

REPUBLIKA NG PILIPINAS
TANGGAPAN NG SANGGUNIANG PANLUNGSOD
LUNGSOD NG BAKOLOD
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CITY ORDINANCE NO. 531
March 23, 2011

AN ORDINANCE PROHIBITING THE LITTERING OF PLASTICS, PAPERS OR ANY OTHER REFUSE IN OPEN OR PUBLIC PLACES, WATER WAYS AND RECREATIONAL AREAS AND PROVIDING PENALTIES THEREOF REPEALING CITY ORDINANCE NO. 105, SERIES OF 1982.

WHEREAS, Article II, Section 16 of the Constitution 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, Sec. 48 (1) of Republic Act No. 9003 otherwise known as the "Ecological Solid Waste Management Act of 2000" prohibits the littering, throwing, dumping of waste matters in public places, such as roads, sidewalks, canals, esteros or parks, and establishment, or causing or permitting the same;

WHEREAS, there is a need to intensify the campaign on proper waste disposal to prevent ecological and environmental degradation, endangering public health, and flood;

WHEREAS, a sense of discipline must be imposed and observed by the residents of Bacolod City to promote ecological justice and sustainable development;

NOW THEREFORE, BE IT ORDAINED, by the Sangguniang Panlungsod of Bacolod City, in a regular session assembled, that:

Section 1 – Title. This ordinance shall be known as the "Anti-Littering Ordinance of Bacolod City"

Section 2. Definition of Terms. For the purpose of this Ordinance:

- (a) **Littering** – the throwing, dumping and/or the scattering of waste materials and/or refuse in places not generally intended for such.
 - (b) **Refuse** – includes any other waste materials apart from plastics and papers.
 - (c) **Public Places** – includes highways, streets, sidewalks, and any other edifices publicly used.
 - (d) **Entities** – includes religious/sectarian organizations, non-government and people's organizations, non-profit organizations and all other institutions apart from residences and business establishments.
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- (e) **Recreational Areas** – includes parks, plazas playgrounds, athletic/sports grounds, and other similar places.
- (f) **Water ways** – includes canals, drainage sewers creeks, streams, rivers and the like.
- (g) **Community Service** – refers to any act that is performed for the benefit of the community at large, as punishment for an offense or violation of the law. Cleaning up trash, removing graffiti, planting trees, or building community playground equipment while under the supervision of enforcement officers or personnel, are common tasks performed under this type of arrangement.

Section 3. The littering of plastics, papers, or any other refuse in open or public places, water ways and recreational areas shall be prohibited.

Section 4. (a) Residences, Business Establishments and/or any other Entities shall be held responsible for the plastics, papers and any other refuse found within their respective premises and shall observe proper segregation, collection, transport, storage, treatment and disposal of solid waste materials.

(b) Every person shall likewise observe proper waste segregation and disposal.

Section 5. Business Establishments, and/or any other Entities, except for residences, shall provide a **"NO LITTERING"** signage within and outside the premises of their edifices/buildings or any other conspicuous area belonging to the property of the entity concerned.

Section 6. Public and Private recreational areas shall be provided with **"NO LITTERING"** signage, by its respective offices.

Section 7. Fines and penalties.

- (a) Any person caught in violation of Sec 3 and Sec. 4 (b) shall, upon conviction, be fined;

First Offense : P 500.00

Succeeding Offenses P1,000.00 and shall render community service for not less than one (1) day to not more than fifteen (15) day;

- (b) Any residences, business establishment and/or any other entity caught in violation of Sec. 3, Section 4 (a) and Section 5, shall upon conviction, be fined;

First Offense : P 1,000.00

Succeeding Offenses P 2,000.00 with a corresponding
cancellation of license to operate for business establishments.

Section 8. Anti-Littering Task Force. There shall be formed an Anti-Littering Task Force, which shall be composed of three (3) enforcers each from the Composite Enforcement Unit of the City Legal Office, the Department of Public Services and the Environment and Natural Resources Office. The Anti-Littering task Force shall be jointly supervised by the head of the Composite Enforcement Unit and the Chief of the ENRO. The Task Force shall be responsible for the strict implementation of this ordinance.

Section 9. Public Information and Awareness Campaign. The City Government through the City Environment and Natural Resources Office, Public Information Office and in coordination with Ecological/Environmental Advocacy Groups, NGOs, media organizations and the like shall execute a massive information dissemination of this ordinance and shall regularly conduct awareness campaign on proper solid waste management, segregation, and disposal.

Section 10. Monitoring. The City Environment and Natural Resources Office and the Department of Public Services shall jointly monitor the implementation of this ordinance. The Department of Public Services shall be responsible for the timely and proper collection of solid wastes in the city; the same shall publicize its collection dates in the areas concerned and coordinate with the Barangays and Public Markets as to their garbage problems.

Section 11. Imposition of Fines and Penalties. Any person, Residence, Business Establishment and/or any other Entity caught in violation of this ordinance shall pay the fine or in case of insolvency, shall serve the subsidiary penalty accordingly.

Section 12. 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 13. Repealing Clause. City Ordinance No 105, series of 1982, otherwise known as "AN ORDINANCE PROHIBITING THE THROWING AND/OR SCATTERING OF DIRTS, PAPERS, REFUSE OR ANY OTHER MATERIALS CONSIDERED AS WASTE, IN PUBLIC STREETS, SIDEWALKS, PUBLIC PARKS OR PUBLIC EDIFICES", and all other Ordinances, local rules and regulations or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed, modified or amended accordingly.

Section 14. Effectivity Clause. This ordinance shall take effect thirty (30) days after its publication in a local newspaper of general circulation.



CARRIED BY THE VOTE OF

Affirmative:

Councilors

El Cid M. Familiaran, Homer Q. Bais, Archie S. Baribar,
Catalino T. Alisbo, Em L. Ang, Dindo C. Ramos, Elmer T.
Sy, Sonya M. Verdeflor, Caesar Z. Distrito, Mona Dia G.
Jardin.

Negative:

None.

Official Leave:

Councilor Roberto M. Rojas.

Absent

None

Author :

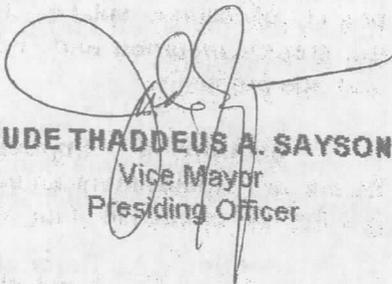
Councilor Em L. Ang.

Passed

March 23, 2011 (38th Regular Session)

Comments:

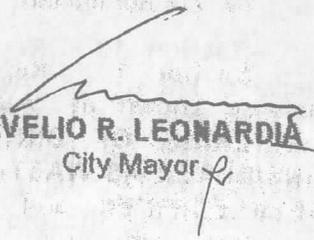
Passed.
Councilors Al Victor A. Espino Carlos Jose V Lopez and
Keith Emmanuel L. Ramos were not yet around when this
ordinance was passed.


JUDE THADDEUS A. SAYSON
Vice Mayor
Presiding Officer

ATTESTED:


HELEN P. LEGASPI
C/C, Secretary to the Sanggunian

APPROVED: April 8, 2011


EVELIO R. LEONARDIA
City Mayor

NTA/HPL/jbz

SP
LEGISLATIVE SERVICES SECTION
DATE 4/12/11 TIME 11:50 A.M.
BY ganon