

**REPUBLIKA NG PILIPINAS  
TANGGAPAN NG SANGGUNIANG PANLUNGSOD  
LUNGSOD NG BAKOLOD  
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**CITY ORDINANCE NO. 971  
November 3, 2021**

**CLEAN LIVING COMMITMENT AND PROMOTION ORDINANCE**

**WHEREAS**, climate change is real, widespread, rapid, and intensifying, and is already affecting every region on Earth, in multiple ways as recently evidenced by an August 9, 2021 report released by the latest Intergovernmental Panel on Climate Change (IPCC);

**WHEREAS**, the entire global community of nations, including the Philippines, in order to preserve a livable climate, greenhouse-gas emissions must be reduced to net 0 by 2050, and by collectively changing our habits we can tackle the climate emergency & build a sustainable world;

**WHEREAS**, The 2030 Agenda for Sustainable Development, adopted by all United Nations Member States in 2015, provides a shared blueprint for peace and prosperity for people and the planet, now and into the future;

**WHEREAS**, The seventeen (17) Global Goals for Sustainable Development, otherwise known as the SDGs, envisions the following: Ensure healthy lives and promote well-being for all at all ages (Goal 3,), Ensure access to affordable, reliable, sustainable and modern energy for all (Goal 7), Build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation (Goal 9), Make cities and human settlements inclusive, safe, resilient and sustainable (Goal 11 ), Ensure sustainable consumption and production patterns (Goal 11 ), Take urgent action to combat climate change and its impacts (Goal 13), Strengthen the means of implementation and revitalize the global partnership for sustainable development (Goal 17);

**WHEREAS**, The Philippines is a party to the United Nations Framework Convention on Climate Change (UNFCCC) and a signatory to the Paris Agreement, a legally binding international treaty on climate change, adopted by 196 parties at COP 21 in Paris, on 12 December 2015 and entered into force on 4 November 2016, with a goal to limit global warming to well below 2, preferably to 1.5 degrees Celsius, compared to pre-industrial levels;

**WHEREAS**, To achieve this long-term temperature goal, countries aim to reach global peaking of greenhouse gas emissions as soon as possible to achieve a climate neutral world by midcentury;

**WHEREAS**, Implementation of the Paris Agreement requires economic and social transformation, based on the best available science;

**WHEREAS**, By 2020, the Philippines has committed to submit its plans for climate action known as nationally determined contributions (NDCs), wherein countries communicate actions in their NDCs that they will take to reduce their Greenhouse Gas emissions in order to reach the goals of the Paris Agreement, and also communicate in the NDCs actions they will take to build resilience to adapt to the impacts of rising temperatures;

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**WHEREAS**, while the Philippines is not one of the major contributors of carbon emissions, we nevertheless have a duty to reduce the impact of our consumption and have an energy mix that is not dependent on coal;

**WHEREAS**, To better frame the efforts towards the long-term goal, the Paris Agreement invites countries to formulate and submit by 2020 long-term low greenhouse gas emission development strategies (LT-LEDS), which provide the long-term horizon to the NDCs;

**WHEREAS**, The City of Bacolod officially adheres and adopts this framework of sustainable development in its territorial jurisdiction, in line with other local government units, as a contribution to the NDC of the Philippines;

**WHEREAS**, the City of Bacolod aspires to participate and be an active partner to The Paris Agreement's framework provision for climate-related financial, technical and capacity building support to the Philippines, as well its local government units, who need it, and therefore, envisions joint venture, including, but not limited to through a government-to-government, as well as Public-Private Partnership (PPP) modes, to acquire these technologies;

**WHEREAS**, Section 2, Article I of the 1987 Philippine Constitution substantially provides that the Philippines adopts the generally accepted principles of international law as part of the law of the land and adheres to the policy of peace, equality, justice, freedom, cooperation, and amity with all nations;

**WHEREAS**, Section 15, Article II of the former further provides that the State shall protect and promote the right to health of the people and instill health consciousness among them;

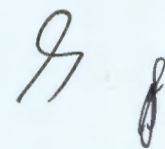
**WHEREAS**, Section 16 of the former further provides that the State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature;

**WHEREAS**, Section 20, of the former provides that the State recognizes the indispensable role of the private sector and encourages enterprise with private entities;

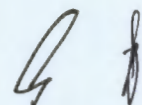
**WHEREAS**, Republic Act No. 9513, "Renewable Energy Act of 2008" provides for the promotion and adoption of clean, affordable, safe, and renewable energy sources, technologies, and products, as well as the shift to the renewable energy market;

**WHEREAS**, the People's Survival Fund (PSF) was created by Republic Act 10174 as an annual fund intended for local government units and accredited local/community organizations to implement climate change adaptation projects that will better equip vulnerable communities to deal with the impacts of climate change;

**WHEREAS**, the enactment of RA 6957 allowed Local Government Units (LGUs) to enact Ordinances which can harmonize, tailor fit, and implement international laws by the virtue of the doctrine of incorporation, as well as national laws, by virtue of the doctrine of transformation, at the local level;



- ii. The Philippines is a party to the United Nations Framework Convention on Climate Change (UNFCCC) and a signatory to the Paris Agreement, a legally binding international treaty on climate change, adopted by 196 parties at COP 21 in Paris, on 12 December 2015 and entered into force on 4 November 2016, with a goal to limit global warming to well below 2, preferably to 1.5 degrees Celsius, compared to pre-industrial levels;
  - iii. By 2020, the Philippines has committed to submit its plans for climate action known as nationally determined contributions (NDCs), wherein countries communicate actions in their NDCs that they will take to reduce their Greenhouse Gas emissions in order to reach the goals of the Paris Agreement; they must also communicate in the NDCs actions they will take to build resilience to adapt to the impacts of rising temperatures;
  - iv. The Paris Agreement invites countries to formulate and submit by 2020 long-term low greenhouse gas emission development strategies (LTLEDS), which provide the long-term horizon to the NDCs, thus the City of Bacolod officially adheres and adopts this framework of sustainable development in its territorial jurisdiction, in line with other local government units, as a contribution to the NDC of the Philippines;
  - v. The City of Bacolod aspires to participate and be an active partner to The Paris Agreement's framework provision for climate-related financial, technical and capacity building support to the Philippines, as well its local government units, who need it, and therefore, envisions joint venture, including, but not limited to through a government-to-government, as well as Public-Private Partnership (PPP) modes, to acquire these technologies;
- c. General promotion, use, and incentivization of clean, safe, and renewable energy technologies and products. The City hereby adopts as a general rule and shall proactively ensure that all energy sources in the city shall gradually shift towards clean, safe, and renewable energy technologies and products. As such, investments in relation to energy development in its territorial jurisdiction, whether solicited or unsolicited, shall be tilted in favor of clean and renewable, green energy options, such as the renewable energy market (REM), and that a transition plan for current energy sources which are unsustainable and nonrenewable shall be developed in relation hereof, in accordance with Republic Act No. 9513, or the "Renewable Energy Act of 2008", and as such further adopts the following:
- i. Accelerate the development of renewable energy resources such as, but not limited to, biomass, solar, wind, hydro, geothermal and ocean energy sources, including hybrid systems, to achieve energy self-reliance, through the adoption of sustainable energy development strategies to reduce the city's dependence on fossil fuels and thereby minimize the city's exposure to price fluctuations in the international and local markets, the effects of which spiral down to almost all sectors of the economy;



- ii. Increase the utilization of renewable energy by institutionalizing the development of local capabilities in the use of renewable energy systems, and promoting its efficient and cost-effective commercial application by providing fiscal and non-fiscal incentives;
  - iii. Encourage the development and utilization of renewable energy resources as tools to effectively prevent or reduce harmful emissions and thereby balance the goals of economic growth and development with the protection of health and the environment; and
  - iv. Establish the necessary infrastructure and mechanism to carry out the mandates specified in this Ordinance and other existing laws.
- d. Permanent prohibition on the development and operation of coal-fired power plants. The City hereby adopts as policy and declares the City "coal-free" and thereby institutes a general ban on the development and permanent moratorium on the operation of coal-fired power plants.
- e. Enhancement of regulatory capacity to combat possible industry interference, intimidation, and regulatory capture. Furthermore, the City shall enhance its regulatory capacity and strengthen its capacity for the regulation of the energy industry, including its technologies and products, ensuring that it is aligned with relevant laws and national policies. It shall develop clear policies on avoidance of conflicts of interest for government officials, employees, consultants and contractors.

**Section 4. Establishment of the Clean Living Energy Plan (CLEP).** There is hereby established a Clean Living Energy Plan, hereinafter referred to as the Clean Living Energy Plan (CLEP), which shall be attached to the ENRO and shall provide secretariat support to the CLTF. The (CLEP) shall be composed of the following or their designated representatives:

- (a) The Committee Chairperson on Environment and Ecology who shall act as Chairperson;
- (b) The Head of the City Economic Enterprise and Development Office, or equivalent, who shall act as Vice Chairperson;
- (c) A representative from the Department of Science and Technology (DOST) Regional Office,
- (d) A representative from the National Economic and Development Authority (NEDA) Regional Office;
- (e) A representative from the Department of Energy (DoE) Regional Office;
- (f) A representative from the academe to be appointed by the Commission on Higher Education (CHED) Regional Office, upon the recommendation of the former's peers,
- (g) A representative from accredited non-government organization (NGOs) conducting programs on sustainable development, energy, and natural resources to be recommended by the DENR-CENRO;
- (h) A representative from an association of professional scientists and/or physicists, and
- (i) A representative to be recommended by the Local Development Council (LDC)
- (j) A representative to be recommended by the Local Youth Development Council (LYDC)
- (k) other representatives the Committee may deem and resolve to include.



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(d) to come up with a program to encourage the private residences and businesses to support the ordinance in prioritizing the use of more environmental and climate friendly sources of light and electricity.

(e) to implement such programs mentioned in this section.

**Section 7. Penalties.** A fine of Five thousand pesos (P5,000.00) or an imprisonment for a period not exceeding one (1) year, or both in the discretion of the court, as may be provided by law, shall be imposed to the government agency or office, establishment, or service provider for the violation of the following under this ordinance:

a. Any government official/ officer/ person-in-authority, staff or agents of persons-in authority who shall allow, connive or facilitate industry interference and regulatory capture of the government in favor of unsafe, unsustainable, and inimical to the environment, such as, e.g., "coal-fired power plants", or the like;

b. Any person, or official representative from the power sector, who shall pre-empt, connive, or facilitate industry interference and regulatory capture of the government in favor of unsafe, unsustainable, and inimical to the environment, such as, e.g., "coal-fired power plants", and the like;

Provided that, if the offender is a juridical person, such as, but not limited to, corporation, partnership or association, the penalty shall be imposed upon the officer or officers thereof responsible for the offense.

**Section 9. Funding source.** An initial funding to defray the expenses necessary for or incidental to the implementation of this Ordinance in the amount of P1,000,000.00 shall be done through consultants and sourced from the funds of the City Government and is hereby allocated every year thereafter, at least P1,000,000.00, and shall automatically be included in the Annual Budget of the city for the implementation and enforcement of this Ordinance and its Programs.

**Section 10. Separability Clause.** If any part of this Ordinance is declared as unconstitutional or unlawful, such declaration shall not affect the other parts or Sections hereof that are not declared unlawful or unconstitutional.

**Section 11. Repealing Clause.** All previous ordinances inconsistent with this Ordinance shall be deemed repealed or modified accordingly.

**Section 12. Effectivity.** This Ordinance shall take effect fifteen (15) days after its publication in a newspaper of local or general circulation or posting in at least two (2) conspicuous places in the City.

CARRIED BY THE VOTE OF:

Affirmative :

Councilors : Cindy T. Rojas, Renecito S. Novero, Simplicia Z. Distrito, Carlos Jose V. Lopez, Al Victor A. Espino, Archie S. Baribar, Israel P. Salanga, Dindo C. Ramos, Bartolome N. Orola, Sr., Ana Marie V. Palermo, Jr. Lady Gles Gonzales-Pallen, Ayesha Joy Y. Villaflor.



Negative : None.

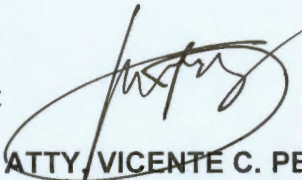
Author : Councilor Carlos Jose V. Lopez.

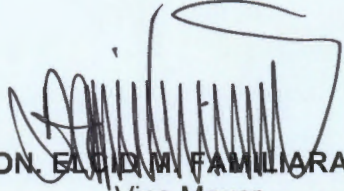
Passed : November 3, 2021 (122<sup>nd</sup> Regular Session of the 10<sup>th</sup> Council)

Comments : Passed .


Councilor Wilson C. Gamboa was not around when this Ordinance was passed.

ATTESTED:

  
**ATTY. VICENTE C. PETIERRE III**  
Secretary to the Sanggunian

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**HON. ELPIDIO M. FAMILIARAN**  
Vice Mayor  
Presiding Officer

APPROVED: \_\_\_\_\_

**HON. EVELIO R. LEONARDIA**  
City Mayor 

VCP/CGT/lt

**10 DAYS LAPSED**  
AS OF November 22, 2021 ji



Republika Ng Pilipinas  
**TANGGAPAN NG SANGGUNIANG PANLUNGSOD**  
*Lungsod ng Bacolod*

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## CERTIFICATION


This is to certify that **CITY ORDINANCE NO. 971, Series of 2021** passed by the Sangguniang Panlungsod of the City of Bacolod on November 3, 2021 entitled:

### **CLEAN LIVING COMMITMENT AND PROMOTION ORDINANCE**

was published in Journal Visayas on December 27, 2021-January 2, 2022 and posted on November 22, 2021, in the following conspicuous places in the City of Bacolod, to wit:

1. Bulletin Board of the Sangguniang Panlungsod  
2<sup>nd</sup> Floor Bacolod City Government Center
2. Old City Hall (Araneta-Luzuriaga Streets)
3. Bacolod Public Plaza
4. City Health Office
5. Hall of Justice
6. North (Burgos) Public Market
7. South (Libertad) Public Market
8. Central Market

Bacolod City, Philippines, January 19, 2022.

**CHRISTINE G. TEMPLA**  
Board Secretary IV 

CGT/llt