

Republic of the Philippines
Province of Iloilo
CITY OF PASSI
Office of the Sangguniang Panlungsud
Tel. No. 311-5513

CITY ORDINANCE NO. 2004-012

**AN ORDINANCE ENACTING THE CITY OF PASSI ECOLOGICAL
SOLID WASTE MANAGEMENT OF 2004**

WHEREAS, the City is recommended for the protection, preservation, and conservation of the ecosystem;

WHEREAS, it is the responsibility of the City Government to effectively and efficiently implement the Ecological Solid Waste Management (ESWM) system as mandated in R.A. 9003;

WHEREAS, the improper disposal of solid wastes by households and commercial/industrial establishments causes unsightly surroundings, polluted environment, and spread of communicable diseases;

WHEREAS, the practices of the solid waste management, prevention and minimization as well as segregation to facilitate reuse and recycling do not only reduce the cost of collection and disposal but conserves the natural resources of materials and avoid wasteful consumption of goods.

NOW, THEREFORE, be it enacted by the Sangguniang Panlungsud of the City of Passi, Iloilo that:

ARTICLE I
TITLE OF ORDINANCE

Section 1. This Ordinance shall be known as the **City of Passi Ecological Solid Waste Management Act of 2004**.

ARTICLE II
COVERAGE

Section 1. Coverage. This Ordinance shall apply to all residential houses, commercial establishments, such as hotels, restaurants, cinema houses, public markets, department stores, groceries, and other recreational facilities; institutions like hospitals, schools, churches, public and private offices, industrial establishments like factories, plants, and other establishments of any kind and agricultural areas.

ARTICLE III
AUTHORITY, PURPOSES, GOAL, AND OBJECTIVES

Section 1. Authority. This Ordinance is enacted to supplement the provisions of existing laws and ordinances related to solid waste management.

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

- a. To guide, control, and regulate the generation, storage, collection, transportation, resource recovery, and disposal of solid wastes within the locality and promote an orderly and sanitary system for the same;
- b. To enhance the total environment fo the locality through the necessary control and mitigation of negative environmental impacts of solid wastes;
- c. To promote abd protect health, safety, peace and convenience, and general welfare of the inhabitants of the city;
- d. To minimize generation of solid waste and maximize possible resource recovery and utilization by:
 - d.1. maximizing the use of goods and consumption of foods;
 - d.2. allocation fair inputs in the production of goods, foods, and services;
 - d.3. encouraging the salvaging of possible “recoverables” from solid wastes for reuse and/or recycling back to production process
 - d.4. encouraging the recycling and resource recovery of wastes in own backyard through composting and biogas production; and
 - d.5. providing assistance and cooperation in the recycling of solid waste in the disposal site.

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

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

- a. To ensure round-the-clock cleanliness through orderly waste management;
- b. To cease and desist form utilization of open garbage dumps which serve as breeding place of insect casing disease, foul odors, and harmful fumes; emit “greenhouse gases” which contribute to global warming and thinning of the ozone layer; generate “leachate” which pollute soil and water resources and create unhealthy scavenging activities in the vicinity;
- c. To eradicate unsightly, uncovered and overflowing waste containers and other waste materials in streets, public places, open spaces and bodies of water;
- d. To maximize and optimize sanitary resource recovery for food, feeds, fuel, fermentable materials, energy, etc.; and
- e. To minize pollution arising from harmful gases, smoke, particularly produced by needless bruning/dumping; polluted rumoffs into water resources/supply; and hazardous substances.

ARTICLE IV DEFINITION OF TERMS

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

Biodegradable – refers to any material that can be reduced into finer particles (degraded or decomposed) by microbiological organisms or enzymes (synonymous with compostables).

Biogas Disaster – are of two kinds; the “poso-negro” Taiwan type or the above-ground portable Valderia model. Biogas is a mixture of methane, carbon dioxide, and traces of inert gases produced by the fermentation of animal manure organic waste in an airtight digester chamber.

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

Composting – is biological degradation under controlled conditions; the process of making biodegradable such as food waste, garden waste, animal waste, human waste, into compost by mixing them with soil water biological additives or activators (optional) and air.

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

Enzymes – a protein produced by cells, with substances to initiate or accelerate chemical reactions in plants or animal matter, acting like an organic catalyst.

Factory Returnable – are all non-biodegradable, non-compostable such as tin cans, and metals, bottles or glass including broken pieces; plastic, styrofoam, rubber, dry paper, dry cardboard, dry cloth, fibers, leather, feather, hard shells, hard bones, etc. that are segregated in separate containers or placed in one sack and are sold or given away to collectors.

Feed Materials – are all food wastes, peelings, vegetable trims, fish entrails, fowl innards, spoiled fruits, leftovers, eggshells, rice/fish/meat washings, etc. that should be collected and kept in covered containers as hog/chicken/duck/pet/fish feeds.

Fermentables – are fruit peelings, spoiled or over-ripe fruits, juices, e.g. buko juice, etc. that are made into vinegar, wine, or “nata-de-coco”, “nata-de-piña”, etc.

Fertilizer Materials – are all compostables or biodegradables such as garden wastes (leaves, twigs, weeds), animal wastes (manure, carcasses), human wastes (feces, urine, blood, all excreta, soiled wipes, pads, diapers minus plastic portions), etc. that are made into compost for organic gardening.

Filling Materials – if efforts are exerted to find, not only maximum but also optimum use of wastes, hardly any will be left as filling material. Such materials may be compacted, mixed with rice chaff and “binders” and use for appropriate construction projects.

Fine Crafts – are non-biodegradable materials used or handicrafts, cottage industries, art works, toys, and other livelihood projects such as paper mache, paper basketry.

Food Material – include certain kinds of seed, pulp, peelings that are made into pickles, “sweets”, or candies, or snacks.

Functional Facilities/Equipment – are useful equipment or facilities devised or created from discards, throwaways, junks, scraps, e.g. chairs, tables, doormats, play equipment from rubber tires, roofing from milk cans, flower pots, “planters” from plastic bags, sack, containers, etc.

Green Charcoal – is another form of fuel or grass charcoal, manufactured from compostable, organic, cellulosic material with the use of enzymes to breakdown the lignin or binding material, after which it is molded and dried, then used in charcoal-fed stoves.

Hazardous Wastes – are special types containing the chemical, biological, and radiological elements which are harmful to human health.

Incineration – is the controlled process which combustible wastes are burned and changed into gases and residues that contain little or non combustible materials.

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

Putrescible – is a substance that decompose at a certain temperature in contact with air and moisture; generally containing nitrogen.

Recycling – is the process by which waste materials are transformed into new products in such a manner that the original products may lose their identity.

Resource Recovery – is the extraction of materials or energy from wastes.

Solid Waste – includes anything thrown away such as garbage, rubbish, trash, litter, junk, or refuse from any source (homes businesses, farms, industries, or institutions); this is a discarded material with insufficient liquid content to flow. Solid wastes can be divided into several components under two broad categories:

a). Compostables/Biodegradable Wastes

Kitchen Wastes

1. Leftovers/spoiled food
2. Fruit/vegetable peelings
3. Fish/fowl cleaning
4. Seeds
5. Bones

Kitchen Wastes

1. Leaves
2. Branches/twigs
3. Weeds
4. Flowers
5. Roots

Animal Wastes

1. Manure
2. Carcass

Humal Wastes

1. Soiled tissue papers
2. Excreta

b). Recyclable/Non-Biodegradable Wastes

1. Metals
2. Glasses
3. Rubber
4. Dry paper/ catons
5. Cloth/dry processed fiber
6. Dry leathers/feathers
7. Hard shells
8. Recyclable plastics/ plastic containers

c). Non-recyclable/Residual Wastes

1. Sanitary napkins
2. Disposable Diapers
3. Used/worn-out rugs
4. Polyvinyl chloride (PVU), containers often used as cooking oil o salad dressing bottles
5. Ceramics
6. Composite packaging (tetrapacks)
7. Candy wrappers/sachet

8. Container made from multiple layers of plastics such as squeezable bottles

d). Special/Hazardous household Wastes

1. Paints
2. Thinners
3. Batteries
4. Spray canisters
5. Tires
6. Large worn-out or broken house appliances such as stoves, refrigerators, worn-out or broken radios, dishwashers, clothes washers, TV sets & dryers

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

Sorting at Source – is the segregation or separation of wastes at the point of generation at the very place where they are produced, into biodegradable or non biodegradable.

Recycling of Domestic Waste – is the full utilization of domestic waste into factory – returnables, feed, fertilizer, fuels, fine crafts, fermentable, etc. with little left for filling material. This includes man-made and nature designed recycling schemes.

Zero Waste Resource Management System – is an ecological method of handling waste that does not degrade the environment not pollute air, water, and soil and facilitates their sanitary retrieval or recycling.

ARTICLE V WASTE GENERATION AND STORAGE

Section 1. Residential Area

- a. Residents shall learn the two kinds of wastes, namely; biodegradable or compostable and non-biodegradable or non-compostable. These two (2) kinds of waste shall be stored and segregated at the site or place where they are generated.
- b. The concerned residents shall be ensured that the generated solid waste shall be properly separated in enclosed containers for recoverable, leftovers, compostables, and others. The leftovers or kitchen wastes shall either be directly given to the animals as feeds or stored temporarily for composting.
- c. Residents shall choose appropriate containers such as cans, sack, bags, bins, etc. that will facilitate sanitary, efficient handling, storage, collection, transport, or disposal of such at least cost. Food waste shall be placed in covered cans or pails. Garden and human wastes in sacks and cans and bags and the non compostables in sacks, bags, or boxes.
- d. Public thoroughfares and grounds in front or in the vicinity of residential houses shall be kept clean and tidy by the owner or lessee of the house or building at all times.
- e. Trees, shrubs and other vegetation within the vicinity of the residence shall be regularly cared for and maintained to minimize generated yard wastes and unpleasant sight.

Section 2. Commercial Areas

- a. Owners/operators of commercial establishments shall be oriented on waste minimization and segregation on site. They shall be re-oriented about it every renewal of their Mayor's Permit.

- b. The storage containers for segregated commercial wastes shall be communal or individual with cover depending on location for collection and transport.
- c. The enclosed communal receptacle possibly on wheels, shall be located along the collection route where the generated wastes shall be brought and stored.
- d. The lobby and fronting sidewalks or immediate grounds of commercial establishments shall be maintained clean and presentable by the owner/operator/lease of the establishments.
- e. The fronting sidewalks and immediate areas of stall or open spaces of markets shall be kept clean and orderly by the lessee of said stall or space at all times.

Section 3. Institutional/Industrial Areas

- a. The head of any institutional or industrial firm shall ensure the proper and hygienic storage of generated and segregated wastes in receptacles or containers that shall be situated along the collection routes.
- b. The head of any institutional or industrial firm or establishments shall ensure the cleanliness, sanitation and orderliness of its facilities, yards, and fronting sidewalks and streets.
- c. Hazardous wastes shall be segregated from other wastes and shall be stored safely in good, durable, and duly covered receptacles which should be located in a secured and distant site prior to final collection and transport.
- d. Hazardous wastes (chemical, biological and radioactive substances) shall be stored, collected and transported and disposed of in accordance with applicable laws, guidelines, rules and regulation of the Environmental Management Bureau of the Department of the Environmental and Natural Resources (EMB-DENR), Department of Health (DOH), and the Philippine Nuclear Research Institute (PNRI).

Section 4. Agricultural Areas (including farms for livestock, poultry, etc.)

Homogenous agricultural wastes (rice straws, corn cobs, leaves, animals manure, etc.) shall be properly stockpiled and stored by the concerned farmer for composting or other waste transformation processes.

Section 5. Littering

No person shall litter and scatter solid waste in street, highways, sidewalks, and other public places (parks, playgrounds, rivers, etc.). Solid waste shall include among others, cigar/cigarette butts, boxes packages, candy/bread wrappers, match sticks etc.

ARTICLE VI WASTE PROCESSING AND RESOURCE RECOVERY

Section 1. Residential Areas

- a. Segregated recyclable shall be properly stored before collection. These recyclables shall be collected separately and brought to Materials Recovery Facility (MRF) recycling centers, eco-center or junk dealers.

- b. Local Waste Management shall be designated by the Punong Barangay in every barangay who shall oversee the collection of recyclables and shall be responsible in coordinating with accredited dealers or manufacturers of recycled products.
- c. Food and kitchen refuse shall be collected as fodder or feeds for animals. Those portions that are suitable as fodders shall be composted
- d. Residents shall avoid open burning and dumping indiscriminately and shall instead adopt recycling practicing the F's scheme (feed, fermentables, food, fuel). Fuel material from household wastes consists of two kinds, namely; (1) firewood material consisting of twigs, branches, leaves, husks, shell, cobs, chaff, saw dust, woos shaving, soiled papers, bagasse, stalk etc.; and (2) flammable gas produced by anaerobic decomposition of all biomass or biodegradable materials in biogas disaster.

Section 2. Commercial Areas

- a. Segregation of wastes from commercial areas shall be mandatory before the issuance of or renewal of business permits.
- b. The Offices of the CENR, Economic Enterprise & Management and Linis Bayan Section shall adopt a segregation scheme that will facilitate the segregation of recyclables, food/vegetable wastes, non-recyclables, etc.
- c. Food wastes from commercial centers shall be collected from fodder or animal feeds and shall be disposed in sewers or drainage systems.

Section 3. Industrials/Institutional Areas

- a. In industrial establishments, segregation of biodegradable and non-biodegradable wastes shall be performed to avoid foul odors and proliferation of flies.
- b. Schools (both public and private) shall adopt appropriate resource recovery and recycling strategies.
- c. Hazardous wastes shall be incinerated only after getting proper assistance or guidance from concerned agencies like Environmental Management Bureau of the Department of the Environment and Natural Resources (EMD-DENR), Department of Health (DOH), and the Philippine Nuclear Research Institute (PNRI).

Section 4. Agricultural Areas

Agricultural wastes shall not be burned but shall be stockpiled in a proper location or composted. Animal manure can also be composted or used for biogas production.

ARTICLE VII COLLECTION AND TRANSPORT OF SOLID WASTES

Section 1. Residential Areas

- a. The concerned resident shall ensure that the solid waste are segregated and brought out in front of his gate or door and/or along the collection route of the collection vehicle during the collection period.
- b. The resident shall report to the office of CENR or Linis Bayan for any uncollected solid waste within the vicinity of his/her residence.
- c. Garbage are not segregated and placed in approved containers by the Local Government Unit shall not be collected and shall be treated as disposed of in violation of the Anti-

Littering provision of this Ordinance and shall be penalized accordingly.

Section 2. Commercial Areas

- a. The owner/operator/lessee of any enterprises shall be responsible for the timely positioning of stored solid wastes during collection period which shall be made known in advance by the proper authorities. He shall likewise assist whenever necessary in the sanitary means of leading wastes for collection purposes.
- b. He/She shall remind the offices of CENR or Linis Bayan in the collection of uncollected solid wastes and other related matters.

Section 3. Institutional/Industrial Areas

- a. The head of any institutional/industrial establishment shall assist the City Government in the orderly and sanitary way of collecting and transporting its solid wastes.
- b. The collection and transportation of any hazardous waste shall be duly coordinated with the Office of CENR and government agencies concerned with such type of waste.

Section 4. Areas and schedule of garbage collection

The City Mayor with the assistance of the Office of CENR and Linis Bayan Section shall formulate a specific area, time and schedule as to the kind of solid wastes to be collected. An executive order for this purpose shall be issued for compliance of all concerned in the locality.

ARTICLE VIII DISPOSAL OF SOLID WASTES

Section 1. Residential, Commercial and Institutional Wastes

- a. Open burning of solid waste shall be prohibited. Residuals of solid wastes after resource recovery, recycling, and composting shall be disposed of by sanitary land filling or other ecologically sound methods.
- b. Hospital wastes, especially infectious wastes shall be treated or processed in approved facilities and residues shall be disposed in separate compartments in the sanitary landfill.
- c. Illegal dumping of solid wastes along streets, alleys, riverbanks, and in public places shall be strictly prohibited.

Section 2. Industrial Wastes

- a. Hazardous wastes shall be disposed, treated or processed in accordance with the laws, rules, regulations and guidelines of the concerned government agencies like Environmental Management Bureau of the Department of Environment and Natural Resources (EMD-DENR), Department of Health (DOH), and the Philippine Nuclear Research Institute (PNRI).

ARTICLE IX USER FEES FOR SOLID WASTE MANAGEMENT SERVICES

Section 1. Residential Areas. Residential units located with the solid waste management collection service shall pay annual garbage fee of P300.00.

For small scale businessmen (vendors, peddlers, sari-sari store owners etc.) – P200.00 annually.

Section 2. Commercial and Industrial Establishments. Commercial and industrial establishments shall be charged an annuafee/tax of P500.00 to supplement other sources of revenue for the operations and mainatenance of the Solid Waste Management System of the City.

ARTICLE X PENAL PROVISION

Section 1. Penalty Clause. Any person or persons whether natural or juridical who violate any of the provisions of this Ordinance shall upon conviction, be punished by a fine of not less than P500.00 but not more than P1,000.00 or by imprisonment of not less than 60 days or not more than 1 year or both at the discreation of the court, without prejudice to the imposition of a higher penalty under any law or decree such as indicated in the second paragraph of **Section 2 of PD 835 or the Anti-Littering Law** which states that **“If violator is a corporation, firm, or other corporate entities, the maximum penalty shall be imposed upon to the President, Manager< director, or persons responsible for its operations.”**

Habitual violators, who are willfully violating any provisions in this Ordinance, shall upon conviction be punished by a fine of not less than P500.00 or not more than P1000.00 or by imprisonment of no less than 60 days nor not more than 1 year or both at the discretion of the court.

Section 2. The Local Government Unit shall create an Inspection Unit under the Office of the City Government and Natural Resource Office with the primary task of apprehending persons who o not maintain waste receptacles within their premises. Violators shall be issued apprehension tickets or notices by the Inspection Team of the City Environmental and Natural Office.

ARTICLE XI INCENTIVES AND AWARDS

Section 1. The City shall give incentives or awards to be determined by the City Solid Waste Management Board to those establishments/institutions that religiously follows the ruling on solid waste management.

Section 2. The City shall create and deputize an inspection unit under the Solid Waste Management Office with the primary task of apprehending violators of this ordinance.

The City shall give a 50% incentives to any deputized apprehending office or officer to be taken from compromised agreement fees or penalties paid by violators.

ARTICLE XII FINAL PROVISION

Section 1. Repealing Clause. All provisions of City ordinances, orders or regulations inconsistent herewith are hereby amended/modified/repealed accordingly.

Section 2. Separability of Provisions. If any provisions of this Ordinance, or the application of such provision to any person or circumstances is declared unconstitutional, the remaining provisions hall not be affected by such declaration.

Section 3. Application Clause. Other provisions found in the City Environment Code, City Revenue Code & Code on General Ordinances and City Ordinances No. 2004-006 & 009 relative to solid waste management and anti-littering are hereby adopted.

Section 3. Effectivity. This Ordinance shall take effect upon approval.

Done in the City of Passi, Province of Iloilo, in this 18th day of November 2004.

CERTIFIED CORRECT:

ATTESTED BY:

LEA P. PALMARES
SP Secretary

JOVI A. ALMARES
City Vice Mayor

APPROVED BY:

ELYZER C. CHAVEZ
City Mayor