

Republic of the Philippines
Province of Davao del Norte
City of Tagum

BEFORE THE '3RD COUNCIL'

EXCERPT FROM THE MINUTES OF THE 119th REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD OF TAGUM CITY, PROVINCE OF DAVAO DEL NORTE HELD AT THE SP SESSION HALL ON DECEMBER 18, 2006.

PRESENT:

Hon. ALLAN L. RELLON, MPA,	City Vice Mayor (Presiding Officer)
Hon. MARIA LINA F. BAURA,	Member
Hon. ROBERT L. SO,	Member
Hon. OSCAR M. BERMUDEZ,	Member
Hon. ROGELIO E. ISRAEL, MPA,	Member
Hon. VICENTE C. ELIOT, SR.,	Member
Hon. JOEDEL T. CAASI,	Member
Hon. FRANCISCO C. REMITAR,	Member
Hon. LANI B. MAUG,	Member
Hon. ERNESTO Y. OBERO,	Member (ABC Representative)

ON FORCE LEAVE:

Hon. RAYMOND JOEY D. MILLAN,	Member
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ON SICK LEAVE:

Hon. GETERITO T. GEMENTIZA,	Member
Hon. BRYAN KIM SAMUEL L. ANGOY,	Member (SKF Representative)

CITY ORDINANCE NO. 229, S-2006

AN ORDINANCE REVISING MUNICIPAL ORDINANCE NO. 2,S-1997, "AN ORDINANCE ESTABLISHING THE COMPREHENSIVE SOLID WASTE MANAGEMENT OF THE MUNICIPALITY OF TAGUM AND PROVIDING PENALTIES FOR VIOLATION THEREOF."

ARTICLE I
Title of Ordinance

Title: This ordinance shall be known as the Comprehensive Solid Waste Management Ordinance of the City of Tagum and providing penalties for violations thereof, and shall be referred to as the "Ordinance".

ARTICLE II
Coverage

This Ordinance shall apply to all individuals. This covers:

- a. Occupants of houses, apartments, and other residences;
- b. Owners, managers and staff of commercial establishments such as hotels, restaurants/eateries, stores/shops (repair shops, mechanic servicing/car washing), entertainment and recreational centers, and all other related establishments;
- c. Owners, administrators and staff of institutions like hospitals, clinics, funeral parlors, schools, churches, banks, public and private offices and all other institutions of any kind;

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- e. Owners, operators and employees of transportation facilities like airport, wharf, terminals, buses, jeepneys, taxis, tricycles, hauler trucks of livestock, commercial and industrial establishments, ships, and boats, park, public open spaces, thoroughfares and all other facilities; and
- f. Owners, operators and work force of agricultural areas and construction sites and owners of vacant lots.

**ARTICLE III
Authority and Purpose/Goals**

Section 1. Authority. This Ordinance is enacted to supplement the provisions of existing laws and ordinances related to Solid Waste Management (SWM).

Section 2. This Ordinance is enacted for the following purposes:

General:

- a. To guide, control and regulate the generation at source, storage, collection, transportation, and disposal of solid wastes within the locality of Tagum City and promote an orderly and sanitary system for the same;
- b. To enhance the rehabilitation of the locality of Tagum City through the necessary control and mitigation of negative environmental impacts attributed by solid wastes.
- c. To promote and protect the health, safety, peace and convenience, and general welfare of the inhabitants of Tagum City.

Specific:

- a. To minimize generation of solid wastes and maximize possible resource recovery/recycling and utilization by:
 - 1. Maximizing the use and consumption of goods; allocating fair inputs in the production of goods, foods and services;
 - 2. encouraging the salvaging of possible "recoverable" from solid wastes for reuse and/or recycling back to production process;
 - 3. encouraging the recycling and resource recovery of wastes in own backyard through composting and biogas production; and
 - 4. providing assistance and cooperation in the recycling of solid wastes.

Section 3. Goal. The primary goal of this Ordinance is to help enhance ecological balance of the community through sustainable and integrated waste management.

Section 4. Objectives. The Objectives of this Ordinance are the following:

- a. To ensure round-the-clock cleanliness through orderly waste management;
- b. To cease and desist from utilization of open garbage dumps which serve as breeding places of disease-causing organisms, foul odors and harmful fumes; emit "greenhouse gases" which contribute to global warming and thinning of the ozone layer, generate "leachate" which pollute soil and water resources; and create

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- d. To maximize and optimize sanitary resource recovery for feeds, fuel, materials, energy, etc.,
- e. To minimize pollution arising from harmful gases, smoke, particulates produced by needless burning/dumping, polluted runoffs into water sources/supply; and hazardous substances.
- f. To establish a functional SWM organizational structure;
- g. To establish efficient and effective SWM support systems and facilities;
- h. To increase awareness of the community on Integrated Solid Waste Management (ISWM) through sustainable Information, Education and Communication and
- i. To promote the proper practice of ISWM by all stakeholders as a “way of life” and as a “shared responsibility”.

**ARTICLE IV
Definition of Terms**

Section 1. Technical Terms. The technical terms used in this Ordinance shall be defined as follows:

Barangay Solid Waste Management Coordinator (Unit Coordinator) – refers to the appointed personnel or elected barangay councilperson, which holds the committee either on Health or on Environmental Protection.

Biodegradable – capable of being reduced into finer particles, degraded or decomposed by microbiological organisms or enzymes (synonymous with compostables).

Biogas digester – are of two kinds: 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 organic waste in an airtight digester chamber.

Clinics - a facility for diagnosis and treatment of usually walk-in or outpatients, includes among others, veterinarian’s clinic, physician’s clinic and other related services.

Community Participation - individual and sectoral involvement in the solid waste management program (e.g. implementation, monitoring, enforcement)

Compost – decayed organic material for use as soil conditioner or fertilizer.

Composting – biological degradation under controlled conditions; the process of making biodegradable such as food waste, garden waste, animal waste, human waste, into compost by mixing them with soil, waster biological additives/activators (optional) and air without causing nuisance to public.

Domestic waste – refuse from households, as distinguished from industrial waste, agricultural waste, hospital waste, etc. that may be classified as biodegradable (compostable) or non-biodegradable (non-compostable).

Entertainment and recreational centers – refers to a category of establishments that provide

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Enzyme – a protein produced by cells that contain substances to initiate or accelerate chemical reaction in plants or animal matter. It acts as an organic catalyst.

Factories/Plants – refers to a category of establishment that manufacture and produce products. This covers canneries and other related establishments.

Factory returnable – non-biodegradable and non-compostable. Items and materials such as tin cans/metals, bottles/glass (including broken pieces), plastic, Styrofoam, rubber, dry paper/dry cardboard, dry cloth /fibers, leather, etc. are classified factory returnable and separated in containers or placed in on sack (e.g. cans, bottles, containers already rinsed) and sold/given away to collectors.

Feed materials – all food waste, peelings, veggie trims, fish entrails, fowl innards, spoiled fruits, leftover, egg shells, rice/fish/meat washings, etc., that should be collected and kept in covered containers as hog/chicken/duck/pets/fish feeds.

Fermentable – fruits peelings, spoiled or over-ripe fruits, juices, which may be fermented such as over-ripe guavas that may be used for juice, jam or wine.

Fertilizer materials – all compostables or biodegradable such as garden waste (leave, twigs, weeds), animal waste (manure, carcasses), human waste (feces, urine, blood, all excreta, soiled wipes, pads, diapers (remove plastic portions) etc., can be made into compost which is used as fertilizer in organic gardening.

Filling materials – the optimum use of waste. After applying the 3 R's of SWM, remaining materials may be compacted, mixed with rice chaff and "binder" for use in appropriate construction projects.

Fine crafts – handicrafts, cottage industries, art works, toys and other livelihood projects (such as paper mache and basketry, tin crafts, metal craft, plastic and rope macramé projects, feather crafts, wood crafts, "lahar" craft) that utilize non-biodegradables. Note: Styrofoam melted in small amounts of gasoline solvent provides cheap glue of "binder" for many of the projects.

Food material – snippets or leftovers of food such as certain kinds of seeds, pulp, peelings, that are made into pickles, "sweets"/candies, or snacks, etc., and other food products fit for human consumption.

Functional facilities/equipment – useful equipment/facilities devised or created from discards, throwaways, junk scraps (e.g. chairs, table, doormats, play equipment from rubber tires, roofing from milk cans, flower pots, "planters" from plastic bags, sacks, containers).

Green charcoal – another form of fuel or grass charcoal manufactured from compostable, organic, cellulosic materials. With the use of enzymes, the lignin or binding material is broken down so that it can be molded, dried, and used in charcoal – fed stoves.

Hazardous and Toxic Wastes – special types of waste containing chemical, biological and radiological elements that are harmful to human health.

Individuals – this refers to all persons within the vicinity of Tagum City. This term includes both residents and transients.

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Landfill leachate – the downward seeping of water through the landfill carrying with it the dissolved water-soluble contents of the waste that may be collected by an underground drainage system.

Open Dumpsite – any area or space, public or private, utilized as dumping ground of unsegregated waste.

Purok Organization - a community division with not less than 30 unit family member created, composed of six councilpersons and one leader. The organized community is recognized as co-implementer of government programs and mandates of the law of the land. This community is under the supervision of the Punong Barangay through Municipal Ordinance No. 49,s-1989 of Tagum.

Putrescible – a substance that decomposes at a certain temperature in contact with air and moisture, generally containing nitrogen.

Receptacles/bins – containers or boxes used for waste storage such as cans, bags, sacks, empty drums and pails.

Recycling – process by which waste materials are transformed into new products in such a way that the original products may lose their identity. The reuse, retrieval, re-commission of elements for any and all purposes necessary for healthful and productive living.

1. Recycling of domestic waste. The full utilization of domestic waste into factory returnable (around 21%), feed (about 1%), fuels, fine crafts, fermentables, etc. with little left for filling materials. This includes both man-devised and nature-designed recycling schemes.

Resource recovery – the extraction of materials or energy from wastes.

Restaurants/eateries – This category consists of establishments in the business of selling and serving food such as: sidewalk stands, turo-turo's, carinderias, canteens, cafeterias, coffee shops, restaurants, nightclubs/bars, beer gardens, lounges, and other establishments of this type.

Solid waste – discarded materials such as garbage, rubbish, trash, litter, junk, and refuse from any source with insufficient liquid content to flow. This is the label used to refer to non-liquid wastes resulting from the domestic, commercial, agricultural, and industrial activities that can be divided into several components under two broad categories:

Bio-degradable-compostable-putrescible. There are four **(4) groups** of waste under this category such as: **(a)** food (cooking/kitchen) waste: peelings, leftovers, vegetable trims, animal entrails/ innards/cleanings, soft shells, seeds, 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 pad, sanitary napkins, etc.

Non-biodegradable/ non-compostable/ non-putrescible. There are ten **(10)** groups of waste under this category **(a)** metals: tin cans, aluminum, iron, lead, copper, silver, etc. **(b)** glasses: bottles, cullet (broken glass), sheets (shards), minors, bulbs, etc., **(c)** plastics: polyethylene (bags), polypropylene (straw/jute sack/containers), polyurethane (foam, mattresses), polystyrene (styrofoam), polyvinyl (tubes, pipes, linoleum), plyacetate (fibers, cloth, rayon), etc. **(d)** rubber

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Solid Waste Management – purposeful, systematic control of the generation, storage, collection, transport, separation, processing, recycling recovery and final disposal of solid waste.

Solid Waste Management- Information, Education and Communication Team - refers to the appointed Barangay Solid Waste Management Coordinator organized as one under the deputized solid waste management officer of the solid waste management board of the city chaired by the Local Chief Executive. Each coordinator is the executive officer of the Barangay Solid Waste Management Organization.

Sorting at source – segregation or separation of waste at the point of generation, or at the very place where they are produced, into biodegradable or non-biodegradable.

Stores/shop – business establishment selling retail diversified goods, this category includes the following: sidewalk stands, sari-sari stores, stalls, groceries, public markets, department stores, malls, novelty shops, boutiques, parlors, computer shops and the like.

Zero waste resource management system – ecological method of handling waste that does not degrade the environment nor pollute the air, water, and soil, and facilitates their sanitary retrieval, reuse or recycling.

ARTICLE V
Organization Component

Section 1. The SWM Board. In compliance with RA No. 9003, otherwise known as the Ecological Solid Waste Management Act of 2000, and Executive order No. 16, s--2005 of the Office of the Mayor, the Solid Waste Management Board shall be composed of and perform and assume the following responsibilities:

COMPOSITION:

Chairperson	-	City Mayor
Members:	-	Sangguniang Panlungsod Member Chairperson, Committee on Health
	-	Sangguniang Panlungsod Member Chairperson, Committee on Environmental Protection and Ecology
	-	Sangguniang Kabataan Federation President
	-	Association of Bgry. Captains Federation President
	-	Non-Government Organization Representative
	-	Recycling Industry Representative
	-	Manufacturing Industry Representative
Secretariat	-	City Environment and Natural Resources Office – Solid Waste Management Division

DUTIES AND RESPONSIBILITIES:

- a. Develop a City Solid Waste Management Plan to ensure long terms Solid Waste Management, as well as integrate the various solid waste management plans and strategies of the component barangays;
- b. Adopt measures to promote and ensure the viability and effective implementation of Solid Waste Management Programs in all component barangays;

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- d. Adopt specific revenue-generating measures to promote the viability of the Solid Waste Management Plan;
- e. Convene regular meetings for purposes of planning and coordinating the implementation of solid waste management plans of component barangays;
- f. Oversee the implementation of the City Solid Waste Management Plan;
- g. Review every two (2) years or as the need arises, the City Solid Waste Management Plan for purposes of ensuring its sustainability, viability, effectiveness, and relevance in relation to local and international developments in the field of Solid Waste Management;
- h. Develop specific measures and guidelines to implement the City Solid Waste Management Plan;
- i. Recommend to appropriate local government authorities specific measures or proposals for franchise of build-operate-transfer agreements with duly recognized institutions to provide either exclusive or non-exclusive authority for the collection, transfer, storage, processing, recycling or disposal of the city solid waste;
- j. Provide the necessary logistical and operational support to component barangays;
- k. Recommend measures and safeguards against pollution and the preservation of the natural ecosystem;
- l. Coordinate the efforts of component barangays in the implementation of the City Solid Waste Management Plan; and
- m. Call on any concerned agency or sector, as it may deem necessary, for support or other appropriate action.

Section 2. The SWM Division. There shall be a technical implementing agency called the Solid Waste Management Office to support the SWM Board. It will have its own budget, facilities, personnel and resources to facilitate effective supervision, coordination, and monitoring of the Integrated Solid Waste management Program and guarantee a sustainable implementation. The SWM Division will tap existing local government line agencies to implement some of the identified activities.

Section 3. The Barangay SWM Body. There shall be a Barangay Solid Waste Management Body to institutionalize the implementation of the program at barangay levels. Local waste managers/ Barangay SWM coordinators shall be designated in every barangay by the Punong Barangay to oversee the collection of recyclable and shall be responsible in coordinating with accredited solid waste processor/dealer or manufacturers of recycled products.

Section 4. The Information, Education and Communication (IEC) Team. There shall be a SWM-IEC Team to prepare programs, modules, and materials to inform and educate individuals about fundamentals and practices of SWM in Tagum City. The team shall be composed of the following:

- Barangay Committee on Education and Information Campaign
- Barangay Committee on Engineering and MRF Construction
- Barangay Committee on Peace and Order and Barangay Committee on Infrastructure
- Barangay Committee on Economic Enterprise

Section 5. The Barangay Information, Education and Communication (IEC) Team. There shall be a Barangay SWM-IEC Team to disseminate information in barangays.

ARTICLE VI
Solid Waste Mgt System Component

Section 1. Waste Segregation and Storage. There shall be segregation and storage of waste in the following manner:

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a. Residential Areas:

1. Residents must segregate their generated solid wastes into four groups: **1)** group of factory returnable, **2)** kitchen waste, **3)** residual or non-factory returnable or non-recyclable, **4)** special waste (e.g. due to unmanageable volume or quantity, types and effects in contact to human or animals). Separate receptacles must be provided for Toxic and Hazardous Waste (THW). The wastes shall be segregated and stored temporarily at the site or place where they are generated.
2. The concerned residents shall ensure that the generated solid wastes materials be properly separated in several receptacles according to its category or others and leftovers or biodegradable kitchen refuse shall be free from excessive moisture before storage.
3. Residents must choose proper receptacle such as cans, sacks, bags, binds, etc. that will facilitate sanitary, efficient handling, storage, collection, transport or disposal at less cost. Food wastes must be placed in hard plastic containers/pails or pit with proper ventilation and drainage of liquid.
4. The use of non-biodegradable disposable materials (e.g. plastic-based, styro-based) must at all cost are minimized.
5. The use of biodegradable food liners, wrappers and containers must be maximized.
6. Recyclable non-biodegradable waste must be further sorted in separate bags that are properly labeled. This must be stored in a designated location inside the premise and will only be moved out during schedule of collection.
7. Waste intended for collection brought out in public in no scheduled time shall be considered littering and punishable by payment of a fine and rendering of a community service to an LGU where such crime is committed.
8. Toxic Hazardous Waste (THW) must be collected and stored in a sealed polyethylene bags/containers prior to collection.
9. Public thoroughfares and grounds in front of or in the vicinity or residential house must be kept clean and tidy by the owner/lessee of the house or building at all times.
10. Trees, shrubs or other vegetation within the vicinity or residences must be regularly cared for and maintained to minimize generated wastes and unpleasant sight.

b. Commercial Areas and Markets:

1. The separate storage receptacles for segregated wastes in the commercial areas similar to (Sec 1, par a.) must be individual and kept within the secured premise of the establishment prior to collection.
2. The use of biodegradable wrappers or bags (e.g. for dry goods/products, paper-based wrappers must be used) is practical and must be maximized.
3. The use of plastic, plastic-based and other non-biodegradable food receptacles (e.g. Styrofoam) must be minimized.

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4. The lobby and fronting sidewalk/immediate grounds and road gutter of commercial establishments must be maintained clean and presentable by the owner/operator/lessee of the establishments at all times.
5. The front sidewalk and immediate areas stall/open spaces of markets must be kept clean and orderly by the lessee of said stall at all times.
6. All building construction for mass housing and commercial or business establishment covered by this ordinance shall incorporate in the plan and implementation the provision for recyclable waste storage facility prior to its approval.

c. Institutional/Industrial Areas:

1. The head or the solid waste managing staff of any institution/industrial firm must ensure the proper and hygienic storage of generated and segregated solid wastes in a satellite storage facility within the controlled premises prior to collection schedule.
2. The head of any institution/ industrial firm must ensure the cleanliness and orderliness of its facilities, yards, and its fronting sidewalk, road gutter and street.
3. THW must be stored safely in durable and duly covered receptacle, which should be located in a secured and distant site prior to final collection/disposal by the waste collecting agencies.
4. Hospital, pharmaceutical, funeral wastes must be stored, collected, transported, and disposed of in accordance with the guidelines, rules and regulations of the Department of Health (DOH). Refer to the Manual on Hospital Waste Management, PD856, known as the Sanitation Code of the Philippines.
5. The treatment and proper disposal of THWs must be taken care of by the concerned firm.
6. THW shall be collected in accordance with applicable laws, guidelines, rules and regulations of the Environmental Management Bureau (EMB-DENR) and the Philippines Nuclear Research Institute (PNRI). Refer to Republic Act 6969 otherwise known as the Toxic Substances and Hazardous and Nuclear Wastes Control Act of 1990.

d. Parks and Other Open Space Identified by the Board:

1. Theft-proof receptacles for biodegradable and non-biodegradable wastes must be provided in strategic locations/points by the city government.
2. The anti-littering law must be strictly enforced and observed.

e. Transportation and Facilities:

1. Human Transport Facilities (terminal, buses, jeepneys, taxis, tricycles, ships and boats).
 - 1.1 Separate receptacles for biodegradable and non-biodegradable must be provided within the terminal by the operators/owners.
 - 1.2 There must be at least two (2) waste receptacles with cover for biodegradable and non-biodegradable wastes inside a facility that is accessible to all passengers.

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1.3 Contents of waste receptacles must be emptied and sorted at transport stations located along transport routes.

f. Agricultural Areas:

1. Homogenous agricultural waste (rice straws, corn cobs, leaves and animal manure), shall be properly stockpiled/stored by the concerned farmer.

g. Littering:

1. No person must litter or scatter solid wastes in the streets, highways, sidewalks, and other public areas (e.g. parks, playgrounds, rivers). Solid waste shall include among others but not limited to, the cigar/cigarette butts, boxes/packages, candy/bread wrappers, matchsticks, disposable diapers, food packages, etc.

Section 2. Waste Processing and Resource Recovery. There shall be segregation and storage of biodegradable kitchen waste in the following manner.

a. Residential/ Domestic Areas:

1. Segregated biodegradable kitchen waste must be properly stored in a secured hard plastic container with cover or compost pit. These biodegradable recyclable materials must be processed for forty (40) days within the controlled premises of the households before proper utility or disposal of such materials.

2. Food and kitchen refuse must be collected as fodder or feeds for animals. Portions not suitable as fodder must be composted.

3. Reuse of recyclable non-biodegradable must be maximized. Sorted metal and plastic containers can be recycled as substitute pots for plants. Used tires can be used as playground material or stacked structure for backyard composting.

4. All other biodegradable-recyclables and THWs must be properly sorted and stored in appropriate receptacles prior to collection and transport.

b. Commercial Areas and Markets:

1. Segregation of wastes from small commercial establishments (stores, stalls, eateries), markets must be mandatory before issuance or renewal of business permits. Likewise, the same is required with medium and big commercial establishments (grocery stores, department stores, malls) plus a diagrammatic SWM scheme must be provided.

2. Markets/agoras shall adopt a segregation scheme that will facilitate the segregation of recyclable, food/vegetable waste, non-recyclable, etc.

3. Food waste from commercial centers (cafeterias, turo-turo's, restaurants, canteens) must be collected as fodder/animal feeds and shall not be disposed of in sewers.

a. Institutional/Industrial Areas:

1. In industrial establishments, segregation of biodegradable/compostable and non-biodegradable/non-compostable wastes shall be performed to avoid foul odor and proliferation of flies. A diagrammatic SWM scheme must be submitted prior to issuance

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2. Schools, both private and public, and offices must adopt appropriate resource recovery and recycling strategies.

b. Parks and Other Open Space Recognized by the Board:

1. Discarded biodegradable and non-biodegradable must be collected and transported to the processing center.

2. Recyclable and factory returnable must be sorted further and brought to the material recovery facility or storage facility of the component LGU where such parks, open space and thoroughfares are located or directly go to the junk shops.

c. Transportation and Facilities:

1. Recyclable and factory returnable from transfer stations along thoroughfares, port docks, must be brought back to the processing centers or junk shops.

2. Disposal of THWs must be taken care of by the credited transport vehicle based on existing applicable laws.

d. Agricultural Areas:

1. Agricultural wastes, e.g. rice straws, corncobs, must not be burned but be stockpiled in a proper location and composted. Animal manure can also be composted or used for biogas production.

Section 3. Collection and Transportation. There shall be a system of proper collection and transportation of solid waste in the following manner:

a. Residential Areas:

1. To promote greater community participation the concerned residents shall ensure that the segregated **residual/ non-recyclable** solid wastes are brought out in front of his gate/door and or along the collection route of the vehicle/cart strictly during the designated collection time/period.

2. To promote greater community participation the concerned residents shall ensure bringing the segregated **recyclable** solid waste to the designated or established satellite Material Recovery Facility (MRF) for clustered or group of households or purok.

3. Point of collection should be along either the curbside or alleys for increased efficiency and productivity and reduced collection-related injuries.

4. The specific date and hour of garbage, collection in particular shall be scheduled and announced for strict compliance by all concerned.

5. Garbage not segregated and/or placed in receptacles not approved by the local government must not be collected and shall be treated as "disposed of" and in violation of antilittering provision of this ordinance and must be penalized accordingly.

6. To promote segregation at source, residents are prohibited in transporting **mixed** solid waste in violation to sanitation operation or operating equipments related to solid waste management without permit from the City Environment and Natural Resources Office-

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7. The resident shall report to the CENRO/ Barangay or concerned official for any uncollected solid wastes within the vicinity of his/her residence if not it shall be treated as permitted by the residents in violation to antilittering provision of this ordinance and must be penalized accordingly.

8. The collection and transportation of any hazardous waste must be duly coordinated with the government agencies concerned with such type of waste.

b. Commercial Areas and Market:

1. The owner/operator/lessee of any enterprise must be responsible for the timely positioning of stored sorted/segregated solid waste during collection period. This will be made known in advance by the proper authorities who will, when necessary, likewise assist individuals in using sanitary means to load wastes during collection.

2. Garbage not segregated and/or placed in receptacles not approved by the local government must not be collected and shall be treated as "disposed of" and in violation of antilittering provision of this ordinance and must be penalized accordingly.

3. In any case that the discarded solid wastes from the commercial establishments exceeds the maximum volume of waste to be collected as determined by the city government, the concerned establishment must be responsible for the transportation and disposal of its excess solid waste.

4. Requiring of permit to travel and dump in the final disposal facility of the city for excess **residual/non recyclable** solid waste from commercial establishment shall be necessary for regulatory purposes by the City Environment and Natural Resources Office.

c. Institutional/Industrial Areas:

1. The head or waste managing staff of any institutional/industrial establishment must see to it that the segregated community solid wastes are moved out strictly during collection time/period at the designated collection points.

2. Transportation and disposal of **industrial solid waste** are regulated and shall be only permitted upon issuance of clearance by the City Environment and Natural Resources Office-Solid Waste Management Division.

2. Toxic Hazardous Waste (THW) shall be transported in accordance with applicable laws, guidelines, rules and regulation of the Environmental Management Bureau (EMB-DENR) and the Philippine Nuclear Research Institute (PNRI). Refer to Republic Act 6969 otherwise known as the Toxic Substances and Hazardous and Nuclear Wastes Control Act of 1990.

d. Parks and Other Open Space Recognize by the Board:

Collection and transportation of solid wastes from these stations will be done either by the Barangay Collection System (Recyclable Materials) or the City Collection System (Non-recyclable Materials) and must be brought to the facility in the barangay and final disposal facility of the city.

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Section 4. Disposal of Solid Wastes. There shall be a system of proper disposal of solid wastes in the following manner:

a. Residential, Commercial Establishments, Institutions:

1. Open burning or open dumping or burying of solid waste in flood prone area shall be strictly prohibited. Residuals of solid waste after resource recovery, recycling and composting shall be disposed of in the city disposal facility, by sanitary landfilling or other in an ecologically sound methods.
2. Where space is available, all discarded biodegradable must be properly processed as compost for use as fertilizer for backyard gardens, orchards or ornamentals or disposed in an identified area as soil enhancer.
3. Hospital wastes, especially infectious wastes shall be treated in an ecologically sound and duly approved by DOH and DENR-EMB treatment method and facilities prior to disposal in a separate compartment in the sanitary landfill area.
4. All recyclable solid waste, factory returnable solid waste, and Toxic Hazardous Liquid Waste must be brought to the processing center for recycling.
5. Illegal dumping of solid waste along streets, alleys, river banks, and in any public places shall be strictly prohibited.

b. Industrial Areas:

1. THW shall be disposed of only after getting the proper assistance, clearance and guidance from City Environment and Natural Resources Office-Solid Waste Management Division.
2. THW shall be disposed on in accordance with the laws, rules and regulations, and guidelines, of the concerned national agencies like Environmental Management Bureau (EMB-DENR), DOH and the Philippine Nuclear Research Institute (PNRI). Refer to Republic Act 6969 otherwise known as the Toxic Substances and Hazardous and Nuclear Wastes Control Act of 1990.
3. Industries producing biodegradable wastes greater than 500kg daily shall include in their regular operation the process of waste decomposition.

Section 5. Facilities and Equipment. There shall be facilities to process solid wastes.

1. Barangay Material Recovery Facility (BMRF). This shall serve as the facility of the barangay for the storage, processing and trading recyclables from institutions and commercial establishments. This BPC can either be operated by a barangay-based cooperative, private groups, NGOs, the barangay government itself or in a joint venture of two or all of these. It shall have a barangay collection system for the recyclables and THWs by establishing a network of registered handcart/pushcart operators mainly unemployed and displaced scavengers from the barangay.

The BPC shall have the following operation:

- a) Discarded materials (Residual/Non-recyclable) after final sorting shall be regularly collected and disposed of at the city disposal facility either by the City Collection

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b) The Barangay Collection System will be run by the barangay government. This is composed of collection transport vehicles (compactor, dump truck or any vehicle) and complement of 3 personnel (driver and 2 aides).

2. Satellite Material Recovery Facility (SMRF). This shall serve as the storage facility for non-biodegradable recyclable waste such as papers, plastics, bottles, metals and others before they are brought to the junkshops or manufacturing plants for recycling or processing.

3. Composting Center for biodegradable waste coming from the government facilities or public markets. This shall serve as the facility to process biodegradable wastes into compost or fertilizer.

4. Sanitary Landfill. This shall serve as the facility for solid waste disposal, which must initially meet requirements for an Environmental Compliance Certificate (ECC) of the DENR, and construction guidelines specified by RA 9003 that maintains, "no controlled dumpsites shall be allowed 5 years from the effectivity of the Act".

5. Equipment. Additional equipment must be identified and purchased to augment existing collection services, storage, processing and recovery, processing center, waste collection and transportation, and disposal of solid wastes.

6. Proposed construction of commercial building, shopping mall, industrial complex, apartment, condominium, hotel, lodging house and housing subdivision shall include a provision for recyclable solid waste storage facility in the development prior to the approval of the building plan.

Section 6. Monitoring and Evaluation. There shall be a system of periodic monitoring and evaluation of waste generation and storage, waste processing and recovery, processing centers, waste collection and transportation, and disposal of solid wastes.

a. To develop the intense drive in the practice of solid waste management, in any government transactions, solid waste management must be emphasize.

b. Purok Organizations (POs) duly recognized under the law should take part in the monitoring of such activity through issuance of certificate or clearance to any household members covered in the jurisdiction or authority. Likewise, school administration must take part in the intensified educational drive through recognition of such clearances issued by the purok officials to all students covered in its jurisdiction.

c. Each Purok Organization (PO), in their Satellite MRF operation, transfer of solid waste from households/commercial establishments to the said facility must be recorded to determine the entity's full compliance in waste segregation at source.

d. Institutions and industries are required to establish their own satellite MRF to carryout the same control and mode of monitoring [Sec.6, Par. c) from waste generators.

e. There shall be monitoring, twice a year in every barangay to assess the level of operation in solid waste management. Composition of monitoring team shall be from the different relevant offices of the City Government.

f. The barangay unit coordinators shall submit monthly, a recyclable waste disposal report to the office of the Punong Barangay.

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**ARTICLE VII
Information, Education and Communication Component**

Section 1. Information, Education and Communication (IEC) Team. The SWM-IEC Team shall develop, implement, monitor, and evaluate the SWM-IEC component:

- a. Each member of the Barangay SWM-IEC group will conduct regular consultations with their unit barangay of Tagum City.
- b. Members of the SWM-IEC will attend "Lakbay Aral" tours to keep abreast of latest SWM trends and developments on Regional, National and International levels subject to the availability of funds.

Section 2. Educational Sector. As mandated by law under RA 9003, there shall be a required integration of SWM in the private and public school curricula for elementary high school levels as well as a special program for college through the Department of Education (DepED), Commission on Higher Education and Technical Education Skills Development Authority (TESDA) and non-formal education.

- a. There shall be an integration of SWM education in the community outreach programs of the schools, civic organizations, religious group, NGOs, GO's, Girl Scouts of the Philippines, Boy Scouts of the Philippines.
- b. GSC-DECS Teachers must take the lead in role modeling in the implementation of the project in the city.
- c. Develop the checking mechanisms in the SWM program of schools relevant to waste management at home through issuance of SWM clearance by the Purok Leaders.
- d. The CLEAN AND GREEN program will be an integral component of SWM.

Section 3. Medium of Communication. There shall be a maximized dissemination of SWM through the use of communications system like broadcast media (TV, radio, films) and print (handouts, brochures, billboards, streamers, signboards, new features, stickers, t-shirts).

- a. There will be "airing and pluggings" to promote SWM on radio and TV programs.
- b. Stickers, poster or signboards will be placed in all public utility transportation vehicles such as buses, vans, jeepneys and tricycles.
- c. Local manufacturers will be required to place symbols or instructions on SWM on all product labels and advertisements.
- d. Garbage trucks/compactors will be equipped with sound systems to play SWM jingles during collection.
- e. Slogans, instructions and ordinances must be placed in all public places, public markets, terminals, and parks through billboards, signboards, and sound system for constant reminders.
- f. All households must be furnished with copies of primers, flyers, and brochures on SWM.

Section 4. Extended Education Programs. Seminars and training shall be conducted for different

City Ordinance No. 229, s-2006, cont'd.-

- a. A speaker's bureau for SWM will be organized in each barangay.
- b. In-service training will be conducted particularly for teachers who are going to educate/teach about SWM to students, parents and community.
- c. Seminars on SWM will be conducted for commercial/industrial establishments prior to the issuance of business permits.
- d. Business establishment representatives must bear their respective expenses incurred during the conduct of the training.

Section 5. Developmental Research. There shall be established a Center for Environmental Education Development to:

- a. Research on technology transfer, development of arts and crafts, preventive and mitigating measures.
- b. Undertake data banking using a social reform agenda-minimum basic needs survey data.
- c. Setup exhibit areas, demo areas, library, visual aids, miniature models, etc.
- d. Create a documentation section that will record and monitor all activities and progress.

Section 6. IEC on Art Expressions. There shall be a promotion of SWM through literary/musical contest during the celebration of environmental month and world earth day. Quiz shows, slogan, essay writing, mural painting and poster making contests, original song compositions, jingle writing contests, and other such activities must be part of the SWM campaign.

Section 7. IEC Releasing System. There shall be a system for monitoring of SWM-IEC activities and a system for regular evaluation of the efficacy of IEC programs, modules, and materials. All information and developed information are to be controlled and centralized in the command center of the working SWM coordinators and volunteers.

**ARTICLE VIII
Enforcement Component**

Section 1. Deputizing of Enforcers. There shall be a deputation of Barangay Officials, Brangay Health Workers (BHW), BSI, Traffic Aides, NGOs', PO's, Teachers, Civic and Religious Organizations, Youth Leaders, Women Leaders, Senior Citizen Leaders, and SWM Council Members.

- a. There will be community empowerment through citizen's arrest in the enforcement and monitoring of SWM ordinance/laws.
- b. Mayor's appointments will be issued with ID's.
- c. Under strict supervision and periodic evaluation, deputized enforcers will include barangay leaders and functionaries, SWM Coordinators, market vendors and stall owners, boy scouts of the Philippines in uniforms, girl scouts of the Philippines in uniforms and Citizen's Military Training Officers.

Section 2. There shall be established a network of barangay-based councils as an extensions of the Solid Waste Management Council at the barangay level.

City Ordinance No. 229, s-2006, cont'd.-

- a. A communication network of barangay-based councils should be established as an extension of the SWM Council at the barangay level.
- b. SWM implementation be promoted through:
 - 1. Contests
 - 2. Awards, e.g. citation awards
 - 3. Provide incentives e.g. monetary assistance, free trips, scholarships to those who implement the project.
- c. A system of apprehension and prosecution must be adopted to consider:
 - 1. Drivers, passengers, helpers, conductors, who shall be fined separately;
 - 2. Issuance of citation tickets (penalties);
 - 3. Filing of case through appropriate court;
 - 4. Approval of issuance/renewal of business permit only upon obtaining a clearance from the Office of the Purok Chairman; and
 - 5. Release of issuance/renewal of business permits only upon presenting a barangay clearance.

**ARTICLE IX
Violation Penalties**

Section 1. Citation Tickets – if a person has been apprehended of committing a violation on any of the provisions in this ordinance, a citation ticket will be issued by the Treasurer of the barangay where the violation has been committed. Such citation ticket will be in triplicate copy, the original of which will be retained by the person issuing the ticket. The second copy will be given to the violator and the triplicate copy to the Barangay Treasurer. Such fines must be paid within 72 hours upon the date of issuance of the ticket which will be paid to the Barangay Treasurer of the respective barangay where the violation has been committed.

Section 2 - Fines and Penalties. Any act done in violation of this ordinance shall subject the offender/s to the following fines:

- a. Any individual, person, or persons, for the operation and maintenance of temporary stalls, rolling stores, market stalls, sari-sari stores, flower shops, churches, and residential houses, tricycles, non-motorized bancas and the like who/that violate any of the provisions of this ordinance shall be punished by a fine of P350.00 and attendance to a one-day community service.
- b. For eateries/carinderias, barber/massage shops, dress/tailoring shops, shoe shops, parlor/beauty shop, bake shops, boutiques, coffee shops, schools, farmers, jeepneys, private vehicles and the like that violate any of the provisions of this ordinance shall be punished by a fine of P350.00 and attendance to a one-day community service.
- c. For banks, offices (private or public), printing shops, bookstores, drugstores/pharmacies, pawnshops, lending institutions, buses, three-gross tonnage fishing boats and the like that

City Ordinance No. 229, s-2006, cont'd.-

- d. For recreational centers, entertainment spots, transport terminals/garage (public or private), clinic, inns/pension houses, one-star hotels, grocery stores, restaurants, machine shop, warehouses, mills/dryers, appliance centers, hardware stores, haulers and vans, above three-gross tons fishing boats and the like that violate any of the provisions of this ordinance shall be punished by a fine of P1,000.00 and attendance to a three-day community service.
- e. For hotels and inns that violate any of the provisions of this ordinance shall be punished by a fine of P3,000.00 and attendance to a one-day community service.
- f. Transportation and dumping of mixed solid waste in bulk (not less than one (1) cubic meters) other than prescribed facility in the Act shall be punished by a fine of P 5,000.00 and attendance to 16 hour community service.
- g. Any Public Utility Vehicle and private vehicle caught transporting and dumping wastes on vacant lots, streets, alleys, sidewalks highways and other public places owner/operator and driver of such shall be penalized with the following:

First Offense shall pay P500.00 and with one (1) hour orientation seminar on Republic Act 9003 or the Solid Waste Management Act

Second Offense shall pay P1,000.00 and to render Community Services to the barangay where they have violated.

Third Offense shall pay a fine of P1,500.00 and shall attend one hour orientation seminar on RA 9003 and shall render community service to the barangay where they have violated

- h. A 20% increase in the fines shall be added in every three (3) years to compensate the workability and effectiveness of the ordinance.
- i. For government employees who have violated any provision of this ordinance shall be subject to an administrative sanction leading to suspension on the endorsement by the Lupong Tagapamayapa of the barangay where the violation has been committed. Such administrative sanction will be executed and decided by the members of the Sangguniang Panlungsod of Tagum.
- j. In case of citizen suit, all purok officers in the barangay shall be deputized and trained as enforcer and monitoring officers within their purok or political boundaries and directly endorse to the Lupon in the barangay any SWM related case for proper charging of fines and penalty.

Special Provision – A 50% share of the penalty shall be given to the informant as an incentive to encourage community participation and the other 50% of the penalty shall go to the Barangay Solid Waste Management funds.

ARTICLE X
Final Provision

Section 1. All provisions of this ordinance, orders, or regulations inconsistent herewith are hereby amended/modified/repealed accordingly.

Section 2. **Separability Clause** – If any provision of this ordinance, or the application thereof to any person or circumstance, which may be declared unconstitutional, shall not affect the remaining

City Ordinance No. 229, s-2006, cont'd.-

Section 3. Repealing Clause – This ordinance shall specifically repeal Municipal Ordinance No. 2, s-1997.

Section 4. Effectivity Clause – This ordinance shall take effect immediately upon approval.

CARRIED AND APPROVED.

ENACTED AND PASSED this 18th day of December, 2006.

I HEREBY CERTIFY to the correctness of the foregoing.

(Sgd) REY A. BUHION
Secretary to the Sanggunian

ATTESTED:

(Sgd) ALLAN L. RELLON, MPA
City Vice Mayor
(Presiding Officer)

APPROVED:

(Sgd) REY T. UY
City Mayor