



Lungsod ng Bacolod

CITY ORDINANCE NO. 420 November 16, 2006

AN ORDINANCE REGULATING THE ESTABLISHMENT, OPERATION AND MAINTENANCE OF JUNK SHOP AND JUNKYARD WITHIN THE AREA OF RESPONSIBILITY OF THE CITY OF BACOLOD AND FOR OTHER PURPOSES.

Be it ordained by the Sangguniang Pantungsood of the City of Bacolod, that:

Section 1 - OBJECTIVE

It is the objective of this ordinance to adapt a uniform system of establishing, operating and maintenance of junk shop/store and junkyard and enforcement of Presidential Decree No. 1612.

Section 2 - DEFINITIONS AND INTERPRETATION

The following terms are used for the purpose of this ordinance shall have the following meanings and interpretations.

- 2.1 Junk - any waste material discarded material or old iron or other metal or substance glass, plastics, paper, cordage, machine parts, accessories, discard machinery or discarded machines in whole or in part and any material commonly and generally known as "junk" in the ordinance meaning of the word, acquired and/or collected.
- 2.2 Junkyard - any lot or land within the City of Bacolod on which "junk" is placed, collected, stored or kept
- 2.3 Junk Shop - any building within the City of Bacolod in which "junk" is stored.
- 2.4 Junk dealer - any person, firm, association, partnership or corporation who buys or otherwise acquires "junk" for commercial purposes within the area of responsibility of the City and/or who collects and stores "junk" therein
- 2.5 Junk merchant and junk shop - any person engaged in the business of buying, selling, exchanging or dealing in old junk, metals, bottles, siphons, old rope, old iron, brass, copper, tin or lead, second-hand plumbing materials, secondhand gas and electric fixtures, old rubber tires or other used or old articles commonly designated as "junk" and having a store, stand, junkyard, or place of business is a junk merchant, and such stand, junkyard, store or place of business is a junk shop.



- 2.6 **Junk Peddler** - means any person engaged in the business of buying, selling, exchanging, or dealing in old junk, metals, bottles, siphons, old rope, old iron, brass, copper, tin or lead, secondhand plumbing materials, secondhand gas, electric fixtures, old rubber tires and other used or old articles commonly designated as "junk" and having no stand, store or place of business.
- 2.7 **License or Permit** - is a right or permission granted in accordance with laws by a competent authority to engage in some business or occupation, or to engage in some transactions.

Section 3 - LICENSE AND PERMIT REQUIRED



It shall be unlawful for any person, firm, association, partnership or corporation to operate or maintain a junk shop/store or junkyard at any place within the limits of the City of Bacolod without the required business permit.

- 3.1 The junk shop/store and junkyards must secure a Mayor's permit from the Permits and License Division, City Mayor Office, to operate his/her business pursuant to the provisions of Sec. 47, Chapter IV - Art. 1 of Ordinance No. 93-001 otherwise known as Revenue Code of Bacolod City.

Section 4 - REQUIRED CLEARANCES

- 4.1 The junk shop/store and junkyard is mandated to get a clearance from the Environment and Natural Resources Office (ENRO).
- 4.2 The junkyard must secure a zoning clearance from the City Planning and Development Office (CPDO). Junkyard/stockyard with a minimum area of approximately 240 sq. meters more or less.
- 4.3 The junk shop and junkyard must secure an Environmental Sanitation Certificate from the City Health Office, observed the Health and Sanitation Code of the City of Bacolod and employers must comply the health and safety practices at all times inside the shop.
- 4.4 Transfer or relocation to new location or site.

At the passage of this ordinance all junk shops and junkyards shall be located in light industrial zone according to zoning. To give time for those who are not located in the said zone, will be given a period of three (3) years to transfer to the new site (light industrial zone) as approved by the City Planning Development Office and Environment and Natural Resources Office (ENRO).



Section 5 - REQUIRED RECORDS

- 5.1 Every junk shop/store or junkyard, whether already existing at the time of the passage of this ordinance or establish thereafter according to law shall keep a book in which shall be legibly written in the English language or Ilonggo, at the time of every purchase, a general description of every article subject of the purchase, the price paid for the article, the name of the owner, residence and other description sufficient to identify the person from whom the purchase was made and the place where the junk item was taken.
- 5.2 In addition to the record of purchase required in the above section, whenever any junk shop or store shall purchase any broken water meter, brass, copper (peeled and cut copper wire pieces) or any other metal alloy containing these materials, the junk merchant shall keep or record of its person general description and of the metal when the purchase was made.
- 5.3 All junk shop and junkyard operators are required to report with confidentiality to the local authorities or PNP persons who are selling broken water meter, brass, copper (peeled and cut copper wire pieces), tower parts (angular bars), tower clamps, aluminum conductor wires or any other metal alloy containing these materials which the operator believes to be stolen.

Section 6. PROHIBITED ACTS

No junk shop/store or junkyard shall purchase any peeled and cut copper pieces and broken brass water meters from any minor.

No junk shop/junkyard shall create deliberately an eyesore to the general public that will adversely affect the sanitation or aesthetic value of the community or cause hazard to the public safety. As soon as the ordinance is pass the Environment and natural Resources Office (ENRO) and the City Planning and Development Office (CPDO) shall recommend the limits of the volume and the height of the stock pile and cite junkshop/junkyard that violate the limit for appropriate measures by the City.

No junk shop/junkyard shall purchase any item or junk without requiring the seller to disclose his source, his personal identity, his parents/guardian if he is a minor and permanent address and contact numbers.

All junk shop and junkyard operator is not allowed to use the City street as their loading, unloading and storage area for their junk articles and materials to avoid traffic congestion.

All junk shop and junkyard operator are mandated to safeguard the flammable junk materials and to report immediately to the PNP the presence of vintage bombs or ammunition used during the Second World War in their premises.

No junk shop/junkyard shall operate without complying any requirement set forth in this ordinance.

Section 7 - INSPECTION OF PREMISES

The Sanitary Inspector of City Health Office (CHO), Banded City Police Office (BCPO), City Legal Office (CLO) or any authorized representative from the City Mayor's Office (CMO) shall make an inspection of the junk shop/store or junkyard every quarterly to determine (whether the storing of junks and other material constitutes danger or hazardous conditions are being store to prevent health hazard) environment flammable materials and other dangerous chemicals.

Section 8. - VIOLATIONS OF PRESIDENTIAL DECREE 1612

Any person, firm association, partnership or corporation during their operation shall be subject to Presidential Decree 1612 otherwise known as Anti-Fencing Law of 1978 to avoid robbery and thievery which had become profitable on the part of lawless elements because of the existence of ready buyers commonly known as fence, of stolen properties

Any person authorized by law may take any articles from any junk shop/store or junkyard when said offices in their discretion, deem said taking necessary as evidence in any civil or criminal enforcement provided, however, that they give said junk shop or store, junkyard keeper, dealer or collection a receipt for the same.

Section 9 - PENALTY

A person, who violates any provision of this ordinance, shall upon conviction be subject to a fine of One Thousand (P1,000.00) Pesos for first offense, Five Thousand (P5,000.00) Pesos for second offense and closure of his/her establishment for third offense.

Section 10 - SEPARABILITY CLAUSE

If for any reason any part or provision of this ordinance is declared invalid, the other parts or provision hereof not affected thereby shall continue to be in full force and effect

Section 11 - DATE OF EFFECTIVITY

This ordinance shall take effect immediately upon passage and/or approval thereof and published as required by law. This is without prejudice to appropriate action on existing junkyard/junk shop under P.D. 1612 and other pertinent national and local laws

CARRIED BY THE VOTE OF

Affirmative:

Councillors: Lyndon P. Caña, Homer Q. Bais, Dindo C. Ramos, Jude Thaddeus A. Sayson, Napoleon A. Cordova, Elmer T. Sy, Al Victor A. Espino, Catalino T. Alisbo, Reynold J. Ilarian

Negative : None

Official Travel : Councilor Jocelle Batapa-Sigue.

Official Leave : Councilors Ana Marie V. Palermo, Arturo V. Parreño and
Marx Louie S. de la Rosa.

Absent : None.


Author : Councilor Catalino T. Alisó.

Passed : November 16, 2006 (124th Regular Session).


Comments : Passed.
Vice Mayor Renecito S. Novero was designated as Acting
City Mayor.


GREG G. GASATAYA
Acting Vice Mayor
Presiding Officer

ATTESTED:


ATTY. NILO T. ALEJANDRINO
Secretary to the Sanggunian

APPROVED: November 20, 2006


RENECITO S. NOVERO
Acting City Mayor

NTA/HPL/ jernz





Republika ng Pilipinas
Tanggapan ng Sangguniang Panlungsod
Lungsod ng Bacolod


CERTIFICATION

This is to certify that **City Ordinance No. 420**, Series of 2006, passed on November 16, 2006, entitled:

"AN ORDINANCE REGULATING THE ESTABLISHMENT, OPERATION AND MAINTENANCE OF JUNK SHOP AND JUNKYARD WITHIN THE AREA OF RESPONSIBILITY OF THE CITY OF BACOLOD AND FOR OTHER PURPOSES."

was published in the December 25-31, 2006 issue of the Western Visayas Journal, as required under Section 11 of the above mentioned City Ordinance and is now therefore in effect.

Bacolod City, Philippines, January 16, 2007.


ATTY. NILO T. ALEJANDRINO
Secretary to the Sanggunian

NTA/rgl

siphons, old rope, old iron, brass, copper, tin or lead, second-hand plumbing materials, secondhand gas and electric fittings, etc.