



Republic of the Philippines
City of Roxas
Office Of The Sangguniang Panlungsod



EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE HONORABLE SANGGUNIANG PANLUNGSOD OF THE CITY OF ROXAS, HELD AT THE SP SESSION HALL ON AUGUST 23, 2022

PRESENT: Hon. Teresa H. Almalbis ... Vice Mayor I
Presiding Officer
Hon. Victor Federico B. Acepcion ... Sanggunian Member I
Hon. Jaime Cortes M. Altavas ... Sanggunian Member I
Hon. John Paul J. Arcenas ... Sanggunian Member I
Hon. Paul Ivan R. Baticados ... Sanggunian Member I
Hon. Reynaldo C. Magallanes ... Sanggunian Member I
Hon. Albert Gregory Y. Potato ... Sanggunian Member I
Hon. Herbert S. Chu ... Sanggunian Member I
Hon. Earl C. Sicad ... Sanggunian Member I
Hon. Fernando Luis A. Viterbo ... Sanggunian Member I
Hon. Moreno A. Gonzaga ... Sanggunian Member I
Hon. Virgilio A. Santos, Jr. (ABC Rep) ... Sanggunian Member I
Hon. Kriza V. Fernando (SK Rep) ... Sanggunian Member I

ABSENT:
None

ORDINANCE NO. 045 – 2022

AN ORDINANCE REQUIRING COMMERCIAL ESTABLISHMENTS ALONG THE COASTAL WATERS OF ROXAS CITY TO MAINTAIN BEACH CLEANLINESS.

Authored by: Hon. Fernando Luis A. Viterbo
Jointly Seconded by: Hon. Paul Ivan R. Baticados & Hon. Herbert S. Chu

WHEREAS, Section 16 of Republic Act no. 7160, otherwise known as the Local Government Code, provides that all Local Government Units shall exercise the powers granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those that are essential to the promotion of the general welfare. Within their respective territorial jurisdictions, Local Government Units shall ensure and support health and safety, the right of the people to a balanced ecology, enhance economic prosperity, and preserve the comfort and convenience of their inhabitants.

WHEREAS, pursuant to the provisions of Section 447.xiii in relation to the provisions of Section 17.b.4, Section 17.b.2.vi and Section 17.b.2.xi mandate Local Government Units to implement solid waste disposal or environmental management systems or facilities related to general hygiene and sanitation by providing efficient and effective systems of solid waste and garbage collection and disposal and prohibit littering and placing or throwing of garbage, refuse, and other filth and wastes;

WHEREAS, Republic Act no. 9003, otherwise known as the Ecological Solid Waste Management Act of 2000, mandates Local Government Units to encourage greater private sector participation in solid waste management;

WHEREAS, clean beaches and shorelines are conducive for domestic and foreign tourism that will promote the development of the local economy and protect the environment as well as provide commercial operators a sense of personal and social responsibility and discipline in maintaining a tourist friendly and environmentally sound beach;

ARTICLE I - SHORT TITLE

This Ordinance shall be known as the “BAYBAYON KO, LIMPYOHAN KO”

Ferdinand M. ...

D. ...

ARTICLE II - DEFINITION OF TERMS

For purposes of this Ordinance, the following terms shall be understood to mean as follows:

Commercial Establishment – refers to any establishment operating for profit, regardless of class of operation and type of ownership and regardless of whether the property on which the said establishment operates is owned by the proprietor, rented, or used under any other form of arrangement

For purposes of this Ordinance, the term shall refer, but shall not limited to, restaurants, bars, hotels and motels, resorts, cafes, commercial and industrial establishments and agro-industrial establishments, and all other establishments currently operating or doing business regardless of whether the same is open to the general public or not

Beach - refers to any land area bounded on at least one side by the sea

Solid Waste – refers to all non-hazardous and non-toxic discarded items, whether biodegradable or non-biodegradable, and may include but shall not be limited to household, commercial, institutional, and industrial waste, plastic waste, street sweepings, construction debris, agricultural waste, chaff, deadwood, debris, dreck, litter, offal or fecal matter, refuse, rubbish, scrap, trash, dead animals, seaweed and other dead marine plants and animals, and other forms of solid waste materials

Hazardous or Toxic Waste refers to solid waste materials that, due to their quantity, concentration, or physical, chemical, or infectious characteristics may pose a substantial hazard to human health or the environment and requires specialized handling tools or equipment.

ARTICLE III – COVERAGE & SCOPE OF OBLIGATION

All commercial establishments located along the shoreline, coastline, or beach, including those bounded on at least one side by the sea, prior to the start of their business operations, shall be required to clean the beach area prior to starting their business operations for the day, ensuring that all non-hazardous and non-toxic solid waste found on the beach are removed and properly disposed of in accordance with the provisions of Republic Act no. 9003 on segregation and proper disposal.

Hazardous and toxic waste materials shall be immediately reported to the Barangay where the commercial establishment is located for proper handling and disposal. The commercial establishment where these are found shall cover the same and place warning signs and barriers around the area to prevent animals and persons from touching or removing the same.

All commercial establishments shall provide adequate waste disposal bins or trash cans in strategic areas and ensure that guests, employees, and all other persons dispose of their waste materials in these receptacles only. The throwing of solid waste on the beach shall be strictly prohibited and, in the event of any violation, the same shall be reported to the proper authorities for proper disposition.

ARTICLE IV - AREA COVERED

The beach area referred to in the preceding Article shall refer to the area between the boundary line of the commercial establishment and the lowest water mark of the sea and shall cover all coastal barangays within the territorial jurisdiction of the City of Roxas, including the following:

1. Barangay Barra;
2. Barangay Baybay;
3. Barangay Cogon;

4. Barangay Culasi;
5. Barangay Dumulog;
6. Barangay Libas;
7. Barangay Punta Cogon;
8. Barangay Talon; and
9. Barangay Olotayan

ARTICLE V - PENALTIES

Any establishment violating this ordinance shall be penalized as follows:

1 st Offense	-	Written Warning from CENRO
2 nd Offense	-	P2,500.00
3 rd Offense	-	P5,000.00
4 th Offense	-	Suspension of business permit of not less than 15 days but not more than 30 days
5 th Offense	-	Closure of establishment

These fines shall be paid to the Office of the City Treasurer within a period of not more than thirty (30) days after the issuance of a violation ticket.

Commercial establishments with violations shall not be allowed to renew their business permits without first paying the penalties for violation and, in the case of those with suspended permits or those ordered closed, shall first be required to submit proof of compliance before being allowed to operate and be issued a business permit.

ARTICLE VI - IMPLEMENTING OFFICES

For the implementation of this Ordinance, all barangay units that have commercial establishments covered by this Ordinance are hereby deputized by the Local Government Unit of Roxas City to conduct daily inspections of all commercial establishments within their territorial jurisdiction between the hours of 9:00 and 10:00 in the morning and between 2:00 and 3:00 in the afternoon. For this purpose, these barangay units are required to designate personnel for the said purpose, who shall be tasked to ensure compliance with these provisions and the said barangay unit shall be under the supervision of the (City Environment and Natural Resources Office) CENRO.

Upon discovery of a violation, the personnel of the Barangay shall:

- a. inform the owner, manager, or any authorized personnel of the commercial establishment regarding the presence of waste materials within its vicinity;
- b. take photographs of the waste materials and the commercial establishment wherein they are found, ensuring that a time and date stamp is included therein as evidence of the violation; and

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c. inform the City Environment and Natural Resources Office (CENRO) of the violation.

Upon receipt of the notice of violation, the City Environment and Natural Resources Office (CENRO) shall, within twenty-four (24) hours thereof, conduct a physical validation of the violation by the commercial establishment and issue a violation ticket should the waste materials be found in the area.

In case of dispute, a time-stamped digital photograph showing the presence of waste materials in the premises of the commercial establishment shall be sufficient evidence.

ARTICLE VII - REPORTORIAL REQUIREMENTS

All concerned barangay units shall furnish quarterly reports to the following offices:

1. Office of the City Tourism Officer; and
2. Business Process and Licensing Office of the City of Roxas

At the end of each fiscal year, these barangays shall be entitled to fifty (50%) per centum of all penalties collected from erring commercial establishments within their territorial jurisdiction.

ARTICLE VIII - SEPARABILITY CLAUSE

If for any reason, a part of this Executive Order is declared illegal or invalid, other parts or provisions hereof which are not affected thereby shall remain valid and in full force and effect

ARTICLE IX - REPEALING CLAUSE

All previous ordinances inconsistent with the provisions hereof are deemed repealed or modified accordingly

ARTICLE X - EFFECTIVITY CLAUSE


This Ordinance shall take effect after 15 days of publication in a newspaper of general circulation within Roxas City.

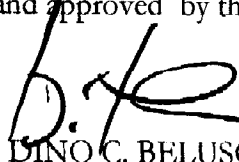
Unanimously Approved.

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I hereby certify that this Ordinance was duly passed and approved by the Sangguniang Panlungsod of Roxas City on the date herein stated.

ATTESTED:

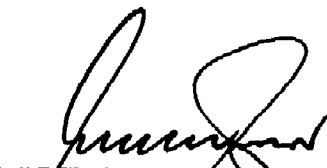

TERESA H. ALMALBIS
Vice Mayor
Presiding Officer

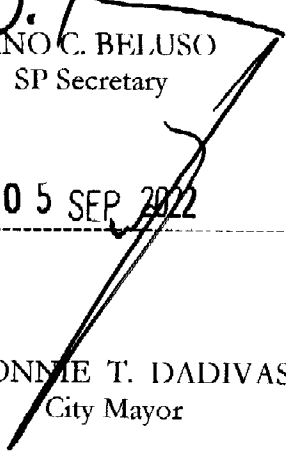

DINO C. BELUSO
SP Secretary

APPROVED:-----

05 SEP 2022

ATTESTED:


LORIE BELLE O. USISON
General Services Officer
Acting City Administrator


RONNIE T. DADIVAS
City Mayor