



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 JUNE 13, 2023.

- 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. 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. Fernando Luis A. Viterbo ... Sanggunian Member I
 Hon. Virgilio A. Santos, Jr. (ABC Rep) ... Sanggunian Member I
 Hon. Kriza V. Fernando (SK Rep) ... Sanggunian Member I
- ABSENT:
 Hon. John Paul J. Arcenas ... Sanggunian Member I (Vac. Leave)
 Hon. Earl C. Sicad ... Sanggunian Member I (Sick Leave)
 Hon. Moreno A. Gonzaga ... Sanggunian Member I (O.B.)

ORDINANCE NO. 023 - 2023

“THE 2023 OMNIBUS ECOLOGICAL SOLID-WASTE MANAGEMENT CODE OF ROXAS CITY.”

Authored By: Hon. Victor Federico B. Acepcion
 Unanimously Seconded

WHEREAS, Ordinance 075-2001, An ordinance enacting the comprehensive and integrated solid waste management system of the City of Roxas which was amended by Ordinance 078-2017, An ordinance amending Ordinance 075-2001 also known as an ordinance enacting the comprehensive and integrated solid waste management system of the City of Roxas by revising its penalty clause and inclusion of implementing rules and regulations, is in existence and needs to be updated to keep up with the rapid urbanization of the City;

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

WHEREAS, the Sangguniang Panlungsod of Roxas City recognizes the need to have a comprehensive Ecological Solid Waste Management code providing therein a systematic Solid Waste Management process for household business establishments and institutions, incorporating thereby waste-related ordinances, executive orders, and regulations;

WHEREAS, Section 3 of the Local Government Code provides that, local government units shall share with the National Government the responsibility for the management and maintenance of ecological balance within their territorial jurisdiction, subject to the provisions of this code and national policies;

WHEREAS, under section 16 of the General Welfare clause of the LGC xxx within their respective territorial jurisdictions, local government units shall ensure and support, among other things, the preservation and enrichment of culture, promote health and safety, enhance the right of the people to balanced ecology, encourage and support the development of appropriate and self-reliant scientific and technological capabilities, maintain peace and order, and preserve the comfort and convenience of their inhabitants;

WHEREAS, the Local Government Code of 1991 empowers the local government units to enact or approves ordinances that shall ensure an efficient and effective system of solid waste and garbage collection and disposal, including the prohibition on littering and the placing or throwing garbage, refuse, and other filth and waste;

F. Almalbis

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WHEREAS, this ordinance enjoins all residential, commercial, and industrial establishments, as well as private and government institutions and condominium projects to adhere to the provisions on segregation at source, recycle, reuse, and reduce;

WHEREAS, there is a growing garbage disposal concern in the City, where garbage volume of 92 tons per day is managed, the advent of sanitary landfills and the adverse behavior of some towards segregation and proper handling and disposal of wastes;

OW, THEREFORE, be it ordained by the Sangguniang Panlungsod, in session assembled by authority of the same, to revoke Ordinance No. 075-2001, "An Ordinance Enacting The Comprehensive and Integrated Solid Waste Management System of the City of Roxas", which was Amended by City Ordinance No. 078-2017, "An Ordinance Amending, Ordinance No. 075-2001 By Revising Its Penalty Clause And Inclusion of Implementing Rules and Regulations to Conform with RA 9003, otherwise known as The Ecological Solid Waste Management Act Of 2000.

CHAPTER I GENERAL PROVISIONS

SECTION 1. SHORT TITLE. This ordinance shall be known as the "THE 2023 OMNIBUS ECOLOGICAL SOLID WASTE MANAGEMENT CODE OF ROXAS CITY";

SECTION 2. PURPOSE. This code is enacted to prescribe the procedures and guidelines for the implementation of Republic Act No. 9003 or the Ecological Solid Waste Management Act of 2000 to facilitate compliance therewith and achieve the objectives thereof.

SECTION 3. SCOPE. This code shall lay down the powers and functions of the City Environment Natural Resources Office, the Barangays and all concerned agencies, private establishments, private individuals, and other stakeholders and the rights and duties of the people for the implementation of Republic Act No. 9003. The Program consistent with the pursuit of sustainable development.

SECTION 5. DEFINITION OF TERMS. As used in this ordinance. The following term shall mean

- A. BIODEGRADABLE – anything that originates from living things whether animal, plant, or human, which decomposes and reduces into fine particles by microorganisms or enzymes.
- B. BULKY WASTE – refers to waste that has a large volume by itself, generally materials with a length of more than one meter
- C. CENRO – refers to the City Environment and Natural Resources Office, which is a department under the office of the City Mayor tasked to monitor and implement provisions of this ordinance, and enforce all general and local laws on the protection of the environment.
- D. CITY CONTRACTED GARBAGE COLLECTOR – refers to an entity whose business is engaged in garbage collection. Who will pass all qualification standards set by this Ordinance and thereafter contracted by the City to collect and dispose of household solid waste in the manner set forth herein.
- E. COLLECTION – the gathering/collecting of stored waste setting it out and hauling them to transfer stations or to other facilities.
- F. COLLECTION EQUIPMENT – vehicle used in the gathering of stored waste set out for collection.
- G. COLLECTION SCHEDULE - Designated time given for the collection of waste in the route.

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- H. **COMMERCIAL ESTABLISHMENTS** – shall refer to structures or establishments engaged in trade, commerce, and services in the City of Roxas.
- I. **COMMERCIAL WASTE** – consists of waste from premises used mainly for a trade or business or sport, recreation, education, or entertainment, but excluding household, agricultural, or industrial waste.
- J. **CONDOMINIUM UNIT** – an interest in real property consisting of a separate interest in the unit in a residential, industrial, and commercial building and an undivided interest in common, directly or indirectly in a land in which it is located and in other common areas of the building.

Entities regarded under this term shall also refer to a Condominium Corporation, an association of condominium owners, a board of governors elected by condominium owners, or a management agent elected by the owners or by the Board, whose function includes maintenance, utility, improvement, provides restriction and limitation in the utilization and upkeep of the common area.

- K. **CONSTRUCTION/DEMOLITION DEBRIS** – Solid waste arising from the construction and demolition of the structure, such as earth mounds, dilapidated concrete, pieces of stones, rocks, and woods, metal and plastic scraps, produced or emanated from a private activity of a particular construction.
- L. **CREEKS** – a stream, brook, an inlet in a shoreline, or a sheltered waterway.
- M. **DISCHARGE OR SET OUT** – putting or setting out of stored waste set out for collection;
- N. **DRAINAGE** – the means of removing surplus water or liquid waste.
- O. **ENVIRONMENTAL FRIENDLY MATERIALS** – refers to eco-friendly products that do not harm the environment whether in their production, use, or disposal. These products help preserve the environment by significantly reducing the pollution they could produce. It also pertains to materials that are biodegradable, recyclable, and reusable.
- P. **ENVIRONMENTAL SERVICE FEE** – refers to the one-time City imposed fees for regulatory purposes as a polluter payback mechanism of the City. This is determined by the Local SWM Board/Local SWM Cluster Board based on wastes' distinction as to residential, market, commercial, industrial, construction/demolition, street waste, agricultural, agro-industrial, institutional, and special waste. The Fund shall be used to support endeavors, which enhance the implementation of this Ordinance such as putting up facilities, developing technologies and processes to enhance proper solid waste management activities, giving of awards, incentives, research activities, technical assistance, and capability building activities.
- Q. **GARBAGE** – for purposes of this Ordinance, the term garbage shall include:
 - 1. Dirt trash, felt, and other waste matters and/or refuse;
 - 2. Empty bottles or any other containers of food, drinks, and the like;
 - 3. Candy or food wrappers, cigarette butts, and similar trash;
 - 4. Unused clothing, shoes, slippers, and similar items;
 - 5. Any or all of the objects/things that tend to endanger the health and safety of the residents including, but not limited to, objects/things or items that impair destroy or lessen, or otherwise, adversely affect the beauty and cleanliness of a particular area or place or location;
 - 6. Remains of dead animals, including human or animal wastes; and
 - 7. Waste or refuse emanating from the conduct of business, industrial, or commercial activities.
- R. **GARBAGE SERVICE CHARGE** – refers to the cost of service or the amount charged by the City for servicing a private entity whether commercial, industrial, or condominium establishments for specifically requesting a special collection for the disposal of their waste or refuse, after notice and coordination with the City Environmental Management Departments and payment of proper fees to the City Treasurer or its duly authorized representatives;

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- S. HEALTH CARE WASTES** - includes all wastes generated or produced as a result of (1) diagnosis, treatment, or immunization of human beings or animals; (2) research on the above activities; (3) production or testing of biologicals; and (4) wastes originating from minor or scattered sources.
- T. IMMEDIATE SURROUNDING** – frontage or immediate vicinity of the house or establishment.
- U. INDUSTRIAL WASTE** – refers to the waste produced by industrial activity which includes any material that is rendered useless during a manufacturing process such as that of factories, and other manufacturing industries.
- V. INSTITUTIONAL ESTABLISHMENT** – refers to government and private institutions situated in the City. Government institutions refer to establishments with public service purposes, which creation was funded by the government, such as, but not, limited to national government and local government offices and buildings, barangay halls, daycare centers, health centers, public schools, colleges, universities, and hospitals. Private institutions refer to any establishments privately owned to institutionalize the business or practice such as private schools, colleges, universities, hospitals, and religious establishments.
- W. JUNK DEALER** – any person engaged in recovering recyclable materials as a trade or business.
- X. LITTER** – waste improperly set out or scattered, with a volume of one (1) liter (1,000 ml) or less.
- Y. MARKET WASTE** – refers to wet and dry wastes produced by private or public markets in the City of Roxas, in the conduct of its daily business activity.
- Z. MATERIAL RECOVERY FACILITY** – includes a solid waste transfer station or sorting station, drop-off center, composting facility, and a recycling facility.
- AA. NON-BIODEGRADABLE** – anything which comes from a non-living source that does not easily decompose, e.g. cans, metals, glass, bottles, plastics, Styrofoam, rubber, cloth, fibers, feather, leather, hard shells, and bones.
- BB. OPEN DUMPS** – shall refer to disposal area wherein the solid wastes are indiscriminately thrown or disposed of without due planning and consideration for environment and health standards.
- CC. PICK-UP TO TRUCK** – the process whereby garbage is collected by an authorized collector, carried on to the garbage truck, and straight to the disposal area. It does not pass through a storage or transfer area.
- DD. PRIVATE GARBAGE COLLECTOR** – refers to a private entity, that is engaged in the collection of wastes in general, accredited and regulated by the City, contracted by commercial, condominiums, and industrial establishments to collect their wastes/garbage.
- EE. PUSH CART/PEDICAB** – refers to a three or four wheeled-vehicle (motorized, or non-motorized) used for the collection of household wastes or recyclable materials to be brought to the Materials Recovery Facility, junk dealers, or garbage truck for disposal as the case may be, provided that these vehicles have been validly registered with the CENRO.
- FF. RECYCLE** – shall refer to the process of using materials in new products to prevent waste of potentially useful materials. It is to break down used items to make raw materials for the manufacture of new products.
- GG. REUSE** – shall refer to the action or practice of using something again, whether for its original purpose or to fulfill a different function.
- HH. SEGREGATION** – solid waste management practice of separating different materials found in solid waste to promote recycling and reuse of resources and to reduce the volume of waste for collection and disposal.

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- II.** SEGREGATION AT SOURCE – it is a Solid Waste Management practice of separating at the point of origin of different kinds of waste found in a particular household or establishment to promote the recycling and reuse of resources and to reduce the volume of waste for collection and disposal.
- JJ.** SEGREGATIONAL SERVICE SYSTEM – a system of collecting garbage using “waste-coded” trucks (nabubulok/di nabubulok) based on the kind of waste/refuse to be collected on specified days. The procedure of which is to be determined by the CENRO.
- KK.** SCAVENGING – the act of opening stored waste set out for collection and disposal to retrieve recyclable or reusable materials.
- LL.** SOLID WASTE – a non-liquid waste material arising from domestic or household. It also includes waste arising from the conduct of public services such as street sweeping, clean and green activities, and the clearing of typhoon-wrought debris:
1. Any solid or semi-solid material resulting from human and animal activities that are considered useless, unwanted, or hazardous;
 2. Any material becomes waste only when a specific owner ceases to have use for it.
- MM.** SOLID WASTE MANAGEMENT – refers to the discipline associated with the control of generation, storage, collection, transfer and transport, processing, and disposal of solid waste in a manner that is in accord with the best principles of public health, economics, engineering conservation, aesthetics, and other environmental considerations and that is also responsive to public attitudes;
- NN.** SPECIAL COLLECTION – refers to a garbage collection schedule activity distinct from the regular garbage collection schedule set by the CENRO, after it is specially requested by an individual or entity, or a clean-up activity on an occasion of calamity, as the case may be.
- OO.** SPECIAL WASTE – shall refer to household hazardous wastes such as paints, thinners, household batteries, lead-acid batteries, spray canisters, and the like. It also includes wastes from residential and commercial sources that comprise bulky wastes, consumer electronics, white goods, yard wastes that are collected separately, batteries, oil, and tires. These wastes are usually handled separately from other residential and commercial wastes.
- PP.** SPECIFIED WASTE COLLECTION AREA – refers to a temporary specific place designated in a Barangay Resolution where residents may temporarily deliver their household wastes for pick up by the City garbage collector. Specific time and period of termination for the use of the area are indicated in the Barangay Resolution.
- QQ.** STORAGE – shall refer to interim containment of solid wastes after generation and before collection for ultimate recovery or disposal. It is also a temporary isolation of wastes from the environment to prevent health hazards and facilitate collection.
- RR.** TRANSFER STATION – shall refer to those facilities utilized to receive solid waste, temporary storage, sorting place, separate, convert, or otherwise process the materials in the solid wastes or to transfer the solid waste directly from smaller to larger vehicles for transport.
- SS.** TOXIC & HAZARDOUS SUBSTANCE – waste that is harmful to human beings, plants and animals, and the environment, because of its quantity, concentration, or physical, chemical, or infectious characteristics such as hospital wastes and industrial wastes. It can be presented in the following kinds: (Republic Act No. 6969)

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1. Short-term acute hazards such as acute toxicity by ingestion, inhalation, or skin absorption, corrosively or other skin or eye contact hazard or the other skin or eye contact hazard or the risk of fire or explosion; or
2. Long-term environmental hazards, including chronic toxicity upon repeated exposure, carcinogenicity, which may in some cases result from acute exposure but with a long latent period, resistance to the detoxification process, such as biodegradation, the potential to pollute underground or surface waters, or aesthetically objectionable properties such as offensive odors.

TT. VACANT LOT – any lot that is idle, abandoned, where there are no permanent buildings erected whether residential, commercial, or industrial, not intended for open spaces, parks, playgrounds, roads, alleys, and the like; That is available for sale or rent.

UU. YARD WASTE – refers to wood, small or chipped branches, leaves, grass clipping, garden debris, the vegetable residue that is recognizable as part of a plant or vegetable, and other material accumulated because of trimming, pruning, and weeding of plant and trees.

CHAPTER II

SOLID WASTE MANAGEMENT

SECTION 6. BASIC CONCEPTS. For this chapter, the basic policies under the Ecological Solid Waste Management Law or Republic Act No. 9003 are hereby adopted. As such, it is, hereby declared as policy of the City to adopt a systematic, comprehensive, and, ecological solid waste management program which shall:

1. Empower the Barangay, as it is mandated and incumbent upon it to promote and campaign the principles herein embraced, to educate and inform the public within their jurisdiction about the Ordinance, prioritize programs for the environment and allocate the required funding thereto, and to devise innovative ways to improve further implementation;
2. Ensure the protection of public health and environment;
3. Utilize environmentally-sound methods that maximize the utilization of valuable resources and encourage resource conservation and recovery;
4. Set guidelines and targets for solid waste avoidance and volume reduction through source reduction and waste minimization measures, including composting, recycling, re-use, recovery, green charcoal process, and others, before collection, treatment, and, disposal in appropriate and environmentally sound solid waste management facilities in accordance with ecologically sustainable development principles;
5. Ensure the proper segregation, collection, transport, storage, treatment, and disposal of solid waste through the formulation and adoption of the best environmental practice in ecological waste management excluding incineration;
6. Promote improved solid waste management and resource conservation techniques, more effective institutional arrangement, and improved methods of waste reduction, collection, separation, and recovery;
7. Encourage greater private sector participation in Solid Waste Management;
8. Inform and educate individuals and the deterrent factors brought about by waste generation and each one's role to alleviate the environmental condition of the City in terms of Solid Waste Management;
9. To encourage improvisation and ingenuity by the use of scrap recyclable materials as a means of livelihood;
10. To enlighten all the stakeholders and all individual waste producers that they have a stake in the deterioration or improvement of this City's environmental condition.

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11. To institutionalize the use of Material Recovery Facility (MRF) in every barangays as provided by Republic Act No. 9003, be it cluster sharing, leased, or exclusively owned MRF. In this way, systems of material recovery will be promoted such as ingenious recycling of wastes to a livelihood means, composting, and other mechanisms to reuse, reduce and recycle waste.
12. To require all hospitals to engage the services of accredited Treatment Storage and Disposal Facilities (TSD) for special wastes collection, treatment, and disposal.

CHAPTER III

SEGREGATION AND SORTING OF SOLID WASTE

SECTION 7. MANDATORY SEGREGATION OF SOLID WASTES. Segregation of wastes shall primarily be conducted at source, to include households including condominiums, institutional, governmental structures, industrial, and commercial sources. These entities, including owners, lessees, tenants, officers, and administrators of such are required to separate, and sort out their solid waste, refuse, or garbage in a manner provided for in the following sections.

SECTION 8. SEGREGATED AND SORTED COLLECTION OF SOLID WASTES. The following shall be the minimum requirements for the segregation and storage of solid waste for households, condominiums, commercial, institutional, and industrial establishments pending collection:

1. There shall be a separate and properly labeled container for each type of waste (compostable, recyclable, special waste, hazardous and toxic wastes including health care wastes) from all sources depending on its use, or any classification as may be determined by the CENRO;
2. The City garbage collector or privately contracted garbage collector must provide for separate trucks the collection of each kind of waste. It shall be unlawful for a garbage collector to combine all together in one truck of segregated waste at the source. Such violation shall be meted with a penalty as prescribed in this Ordinance and Contract of Service;
3. In the case of a build containing six (6) or more units, it is the obligation of household owners, fewer persons in charge such as managers, department heads/chiefs, administrators, unit owners, association officers, or any person responsible for the operation and administration of the said establishment, as the case may be, shall:
 1. Abide by the provisions set forth in 8.1 and 8.2;
 2. Contact through private garbage contractor, in the case of condominiums, commercial, and industrial should they qualify to the limits set forth in Chapter V;
 3. Provide for the residents a designated area and containers in which to accumulate source-separate dated recyclable materials to be collected by private or government recycling entities as the case may be;
 4. Notify the occupants of each building of the requirements of this Ordinance and the regulations promulgated pursuant thereto.

SECTION 9. NO SEGREGATION/NO COLLECTION POLICY. It shall be unlawful for any person, or any establishment, whether private or government, to possess unsegregated garbage during the time of garbage collection.

The City garbage collector or contractor shall not, in any way be under any obligation to collect unsegregated wastes, as provided for by this Ordinance.

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CHAPTER IV

STORAGE, DISCHARGE, COLLECTION, TRANSFER, AND TRANSPORT OF WASTES

SECTION 10. STORAGE OF WASTE

1. Segregated waste shall be stored only at the source;
2. Waste shall be stored and set out for collection in a closed trash bag or any appropriate container to avoid the entry of insects, pests, and vermins, escape of bad odor, and spillage of leachate;
Spilled garbage due to improper packing shall not be collected. The owner shall be responsible for sweeping, cleaning, and repacking the spilled garbage and shall clean the mess caused by it.
3. Toxic and Hazardous Waste (THW) shall be placed in a separate appropriate container and shall be disposed of in a specific manner per Republic Act No. 6969. Broken glasses or lamps and other sharp objects shall be securely enclosed in hard cardboard with a tie to prevent injury to handlers and rip and tear of bags/containers.

SECTION 11. DISCHARGE OR SET OUT OF WASTE FOR COLLECTION.

1. On collection day, the waste may be placed within the immediate surrounding of the owner's property or premises. It is unlawful for any person to hang and leave their garbage in plastic sando bags on fences or gates if garbage trucks have not arrived/set out of garbage must comply with the procedures outlined in Section 8.1;
2. Waste shall be set out for collection only within the scheduled date and time of collection.
The day, time, and pick-up points of garbage in the 47 barangays of the City shall be decided by the Barangays concerned after coordination with CENRO, and the same shall be publicly announced and given widest dissemination utilizing mass information, social media, placards, posters, and similar means.
The CENRO shall then institutionalize the pick-up schedules by a Board Resolution and adopted by the Sanggunian.
3. No burning of waste shall be allowed at the source at all times.

SECTION 12. WASTE COLLECTION SYSTEM AND STANDARDS.

1. The City Government shall be responsible for collecting the residue from the wastes segregated.
The collection shall be door-to-door on the specified collection day for compostable (biodegradable) and recyclable (non-biodegradable) wastes as the case may be, without fail. The City shall share this responsibility with the Barangays per the Local Government Code.
2. COLLECTION DATE/SCHEDULES. On a case-to-case basis and depending on the desired dates, the respective Barangays, can come up with their schedule for the waste collection after proper coordination with the CENRO, such that:
 1. Compostable (Biodegradable) shall be collected every Monday, Wednesday, and Fridays;
 2. Recyclables (Non-biodegradable) shall be collected every Tuesdays and Thursdays;
 3. The remaining days of the week may be allotted to a bigger and more populated barangay as a collection day for a specific type of waste or special waste collection for other Barangays which should be arranged with the CENRO.
 4. In many special cases, SPECIAL WASTE COLLECTION may be requested by the Barangay concerned. These schedules may be modified after confirmation from the CENRO
 5. Hazardous, Toxic, and Health Care Wastes will have a special collection, as to the manner and schedule, and will be decided by the CENRO.

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3. In the case of condominiums, commercial, industrial, and institutional establishments which contracted a private garbage collector, coordination and accreditation from the CENRO shall be necessary for regulatory purposes.
4. Trucks with separate compartments for compostable and non-compostable wastes may collect on the same day as the other kind, provided, that different kinds of waste are securely placed in the compartment of such kind, which is individually covered and compacted to avoid mixing, and over-spilling of a different kind of waste. Overloading each kind of waste in a separate compartment is prohibited;
5. All trips during collection shall be required to have a TRIP TICKET indicating the name of the Barangay and the route that the trip will cover or it covered, thereafter the latter shall sign and issue corresponding confirmation or proof that such trip was made. A pro-forma template shall be designed by the SWMB.
 1. Only the authorized commissioned garbage collector shall be allowed to handle the waste from the generators;
 2. Any individual or group, unless authorized by the City Environmental and Natural Resources Office (CENRO) or the Barangay, shall be disallowed to open and retrieve recyclable or re-useable materials or stored waste set out for collection from the designated pick-up points.
 3. Authorization must be based on a valid ground and when public health and safety so warrants the re-opening of stored waste.
6. Selling, scavenging, and sorting or "pagpangaykay" by the garbage collection crew or any person shall not be allowed at all times. The contractor shall be held liable for the violation of this provision which may cause the suspension or rescission of the Contract with the City Government;
7. All garbage collectors, drivers, and those involved in the collection of refuse shall be required to wear PROPER UNIFORMS and IDENTIFICATION CARDS to be prescribed by the City Government of Roxas, through the CENRO following ANNUAL compliance with necessary Health Certificate issued by the Local Health Officer, they must possess an up-to-date Health Certificate issued by the City Health Officer;
8. The garbage collector shall empty and return all containers to the designated collection area with care. Paper and other temporary containers shall be collected;
9. Collection of solid waste shall be done in a manner that prevents damage to the container and spillage or scattering of solid waste within the collection vicinity;
10. Recyclables collected shall be transported directly to the Materials Recovery Facility, otherwise to the prescribed disposal site contracted by the City garbage collector;
11. Scrap buying and selling by junk dealers are not allowed to collect recyclable materials during the scheduled time of collection.

SECTION 13. GARBAGE TRUCKS AND EQUIPMENT STANDARDS. The following shall be the minimum standards and requirements for the qualification of garbage trucks and equipment to be used in the collection of solid wastes in the City and those that are provided for by the Presidential Decree No. 856:

1. All collectors and other personnel directly dealing with the collection of solid waste shall be equipped with personal protective equipment to protect them from the hazards of handling wastes;
2. Necessary training shall be given to the collectors and personnel to ensure that the solid wastes are handled properly and in accordance with the guidelines pursuant to this Ordinance;

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3. All garbage trucks and equipment shall be registered with the CENRO to ensure regulation such as accreditation, proper markings, safety, and sanitation of the vehicle;
4. Roadworthiness of garbage trucks must be proved during the bidding in the selection of service providers in conformity to the standards set forth by the Land Transportation and Franchising Regulatory Board (LTFRB), and Department of Transportation and Communication (DOTC) for publicly contracted service vehicles;
5. All garbage trucks shall be provided with visible and proper markings of plate and body number on both sides, name, and telephone number of the contractor. Markings shall have a minimum of twenty (20) centimeters (8 inches) in height;
6. All garbage trucks shall be in good body condition and equipped with tools and spare tires. No sacks, filthy named tarpaulin, nor any eyesore materials must be seen hanging in the truck;
7. All garbage trucks shall meet the emission standard set by the DENR, including smoke-belching standards;
8. Garbage trucks and all equipment shall be kept clean, sanitized, and properly maintained and shall be washed after each disposal;
9. Garbage trucks shall be designed to consider road size, condition, and capacity to ensure the safe and efficient collection and transport of solid wastes;
10. The waste compartment shall have a cover to ensure the containment of solid wastes while in transit;
11. All trucks shall have separate complete taillights, flasher, side mirror, plate number, tailgate, wiper, and horn;
12. All trucks shall be equipped with proper cleaning and clearing tools, e.g. brooms, dustpans, spades, shovels, etc. for cleaning and collecting spillage garbage caused by the collector's improper handling;
13. Owners and operators of trucks shall sanitize, disinfect and deodorize the collection trucks before leaving the dispatching area and after their disposal.

SECTION 14. WASTE TRANSFER AND TRANSPORT STANDARD. Requirements for the Transfer and Transport of Solid waste are the following:

1. Transfer stations shall be classified as such by the CENRO and/or the SWM Board;
2. Transfer stations shall be designed and operated ~~for~~ efficient waste handling capacity and in compliance with the environmental standards;
3. No waste shall be stored in designated station beyond 24 hours (Section 25 of Republic Act No. 9003);
4. Temporary transfer stations of wastes by garbage collectors, whether City contracted or private garbage collectors, shall secure the following certifications/permits:
 1. Permit from the Barangay;
 2. Clearance from the CENRO;
 3. Environmental Compliance Certificate issued by the DENR;
 4. Sangguniang Panlungsod Resolution classifying the location as a transfer station. The Resolution shall also signify no opposition from the nearby residents after the required public hearing.
5. The use of separate collection trucks and/or schedules separate schedules shall be required for specific types of wastes. Otherwise, vehicles used for the collection and transport of solid wastes shall have the appropriate compartments to facilitate efficient storing of sorted wastes while in transit;
6. Contractors shall not park their garbage collection truck and other equipment along any of the streets and major thoroughfares within the City limits, nor shall it use any property within the City of Roxas, whether public or private as a transfer station for garbage hauled by it without written authorization from the City after compliance of the requirements in the preceding section;

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7. SPECIFIED DROP-OFF/PICK-UP POINT.

1. Designation of a dumping area for a specified time and day in a specific area in every Barangay is strictly prohibited as it is contrary to the provision of Republic Act No. 9003 and the Anti-dumping law.

However, while in the implementation stage and during the barangay enhancement and education training program is in effect, a specified Drop-off/pick-up point, which is temporary, shall be approved by the Sangguniang Pambarangay by way of a Resolution that indicates the exact place, day and time of collection. The same shall be coordinated with the CENRO when approved for its proper collection which should not be more than 24 hours.

The Barangay Resolution must specify a definite period as to the termination of the use of the specified drop-off/pick-up area which term shall not be more than one (1) year. At its termination, the period or term shall not be renewed and transferred to another location.

2. While the specified waste collection Resolution is in effect, no wastes shall be allowed to be disposed of in the said area if not in conformity with the kind of wastes to be collected on that particular day, as in Section 12.2.1 and 12.2.2 of this Ordinance;

CHAPTER V

CONDOMINIUMS, COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL WASTES

SECTION 15. CONDOMINIUMS. Privately constructed condominiums, Government condominium projects such as those under National Housing Authority or tenement or BLISS, Non-government organization housing projects such as, but not limited to Bahay Kalinga, Habitat for Humanity, Rotaries, Foundations, and the likes not exceeding 500 persons occupying the entire building shall be serviced by the City garbage collector.

SECTION 16. Condominiums exceeding the requirements in the immediately preceding paragraph are required to contract their private garbage collectors accredited by the City Environmental Management Department.

SECTION 17. COMMERCIAL ESTABLISHMENTS. Commercial establishments where trade or business is being conducted exceeds 200 sqm. or generates more than 1-2 tons of commercial waste a day, as defined in this Ordinance shall contract their private garbage collector.

SECTION 18. INDUSTRIAL ESTABLISHMENT. Industrial wastes produced by industrial establishments and as defined in this Ordinance shall contract their private garbage collector as such is not ordinarily produced by household or commercial establishments. The same is regarded as special wastes which may be hazardous to health and the environment.

SECTION 19. INSTITUTIONAL ESTABLISHMENT.

19.1. Public and private schools, colleges and universities are herein encouraged to formulate innovative practices of recycling waste to lessen waste generation. It is, likewise, mandated that the segregation of wastes be strictly complied with in their respective premises;

19.2. Except public schools/colleges/universities, all private schools, colleges, and universities with a population of more than 5,000 shall contract a private garbage collector accredited by the CENRO;

19.3. Government housing projects, public markets, fishing ports, government offices and building, religious establishments, and government educational institutions shall be serviced by the City contracted garbage collector without any fees or charges.

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19.3. Construction debris generated from government-funded infrastructure projects shall be collected by the public works private contractor during and after completion of the projects. The City has no obligation to collect debris from public works performed by private contractors under Section 39.

19.4. All institutions generating two (2) tons or more per day shall procure or contract a private garbage collector.

SECTION 20. MANNER OF COLLECTION. The same provision such as herein provided in Chapters III, IV, V, and VI shall apply to all establishments mentioned in this Chapter as to the manner of garbage set-out, segregation, and collection and disposal whether a City-serviced or privately-contracted garbage collector.

The respective homeowners or unit owner's associations may provide their guidelines as to garbage set-out which conforms with this Ordinance.

CHAPTER VI

MARKET WASTE AND OF MARKET PLASTIC BAGS

SECTION 21. Market wastes of all kinds, whether from private or public markets, flea markets, including fishing ports, fish auctions stalls, or ambulant stores shall conform with the manner of segregation, sorting, and disposal as herein provided in sections 7, 8, 9, 10, 11, and 12.

SECTION 22. The same shall abide by the kind of waste to be collected on a particular date/day. No segregation and no collection policy shall be strictly implemented for all kinds of market wastes.

SECTION 23. Privately owned markets shall contract their private garbage collector accredited by the City and which manner of collection shall conform to this Ordinance.

SECTION 24. Use of plastic bags and *sando* bags, as carry on for wet and dry goods is strictly prohibited pursuant to City Ordinance No. 030, series of 2011, except for primary single linings such as *plastic labo*, film paper, meat wrapper, and the like, which may be used to preserve the freshness of the item.

SECTION 25. The use of recycled bags, such as but not limited to improvised recyclable bags, *sako*, *bayong*, eco-bags, and the like, shall be required to be utilized by customized. In no case shall the vendor must provide for the use of plastic bags to accommodate the customer's request.

SECTION 26. Market or stall owners both private and public are also required to provide labeled receptacles for each type of waste in conspicuous areas.

SECTION 27. FLEA MARKETS OR "TALIPAPA".

1. Flea markets or "*talipapa*" shall be regarded as commercial/business establishments, hence, limitations under Sections 8, 9, 10, and 11 as to the manner of waste collection and requirement for commercial establishment in Section 21 shall apply;
2. The same shall be subjected to provisions on the use of plastic bags and periodic inspection by the CENRO for compliance of this Ordinance and licensing purposes.

CHAPTER VII

HEALTH CARE WASTES

SECTION 28. Health Care Wastes, from hospitals, clinics, laboratories, and all centers on health care, both public and private, shall conform with the manner of segregation, sorting, and disposal as herein provided in sections 7,8,9,10,11, and 12.

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SECTION 29. Health Care Waste Generators - include health care facilities, institutions, business establishments and other similar health care services with activities or work processes that generate healthcare waste.

1. Hospitals (Primary Care, Secondary Care and Tertiary Care)
2. Infirmaries
3. Birthing Homes
4. Clinics

- a. Medical
- b. Ambulatory
- c. Dialysis
- d. Health care centers and dispensaries
- e. Surgical
- f. Alternative medicine
- g. Dental
- h. Veterinary

5. Laboratories and Research Centers

- a. Medical and biomedical laboratories
- b. Medical research centers
- c. Blood banks and blood collection services
- d. Dental prosthetic laboratories
- e. Nuclear medicine laboratories
- f. Biotechnology laboratories
- g. Animal research and testing
- h. Drug testing laboratories
- i. HIV testing laboratories

6. Drug Manufacturers

7. Institutions

- a. Drug rehabilitation center
- b. Training centers for embalmers
- c. Med-tech intern training centers
- d. Schools of Radiologic Technology
- e. Medical Schools
- f. Nursing Homes
- g. Dental Schools

8. Mortuary and Autopsy Centers

Health Care Waste Transporter - a person licensed by the DENR Environmental Management Bureau to convey health care waste through air, water or land.

Treatment, Storage and Disposal (TSD) Facilities - facilities where hazardous wastes are stored, treated, recycled, reprocessed and/or disposed of, as prescribed under DENR AO No. 2004-36, Chapter 6-2 (Categories of TSD Facilities).

SECTION 30. The same shall be sorted at source in color-coded plastic bags or containers that are clearly marked and properly labeled, per the Health Care Waste Management guidelines of the Department of Health (DOH).

SECTION 31. A special collection for hazardous and healthcare wastes will be coordinated through the CENRO.

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CHAPTER VIII

JUNKSHOPS

SECTION 32. OBLIGATIONS AND LIABILITIES. Junk shop operators operating within the City of Roxas, shall:

1. Provide an area of not less than 50 sqm. for the sorting and storing of each type of recyclable material and maintaining an area of operation and immediate surroundings clean and sanitary;
2. Record the volume of each type of recyclable materials collected everyday and submit a written report monthly to the CENRO for monitoring;
3. Have their private garbage collector accredited by the City in the hauling of their residuals;
4. Collect only recyclables within the City.

SECTION 33. No junk shop shall transport materials recovered from outside Roxas and sort the same within its vicinity.

SECTION 34. All junk materials shall be confined only within its junkshop premises and in no case shall it become obstructive to encroach sidewalks or the main streets.

CHAPTER IX

PERIODIC REPORTING

Section 35. Entities mentioned in Chapters VI, VII, and VIII, are required to provide the CENRO with its waste segregation volume report every month. Computation shall be based on .74/KG/PERSON/DAY.

Non-fulfillment of this reportorial obligation will cause the non-renewal of their business license or non-accreditation of its private garbage collection.

CHAPTER X

MAINTENANCE OF CLEAN AND SANITARY FRONTAGE AND IMMEDIATE SURROUNDINGS

SECTION 36. Household owners, caretakers, tenants, business establishment owners, managers, building administrators, or any person responsible for the operations and administration of an establishment or household within the City of Roxas are required to maintain their frontage and immediate surroundings clean and sanitary.

1. Littering, throwing, dumping, or scattering of waste, refuse or garbage matter, papers, cigarette buds, and the like, in any place in the streets or public building or property, including, roads, sidewalks, canals, esteros or parks, and establishments, or causing or permitting the same are strictly prohibited.
2. **INSTALLATION OF PROVINCIAL WALLS.** Owners of vacant lots within the City of Roxas are enjoined to keep their lots enclosed by a provincial wall made of indigenous materials such as *sawali*, G.I. sheets, barbed wire, interlinked wire, and the like with a height in accordance with the requirement of the National Building Code to prevent it from becoming a dumping area of refuse.

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SECTION 37. BULKY WASTE

1. For segregation purposes, it will suffice that Bulky Waste shall be stored and placed in a separate container, or in the area within the perimeter of the owner's premises, specifically avoiding obstruction of sidewalks, street, and flow of traffic;
2. All bulky waste shall be reported to the City Environmental Management Department (CENRO) within 24 hours from the time of accumulation of bulky waste in their property, yard, or immediate surroundings for its proper collection and disposal;
3. A bulky waste is to be regarded as a special collection, hence, garbage service shall be applicable and payment thereof shall be made to the City Treasury before collection of garbage. The garbage collection charge is provided in Section 45.

SECTION 38. TREES, FALLEN BRANCHES, AND YARD WASTE. That branched out to areas that pose a grave danger to the public, such as those that have reached out to the electrical cables or roots penetrated through walls and premises of another, or those that need trimming, pruning, and weeding or accumulation in their immediate surroundings of woods, small or chipped branches, leaves, grass clipping, garden debris, and vegetable residue are regarded as special collection and must be coordinated with the CENRO to facilitate its prompt action and disposal.

If such are found within the private property which cannot be categorized as household solid wastes as defined in this Ordinance, the same shall be requested with the CENRO after approval and proper payment of garbage service charge to the City Treasury or any of its authorized representatives.

SECTION 39. CONSTRUCTION DEBRIS.

1. The City is under no obligation to collect and dispose of any kind of construction debris generated or emanating from the construction of a private individual, project, or entity. Under related national laws and pertinent local ordinances, an occupancy permit and locational clearance will not be issued unless construction debris, as well as its immediate surroundings of the constructed building are, cleared out;
2. In case of a building contractor hired by the owner to construct buildings or structures in his/her area, the said building contractor shall be required to provide receptacles/storage for the construction debris/materials that may accumulate on account of the construction activity, pending its collection and disposal;
3. During construction and before the completion of the project, if debris is conspicuous and obstructive that it poses danger to the public or has become a nuisance to the community, the Engineering Department may issue an order temporarily suspending the construction of the project until such debris has been cleared out;
4. Remnants of calamities, the residue of government projects in its cleaning-up phase, as the case may be, shall be serviced by the City's garbage contractor after proper notice to the CENRO and its approval.

SECTION 40. INSTALLATION OF TRASH RECEPTACLES IN PUBLIC UTILITY VEHICLES. All owners/operators/drivers of buses, jeeps, tricycles, and taxis for public use, operating within or traversing through the territorial jurisdiction of the City of Roxas shall provide trash receptacles in their vehicles.

CHAPTER XI

PERMITS AND ACCREDITATION

SECTION 41. PERMITS AND ACCREDITATION OF PRIVATE GARBAGE HAULERS.

13. Private garbage collectors contracted by commercial, industrial, and condominium establishments, must be accredited by the City through the CENRO for regulation purposes;
14. Garbage contractors must pass the standards outlined in Section 13;

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15. Private garbage collectors must secure a license with the City Business License and Permit Department (BLPD) to regulate their doings in the City to renewed annually;
16. Garbage collector's license fee shall be in accordance to the schedule of license rates used by the BLPD;
17. It shall, likewise, comply with the Sanitation Permit with the City Health Department.

SECTION 42. When an establishment/institution opted for the service of an accredited private garbage collector, the terms and conditions of parties as to waste management, collection, and disposal standards shall conform with the provisions of this Ordinance.

SECTION 43. Condominium, commercial, and industrial establishments may request a special collection after approval from the CENRO, following the appropriate payment of garbage service charge to the City Treasury or any of its duly authorized representatives.

SECTION 44. Should the CENRO decline to service the said request due to the non-availability of trucks, it may refer to the applicant as an accredited private garbage collector to service such a request. The contract shall then be between the private garbage collector and the requesting private entity. In no case that the said request shall remain unserved. Failure to have the garbage collected on time after a considerable length of time such that it made the surrounding unsanitary and unhealthy to the residents and the environment, shall be penalized accordingly.

CHAPTER XII

COLLECTION OF GARBAGE SERVICE CHARGE AND SOLID WASTE MANAGEMENT FEE

Local government units may impose and collect such reasonable fees for the service rendered (Section 153, LGC), in an amount reasonably commensurate to such service (Article 244a, IGC).

SECTION 45. SOLID WASTE MANAGEMENT FEE (SWM Fee). The City may impose fees for the collection and transport of non-recyclable and special wastes and the disposal of these into the sanitary landfill. The level and procedure for exacting fees shall be defined by the Local SWM Board based on waste distinction as to residential, market, commercial, industrial, construction/demolition, street waste, agricultural, agro-industrial, institutional, and special waste. These fees shall then be supported by pertinent SWM Board Resolution and approved by the Sanggunian.

1. **BASIS OF SWM SERVICE FEES.** Reasonable SWM service fees shall be computed based on but not limited to the following minimum factors:
 - a. Types of solid waste to include special waste;
 - b. Amounts/volume of waste;
 - c. Distance of the transfer station to the waste management facility;
 - d. The capacity of the type of LGU constituency;
 - e. Cost of construction;
 - f. Cost of management;
 - g. Type of technology.
2. The Barangay may impose fees for the collection and segregation of biodegradable, compostable, and reusable wastes from households, commerce, and other sources of domestic wastes, and for the use of Barangay MRFs. The computation of the fees shall be established by the respective Barangay SWM boards to be approved by the Sangguniang Pambarangay. The manner of collection of fees shall be determined by respective Barangay Councils subject to the rules and regulations of the Commission on Audit.
3. Trust fund shall be created. The title of account for Trust Fund shall be Roxas City Solid Waste Management Fund.

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4. **FUND PROCEEDS.** The proceeds of the fund shall be used to support endeavors that will enhance the implementation of this Ordinance. These shall include the following activities:
- h. Products, facilities, technologies, and processes to enhance proper solid waste management;
 - i. Awards;
 - j. Incentives;
 - k. Research programs;
 - l. Information, education, communication, and monitoring activities;
 - m. Technical assistance;
 - n. Capability building devices.

SECTION 46. Gate Fee for the Sanitary Landfill and Leachate Treatment Facility Services. The gate fee will be charged by the sanitary landfill for maintenance cost and will serve as a cost recovery mechanism for the solid waste management of the city.

46.1. This ordinance shall apply to all establishments, entities and individuals within the City of Roxas:

- a. Establishment - refers to private business organizations and companies operating within the City of Roxas.
- b. Entities - refers to other organizations other than private business companies.
- c. Individuals - refers to any private persons who intend to utilize the services of the Roxas City Land Fill facility.
- d. Leachate Treatment Facility - refers to the site wherein contaminated liquid that has been in contact with waste was stored in for proper treatment to avert pollution.
- e. Gate Fee - refers to a fee paid by anyone who disposes of waste in the sanitary landfill.

46.2. The Roxas City Government shall collect a gate fee of six hundred pesos (PHP 600) per delivery or up to maximum of 16cu.m per delivery truck who enters the sanitary landfill. In excess of the same, the sum of one hundred pesos (PHP 100) shall be collected per cubic meter as additional fee.

46.3. The establishments, entities and individuals shall provide their own trucks and vehicles in transporting their waste to the sanitary landfill, provided that it follows the necessary measures in ensuring that waste are properly covered and not improperly disposed of during transport. They may also request to utilize the garbage trucks of the Roxas City Government but may be subject to a rental agreement.

46.4. After approval of the request by the CENRO, payment of the above-mentioned charge shall be with the City Treasurer or his/her duly authorized representative. Thereafter, upon presentation of receipt to the CENRO collection of garbage may be granted.

SECTION 47. DUMPING PERMIT. The processing of dumping permit shall be on a quarterly basis. There will be a PHP 500.00 processing fee.

CHAPTER XIII

ESTABLISHMENT OF MATERIALS RECOVERY FACILITY AND MATERIALS RECOVERY SYSTEM

SECTION 48. MATERIALS RECOVERY FACILITY. Pursuant to Article 4 Section 32 or Republic Act No. 9003, there shall be a Materials Recovery Facility (MRF) established in every Barangay or cluster of barangays. The facility shall be formed or created in a barangay-owned or leased land or any suitable open space to be determined by the Barangay, through its Sangguniang Barangay. For this purpose, the Barangay or cluster of Barangays shall allocate a certain parcel of land for the MRF. The MRF shall receive segregated wastes and the resulting residual wastes shall be collected and transferred to a disposal facility or sanitary landfill.

SECTION 49. GUIDELINES FOR ESTABLISHMENT OF MATERIALS RECOVERY FACILITY. Materials Recovery Facilities shall be designed to receive, sort, process, and store compostable and recyclable material efficiently and in an environmentally sound manner. The facility shall address the following considerations:

1. Every Barangay is mandated to allocate a fund for the purchase of a Materials Recovery Facility out of the Development Fund of the Barangay. Likewise, expenses for its maintenance, lease of land, or allowances for personnel for continuous service of MRF shall be included in their Annual Investment Plan;
2. The building and/or land layout and equipment must be designed to accommodate efficient and safe materials processing, movement, and storage;
3. The building must be designed to allow efficient and safe external access and to accommodate internal flow;
4. Should the City construct, operate or expand a Solid Waste Management Facility, or hire or lease the service of a private contractor or enter into a Joint Venture Agreement with a private partner, such project cannot commence without obtaining an Environmental Compliance Certificate from the DENR pursuant to Presidential Decree No. 1586 and other permits and clearances by the contractor;
5. The City may require services of an individual/company who has expertise in the treatment of hazardous waste in the handling, transporting, and waste disposal.

SECTION 50. MATERIALS RECOVERY SYSTEM. In many cases where a particular barangay or cluster of barangays cannot comply with the requirement of Republic Act No. 9003 due to constraints in funding or land area or location deficient, a "System" may be established momentarily in the said Barangay, until such time funding, clustering or location is feasible. A System may be a technology, concept, way of life, discipline, or mechanism developed by the said Barangay or its inhabitants in compliance with the requirement of Republic Act No. 9003 concerning the provision of MRF.

SECTION 51. PRIVATE AND BARANGAY PUSHCARTS OR "Angkar-Angkar".

1. All Barangay-operated pushcarts or pedicabs, engaged in the recycling business and garbage collection, are required to register with the CENRO for purposes of monitoring and regulating pushcart or pedicab operations;
2. The same must secure an endorsement from the Barangay, before its registration where the said pushcarts/pedicabs are only allowed to collect;
3. Pushcart operators or pedicab drivers shall be provided with ID cards, uniforms, cart body numbers or Barangay plate numbers for proper identification.

SECTION 52. Pushcarts/Pedicabs used without registration as required in this Chapter shall be reported to the CENRO, and the latter to conduct an investigation and require its registration. Refusal to register will render the pushcart/pedicab a violation of this ordinance and shall be punished accordingly. It shall be an invalid MRS and, thus, shall be prohibited to conduct recycling/collection activity.

Conducting recycling and collection activity by pushcarts or pedicabs without the proper registration is unlawful and shall be penalized accordingly.

CHAPTER XIV

USE OF ENVIRONMENTAL-FRIENDLY MATERIALS

SECTION 53. All food chains, restaurants, supermarkets, eateries, public/private markets, and other similar establishments within the City of Roxas, shall abide by the phase-out of non-biodegradable materials scheme as provided by Ordinance No. 030-2011, or "The Use of Plastic Bags as Packing Materials for Goods Sold in Stores, Malls, & Related Enterprises & Its Utilization on Wet Goods & Regulation on the Use of Styrofoam/Styrophor in the City of Roxas during Wednesday of the Week & Prescribing Penalties Thereof". These establishments are mandated to replace their packaging materials with environment-friendly and biodegradable materials.

SECTION 54. The mentioned establishments in this Chapter shall be required to submit a written updated inventory report at the end of each year on the number of their stocks of plastics, styrofoam, plastic caps, and the likes that are being used as food and product packages to the CENRO for monitoring purposes.

CHAPTER XV

ROXAS CITY SOLID WASTE MANAGEMENT BOARD AND THE BARANGAY SOLID WASTE MANAGEMENT COMMITTEE

SECTION 55. The Solid-Waste Management Board shall be the key player in the City's Ecological Solid-Waste Management implementation. They will prepare, submit and formulate the implementation plan for the safe and sanitary management of solid waste generated in areas under geographic and political coverage. From time to time, call on any concerned agencies or sectors as may deem necessary.

The City SWM Board shall be composed of the following:

1. City Mayor as chairperson
2. Sangguniang Panlungsod Member, preferably chairpersons of either the Committees on Environment or Health & Sanitation, as co-chairperson
3. City Environment and Natural Resources Officer
4. Liga ng mga Barangay President;
5. Sangguniang Kabataan Federation President;
6. Representative from Academic Institutions;
7. Representative from Department of Education;
8. A representative of each concerned government agency possessing relevant technical and marketing expertise as may be determined by the Board;
9. Representatives from the NGOs.

SECTION 56. The Roxas City Solid-Waste Management Board shall have the following duties and responsibilities:

1. Develop the City Solid Waste Management Plan that shall ensure the long-term management of solid waste and integrate the various solid waste management plans and strategies of the Barangays in its jurisdiction. In the development of the Solid Waste Management Plan, it shall conduct consultations with the various sectors of the community;
2. Adopt measures to promote and ensure viability and effective implementation of Solid Waste Management Programs in its component Barangays;
3. Monitor the implementation of the City Solid Waste Management Plan through the Barangay and in cooperation with the private sector and NGOs;
4. Adopt specific revenue-generating measures to promote the viability of its Solid Waste Management Plan;
5. Convene regular meetings for the purpose of planning and coordinating the implementation of the Solid Waste Management Plans of the respective component barangays;
6. Oversee the implementation of the City Solid Waste Management Plan;
7. Review every two (2) years or as the need arises the City Solid Waste Management Plan to ensure its sustainability, viability, effectiveness, and relevance concerning local and international developments in the field of Solid Waste Management;
8. Develop the specific mechanics and guidelines for the implementation of the City Solid Waste Management Plan;

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9. Recommend measures and safeguards against pollution and for the preservation of the natural ecosystem;
10. Coordinates the efforts of its component barangays in the implementation of the City Management of the City Solid Waste Management Plan; and
11. Formulate Internal Rules and Regulations of this ordinance in coordination with the Committee on Health, Nutrition, and Sanitation and the Committee on Environmental Protection and Disaster Preparedness of the Sangguniang Panlungsod.
12. Recommend to appropriate local government authorities specific measure or proposals for franchise or build and operate-transfer agreements with duly recognized institutions, pursuant to RA 6967, to provide either exclusive or non-exclusive authority for the collection, transfer, storage, processing, recycling or disposal of municipal solid waste. The proposals shall take into consideration appropriate government rules and regulations on contracts, franchises and build-operate-transfer agreements.

SECTION 57. CREATION OF A BARANGAY SOLID WASTE MANAGEMENT COMMITTEE. According to the mandate of Rule VI, Section 7 of the Implementing Rules and Regulations of Republic Act No. 9003, a Barangay Solid Waste Management Committee shall be created and mandated to:

1. Formulate Solid Waste Management Program consistent with the City Plan;
2. Strategize segregation and collection of biodegradable, compostable, reusable wastes;
3. Establish a Materials Recovery Facility (MRF);
4. Allocate Barangay funds or generate sources funds;
5. Organize core coordinators;
6. Submit Monthly Report to the CENRO.

SECTION 58. MEMBERSHIP OF THE BARANGAY SOLID WASTE MANAGEMENT COMMITTEE. The Barangay SWM Committee shall be composed of the Barangay Captain as the Chairperson with the following as Members:

1. One (1) kagawad;
2. SK Chair;
3. Presidents of the Homeowners Associations;
4. Public/private school principals or representatives;
5. One (1) Parents and Parents and Teachers Association president or representative;
6. One (1) religious organization representative;
7. One (1) business community representative;
8. One (1) environmental NGO representative;
9. President of Market Vendors Association;
10. One (1) representative from junkshop owners.

CHAPTER XVI

UNLAWFUL ACTS

SECTION 59. The following acts are unlawful:

1. Possession of unsegregated and unsorted wastes and causing or permitting the collection thereof as provided for in Sections 7, 8, and 9;
2. The mixing of source-separated recyclable material with other solid waste in any vehicle, box, container, or receptacle used in solid waste collection or disposal (Section 8.2);
3. Improper storage, discharge of wastes as provided for in Sections 10 and 11;
4. Improper storage and packing of Household Solid Wastes and Toxic and Hazardous Substances (Section 10.2 and 10.3);

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5. The open burning of solid waste (Section 11.3);
6. Violation of the Waste Collection System as in Section 12 of this Ordinance by the garbage collection crew or by any individual;
7. Violation of Section 12.3 of a private garbage collector contracted by a commercial, industrial, institutional or condominium corporation for non-registration and non-accreditation of their trucks and services to the CENRO for regulatory purposes;
8. Violation of Section 12.5.2 by any individual or garbage contractor crew for opening and retrieving recyclable materials or stored wastes set out for collection from designated pick-up points without a valid ground and an authority from the Barangay or CENRO;
9. Selling, scavenging, sorting or "pagpangaykay" by the collection crew or any person of stored waste set out for the collection at the designated pick-up points. (Section 12.6);
10. Collection of garbage by the unauthorized garbage collector. (Section 12.5.1);
11. Scarp buying and selling by junk dealers and other persons during the garbage collection time. (Section 12.11);
12. Trucks that overload each kind of waste whether in a separate or single compartment cause spillage, litter, and scattering of dirt in the streets. (Section 12.4);
13. Violation of Waste Transfer and Transport standards (Section 14);
14. Designation of dumping area for a specified time and day in a specific area in every Barangay is strictly prohibited as provided for in Section 14.7;
15. The manufacture, distribution or use of non-environmentally acceptable packaging materials (Section 24, 25, 53, and 54);
16. Failure to report/coordinate with CENRO within 24-hours from the time of accumulation of bulky waste for immediate action. (Section 37);
17. Littering, throwing, dumping of waste matter in public places, such as roads, sidewalks, canals, esteros or parks, and establishment, or causing or permitting the same (Section 36);
18. Open dumping, burying of biodegradable or non-biodegradable materials in flood-prone areas;
19. Failure to maintain clean and sanitary the frontage and immediate surrounding. (Chapter X);
20. Failure to provide trash receptacles in their vehicle by operators/drivers of public utility vehicles. (Section 40);
21. Failure or refusal to register pushcart/pedicab used. (Sections 51 and 52);
22. Violation of the obligations of junk shop operators, as provided in Chapter VIII;
23. Non-compliance with Reportorial obligation.

CHAPTER XVII

PENAL PROVISION

SECTION 60. The following schedule of fines and penalties shall be imposed upon conviction:

SPECIFIC VIOLATIONS	FINES/PENALTIES (Fine or Penalty or both at the discretion of the court)	
POSSESSION OF UNSEGREGATED AND UNSORTED WASTES AND CAUSING OR PERMITTING THE COLLECTION THEREOF AS PROVIDED FOR IN SECTIONS 7, 8, AND 9;	FIRST OFFENSE:	Warning
	SECOND OFFENSE:	Reprimand and attend a seminar on waste segregation
	THIRD OFFENSE:	Payment of not less than One Thousand Pesos (P1,000.00) but not more than Five Thousand Pesos (P5,000.00) and/or imprisonment of not less than fifteen (15) days to not more than six (6) months.
THE MIXING OF SOURCE-SEPARATED RECYCLABLE MATERIAL WITH OTHER SOLID WASTE IN ANY VEHICLE, BOX, CONTAINER, OR RECEPTACLE USED IN SOLID WASTE COLLECTION OR DISPOSAL (SECTION 8.2)	ANY INDIVIDUAL – Payment in the amounts not less than One Thousand Pesos (P1,000.00) but not more than Five Thousand Pesos (P5,000.00). The additional penalty of Imprisonment of a minimum period of one (1) year, but not exceeding three (3) years shall be imposed for second or subsequent violations.	

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	GARBAGE COLLECTOR OFFENDER – Provisions of Republic Act No. 9003 shall be applicable and/or Suspension or Rescission of Contact.	
IMPROPER STORAGE, DISCHARGE OF WASTES AS PROVIDED FOR IN SECTIONS 10 AND 11	FIRST OFFENSE:	Warning
	SECOND OFFENSE:	Reprimand and attend a seminar on waste segregation
	THIRD OFFENSE:	Payment of not less than One thousand Pesos (P1,000.00) but not more than Three Thousand Pesos (P3,000.00) and/or imprisonment of not less than fifteen (15) days to not more than six (6) months.
IMPROPER STORAGE AND PACKING OF HOUSEHOLD SOLID WASTES AND TOXIC AND HAZARDOUS SUBSTANCES (SECTIONS 10.2 AND 10.3)	FIRST OFFENSE:	Warning
	SECOND OFFENSE:	Reprimand and attend a seminar on waste segregation
	THIRD OFFENSE:	Payment of not less than One thousand Pesos (P1,000.00) but not more than Five Thousand Pesos (P5,000.00) and/or imprisonment of not less than fifteen (15) days to not more than six (6) months.
THE OPEN BURNING OF SOLID WASTE (SECTION 11.3)	Payment in the amount of not less than One Thousand Pesos (P1,000.00) but not more than Three Thousand Pesos (P3,000.00) and/or imprisonment of not less than one (1) day to not more than fifteen (15) days.	
VIOLATION OF THE WASTE COLLECTION SYSTEM AS IN SECTION 12 OF THIS ORDINANCE BY THE GARBAGE COLLECTION CREW OR BY ANY INDIVIDUAL.	GARBAGE COLLECTOR – Payment in the amount indicated in the contract for any violations committed thereto and/or Suspension or Rescission of the Contract.	
	GARBAGE COLLECTOR'S CREW – the owner, manager, or president of the contracting garbage company will be held liable for the violation of its crew.	
	ANY INDIVIDUAL – a fine of not less than One Thousand Pesos (P1,000.00) but not for more than Three Thousand Pesos (P3,000.00) and/or imprisonment of not less than fifteen (15) days to not more than six (6) months or both.	
VIOLATION OF SECTION 12.3 OF A PRIVATE GARBAGE COLLECTOR CONTRACTED BY A COMMERCIAL, INDUSTRIAL, INSTITUTIONAL, OR CONDOMINIUM CORPORATION FOR NON-REGISTRATION AND NON-ACCREDITATION OF THEIR TRUCKS AND SERVICES TO THE CENRO FOR REGULATORY PURPOSES	Causing the Private Garbage Collector to register with the CENRO.	
	Fine of Five Thousand Pesos (P5,000.00) and/or imprisonment of not less than fifteen (15) days to not more than six months or both.	
REFUSAL TO REGISTER DESPITE DUE NOTICE	Fine of Five Thousand Pesos (P5,000.00) and/or additional penalty of prohibition to conduct the business of garbage collection in the City.	
VIOLATION OF SECTION 12.5.2 BY ANY INDIVIDUAL OR GARBAGE CONTRACTOR CREW FOR OPENING AND RETRIEVING RECYCLABLE MATERIALS OR STORED WASTES SET OUR FOR COLLECTION FROM DESIGNATED PICK UP POINTS WITHOUT A VALID GROUND AND AN AUTHORITY FROM THE BARANGAY OF CENRO;	GARBAGE COLLECTOR – Payment in the amount indicated in the contract for any violations committed thereto and/or Suspension or Rescission of Contract.	
	ANY PERSON– a fine of not less than One Thousand Pesos (P1,000.00) but not for more than Three Thousand Pesos (P3,000.00)	
	GARBAGE COLLECTOR'S CREW – the owner, manager, or president of the contracting garbage company will be held accountable to disciplinary measures to its personnel	
	GARBAGE COMPANY is solidarity liable for the violation of its crew.	

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	ANY INDIVIDUAL - imprisonment of not less than fifteen (15) days to not more than six (6) months or both.	
SELLING, SCAVENGING, SORTING, OR "PAGPANGAYKAY" BY THE COLLECTION CREW OR ANY PERSON OF STORED WASTE SET OUT FOR COLLECTION AT THE DESIGNATED PICK-UP POINTS. (SECTION 12.6);	CITY GARBAGE COLLECTOR – Payment in the amount indicated in the contract for any violations committed thereto and/or Suspension or Rescission of the Contract.	
	ANY INDIVIDUAL/PRIVATE GARBAGE COLLECTOR CREW – a fine of not less than One Thousand Pesos (P1,000.00) but not for more than Three Thousand Pesos (P3,000.00) and/or imprisonment of not less than fifteen (15) days to not more than six (6) months or both.	
	GARBAGE COLLECTOR'S CREW – the owner, manager, or president of the contracting garbage company will be held accountable for disciplinary measures to its personnel	
	GARBAGE COMPANY is solidarity liable for the violation of its crew.	
COLLECTION OF GARBAGE BY THE UNAUTHORIZED GARBAGE COLLECTOR. (SECTION 12.5.1)	Payment of not more than Five Thousand Pesos (P5,000.00) and/or imprisonment of not less than fifteen (15) days to not more than six (6) months or both.	
SCRAP BUYING AND SELLING BY JUNK DEALERS AND OTHER PEOPLE DURING THE GARBAGE COLLECTION TIME. (SECTION 12.11);	Payment of not more than Five Thousand Pesos (P5,000.00) and/or imprisonment of not less than fifteen (15) days to not more than six (6) months or both.	
TRUCKS THAT OVERLOAD OF EACH KIND OF WASTE WHETHER IN A SEPARATE OR SINGLE COMPARTMENT CAUSE SPILLAGE, LITTER, AND SCATTERING OF DIRT IN THE STREETS. (SECTION 12.4);	CITY GARBAGE COLLECTOR – Payment in the amount indicated in the contract for any violations committed thereto and/or Suspension or Rescission of the Contract.	
	PRIVATE GARBAGE COLLECTOR - Payment of not more than Five Thousand Pesos (P5,000.00) and/or imprisonment of not less than fifteen (15) days to not more than six (6) months or both.	
VIOLATION OF WASTE TRANSFER AND TRANSPORT STANDARDS (SECTION 14);	PRIVATE GARBAGE COLLECTOR - Payment of not less than Five Thousand Pesos (P5,000.00) and/or imprisonment of not less than fifteen (15) days to not more than six (6) months or both.	
	CITY CONTRACTED GARBAGE COLLECTOR – Payment in the amount specified in the contract for any violations committed thereto and/or Suspension or Rescission of the Contract.	
DESIGNATION OF DUMPING AREA FOR A SPECIFIED TIME AND DAY IN A SPECIFIC AREA IN EVERY BARANGAY IS STRICTLY PROHIBITED AS PROVIDED FOR IN SECTION 14.7;	PRIVATE INDIVIDUAL - Payment in the amount of not less than Five Thousand Pesos (P5,000.00) and/or imprisonment of not less than fifteen (15) days to not more than six (6) months or both.	
	PUBLIC OFFICIAL - Payment of not less than Five Thousand Pesos (P5,000.00) and/or Administrative Sanction.	
THE USE OF NON-ENVIRONMENTALLY ACCEPTABLE PACKAGING MATERIALS (SECTIONS 24, 25, 53, AND 54);	Provision on penalty under Ordinance No. 523, S-2013 shall be applicable.	
FAILURE TO REPORT/COORDINATE WITHIN 24 HOURS FROM THE TIME OF ACCUMULATION OF BULKY WASTE FOR IMMEDIATE ACTION. (SECTION 37);	FIRST OFFENSE:	Warning
	SECOND OFFENSE:	Reprimand and attend a seminar on waste segregation.
	THIRD OFFENSE:	Payment of not less than One thousand Pesos (P1,000.00) but not more than Three Thousand Pesos (P3,000.00) and/or imprisonment of not less than fifteen (15) days to not more than six (6) months.

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LITTERING, THROWING, DUMPING OF WASTE MATTER IN MATTER IN PUBLIC PLACES, SUCH AS ROADS, SIDEWALKS, CANALS, ESTEROS, OR PARKS, AND ESTABLISHMENT, OR CAUSING OR PERMITTING THE SAME (SECTION 36);	FIRST OFFENSE:	Warning
	SECOND OFFENSE:	Reprimand and attend a seminar on waste segregation.
	THIRD OFFENSE:	Payment of not less than One thousand Pesos (P1,000.00) but not more than Three Thousand Pesos (P3,000.00) and/or imprisonment of not less than fifteen (15) days to not more than six (6) months.
FAILURE TO MAINTAIN CLEAN AND SANITARY THE FRONTAGE AND IMMEDIATE SURROUNDINGS. (CHAPTER X);	FIRST OFFENSE:	Warning
	SECOND OFFENSE:	Reprimand and attend a seminar on waste segregation.
	THIRD OFFENSE:	Payment of not less than One thousand Pesos (P1,000.00) but not more than Three Thousand Pesos (P3,000.00) and/or imprisonment of not less than fifteen (15) days to not more than six (6) months.
FAILURE TO PROVIDE TRASH RECEPTACLES IN THEIR VEHICLE BY OPERATORS/DRIVERS OF PUBLIC UTILITY VEHICLES. (SECTION 40);	Ordinance governing waste management in public utility shall apply;	
FAILURE TO REGISTER PUSHCART/PEDICAB USED. (SECTION 51 AND 52);	FIRST OFFENSE:	Warning
	SECOND OFFENSE:	Reprimand and attend a seminar on waste segregation.
	THIRD OFFENSE:	Payment of not less than One thousand Pesos (P1,000.00) but not more than Three Thousand Pesos (P3,000.00) and/or imprisonment of not less than fifteen (15) days to not more than six (6) months.
VIOLATION OF THE OBLIGATIONS OF JUNK SHOP OPERATORS, AS PROVIDED IN CHAPTER VIII;	Payment of not less than Five Thousand Pesos (P5,000.00) and/or imprisonment of not less than fifteen (15) days to not more than six (6) months.	
NON-COMPLIANCE WITH REPORTORIAL OBLIGATION (CHAPTER IX)	FIRST OFFENSE:	Warning
	SECOND OFFENSE:	Reprimand and attend a seminar on waste segregation.
	THIRD OFFENSE:	Payment of not less than One thousand Pesos (P1,000.00) but not more than Three Thousand Pesos (P3,000.00) and/or imprisonment of not less than fifteen (15) days to not more than six (6) months.

J.A. Amal

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SECTION 61. If the offender is a MINOR the penalty provided above shall be imposed upon the head of the family or the person who instigated the unlawful act.

SECTION 62. If the offense is committed by a CORPORATION, PARTNERSHIP, or other JURIDICAL ENTITY, duly organized under law, the chief executive officer, president, general manager, managing partner, or such other officer-in-charge shall be liable for the commission of the offense penalized under this Ordinance.

SECTION 63. Local government officials and officials of government agencies concerned who fail to comply with and enforce rules and regulations promulgated relative to this Ordinance shall be charged administratively under Republic Act No. 7160 and other existing laws, rules, and regulations.

SECTION 64. If the offender is an ALIEN, he shall, after service of the sentence prescribed above, be deported without further administrative proceedings as provided in the IRR of Republic Act No. 9003.

SECTION 65. The fines herein prescribed shall be increased by at least ten percent (10%) every three (3) years to compensate for inflation and to maintain the deterrent function of such fines.

SECTION 66. NO CONTEST PROVISION.

4. Any person, individual, or entity who is apprehended or cited for a violation, who does not wish to contest the violation, and is willing to pay voluntarily the minimum fine imposed upon him/her, before the filing of formal charges with the proper court, shall be allowed to pay said fine with the City Treasurer to avoid being criminally prosecuted within six (6) hours of apprehension otherwise the case shall be prosecuted;
5. For and subsequent offenders, the maximum fine will be the one charged;
6. The City Treasurer subject to Civil Service Laws, Rules, and Regulations is hereby directed to provide personnel or deputize personnel who will accept payment of fines twenty hours (24) hours a day so as not to jeopardize the right of the offender to avail the six (6) hour period within which is required to pay under this Ordinance.

SECTION 67. COLLECTION AND ADMINISTRATION OF FINES.

1. Collection and disposition of fines shall be per ordinance_____.
2. In no case, however, shall the Fund be used for the creation of positions or payment of salaries and wages.
3. **SOLID WASTE MANAGEMENT FUND.** Thereby created, as a special account in the City Treasury, a Solid Waste Management Fund to be administered by the CENRO. Such fund shall be sourced from the following:
 1. Fines and penalties imposed, proceeds of permits and licenses issued by the CENRO and BPLD, donations, endowments, grants, and contributions from domestic and foreign sources;
 2. Amounts specifically appropriated for the Fund under the annual General Appropriations Act.
 3. Payment of penalties could be done at the barangay level, through its treasurer in which case a sharing scheme of 60:40 shall be followed. (60% shall go to the barangay fund and 40% to the City Treasury).

CHAPTER XVIII

ENFORCEMENT

SECTION 68. DEPUTIZED INDIVIDUALS FOR THE ENFORCEMENT OF THIS ORDINANCE. The following are deputized to enforce this Ordinance:

1. Enforcement Unit of the CENRO;
2. Barangay SWM Committee;
3. Those deputized by the City Mayor;

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SECTION 69. CLOSURE OR SUSPENSION OF AN ESTABLISHMENT. The BPLD shall have the authority to order the closure or suspension of an establishment, aided by the CENRO, after proper investigation, hearing, and determination of guilt conducted by the latter. The latter shall then recommend the closure of the erring establishment.

CHAPTER XIX

CONDUCT OF PUBLIC INFORMATION, EDUCATION AND COMMUNICATION (IEC) CAMPAIGNS

SECTION 70. IEC DIALOGUE WITH THE BARANGAY. The CENRO shall conduct an Information and Education Campaign (IED) with, homeowners, establishments, religious establishments, and communities to educate them on the implementation of this Ordinance. It shall likewise hold a dialogue with the Barangay to aid them in the proper implementation and documentation of the same.

SECTION 71. The City Government must educate and inform its citizens about source reduction, recycling, and composting programs. It shall ensure that information on waste collection services, Solid Waste Management, and related health and environmental concerns are widely disseminated among the public by whatever means available including the use of tri-media and social media. It shall coordinate with related government agencies and if possible waste management awareness is integrated into special activities in all private and public schools.

SECTION 72. The City Government shall encourage the participation and cooperation of private sectors as well as the Barangay and all stakeholders on matters relative to the implementation of this Ordinance.

CHAPTER XX

PROVISION FOR APPROPRIATION AND INITIAL IMPLEMENTATION

SECTION 73. To carry out the provisions of this Code, the .5 percent of the General Fund of Annual Budget of the City Government shall be appropriated.

SECTION 74. The CENRO shall include in their yearly appropriation the expenses to be incurred for continued public Information, Education, and Campaigns (IEC).

SECTION 75. The City Mayor may issue subsequent rules, implementing guidelines and a system of procedures under this Ordinance and related laws.

CHAPTER XXI

FINAL PROVISION

SECTION 76. REPEALING CLAUSE. Ordinance No. 075-2001, "An Ordinance Enacting The Comprehensive and Integrated Solid Waste Management System of the City of Roxas", which was Amended by City Ordinance No. 078-2017, "An Ordinance Amending, Ordinance No. 075-2001 By Revising Its Penalty Clause and Inclusion of Implementing Rules and Regulations is hereby repealed. All laws, acts, decrees, executive orders, rules, and regulations inconsistent with the provisions of this ordinance are hereby repealed or modified accordingly.

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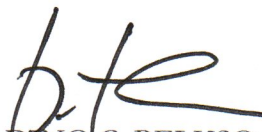
SECTION 77. SEPARABILITY CLAUSE. Should any section or provisions of this Ordinance shall be declared by the Courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof which are not so declared unconstitutional or invalid thereby shall continue to be in full force and effect.

SECTION 78. EFFECTIVITY CAUSE. This Ordinance shall take effect fifteen (15) days after its publication in a newspaper of general circulation and posting in (3) three conspicuous places in the City of Roxas.


Unanimously Approved.

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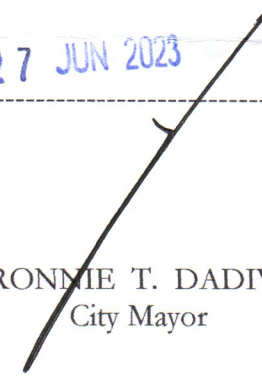
I hereby certify that this Ordinance was duly passed and approved by the Sangguniang Panlungsod of Roxas City on the date herein stated.


DINO C. BELUSO
SP Secretary

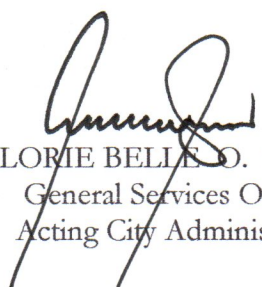
ATTESTED:


TERESA H. ALMALBIS
Vice Mayor
Presiding Officer

APPROVED: -----


RONNIE T. DADIVAS
City Mayor

ATTESTED:


LORIE BELLE O. USISON
General Services Officer
Acting City Administrator