE.** The following procedure shall be observed in case of violation of the Ordinance;

- 19.1.** Apprehension;  
**19.2.** Issuance of Citation Ticket and/ or Official Receipt;  
**19.3.** Payment of fine at the Barangay Treasurer;  
**19.4.** Filing of case in court, if necessary.

**SECTION 20. SEPARABILITY CLAUSE.** If for any reason, any provision, portion or part of this ordinance is found to be inconsistent with any law, other provisions or part or parts thereof not so affected shall remain in full force and effect.

**SECTION 21. REPEALING OR AMENDATORY CLAUSE.** All ordinances, rules and regulations or part or parts thereof, which are inconsistent or in conflict with the provisions of this ordinance are hereby repealed, amended and or modified accordingly.

**SECTION 22. EFFECTIVITY.** This Ordinance shall take effect upon its approval and posting in conspicuous places in this barangay as required under the Local Government Code.

ENACTED DECEMBER 3, 2019.

RESOLVED FURTHER, to furnish copies of this ordinance one each to the City Mayor Richard I. Gomez; the Environment & Natural Resources Office, DILG and other Offices concerned;  
CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the above ordinance.

Attested:

*spw*  
**NENITA B. VILLARMINO**  
Kalihim

Approved:

*X*  
**HON. ARCHIE CAPAY**  
Punong Barangay

CONFORME:

*fw*  
**JULITO A. MADURA**  
SB Member

*DM*  
**DEMIS M. GERUNDIO**  
SB Member

*RS*  
**RENATO A. BENSIG**  
SB Member

*DA*  
**JOSELYN D. ALISON**  
SB Member

*SA*  
**MARCELO A. UGDAMINA JR.**  
SB Member

*R*  
**RUEL S. EBALES**  
SB Member

*M-R*  
**MANUEL N. ROLDAN**  
SB Member

*SC*  
**MELCHOR C. DELA CRUZ**  
(SB Member)  
SK CHAIRPERSON