



Republic of the Philippines
Province of Oriental Mindoro
MUNICIPALITY OF BULALACAO

OFFICE OF THE SANGGUNIANG BAYAN

Municipal Building, Poblacion, Bulalacao, 5214, Oriental Mindoro

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF
THE SANGGUNIANG BAYAN OF BULALACAO, ORIENTAL MINDORO
HELD ON SEPTEMBER 19, 2011 AT THE SANGGUNIANG BAYAN
SESSION HALL

PRESENT:

Hon. Ramon G. Magbanua - Temporary Presiding Officer
Hon. Eduardo C. Acheron - Sang. Bayan Member
Hon. Emelita A. Osorio -do-
Hon. Guillermo G. Salas, Jr. -do-
Hon. Leonardo A. Andallon -do-
Hon. Juan L. Salas, Sr. -do-
Hon. Senen C. Familara -do-
Hon. Virgelio M. Astillo - Pangulo, Liga ng mga Brgy.

ABSENT:

Hon. Teresita S. Bantugan - Municipal Vice Mayor
Hon. Gideon B. Abuel - Sang. Bayan Member-O.B.
Hon. Klean Rose F. Borbon - SK Fed. President

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ORDINANCE NO. 11-09-118

AN ORDINANCE REGULATING THE USE AND SALE OF PLASTIC BAGS/PLASTIC CELLOPHANE (POLYETHYLENE) AS PACKING/BAGGING MATERIALS AND INSTITUTIONALIZING THE USE OF BIODEGRADABLE CONTAINERS WITHIN THE MUNICIPALITY OF BULALACAO, PROVINCE OF ORIENTAL MINDORO

Sponsor: Hon. Virgelio M. Astillo
Chairman: Committee on Health and Sanitation

BE IT ORDAINED by the Sangguniang Bayan of Bulalacao, Oriental Mindoro:

SECTION 1. This Ordinance shall be known as an Ordinance Regulating the Use and Sale of Plastic Bags/Plastic Cellophane (Polyethylene) as Packing/Bagging Materials and Institutionalizing the Use of Biodegradable Containers within the Municipality of Bulalacao, Province of Oriental Mindoro.

SEC. 2. For the purpose of this Ordinance, the terms hereunder shall have the following meanings:

Polyethylene – a polymer of ethylene used in the manufacture of all plastic. It is flexible, extremely tough and chemical resistant non-biodegradable material.

Plastic Bags – flexible plastic containers that open at one end and are used for carrying things. It shall include biodegradable and non-biodegradable plastics.

Wrap/Wrapping – to cover especially by winding or folding, to envelope or secure for transportation, draw around something.

Cellophane – transparent, thin, flexible and biodegradable plastic used as wrappers or packing material.

Biodegradable – made of materials that decay relatively quick

Ambulant Vendor – refers to a vendor or seller who has no fix place and who goes around selling his/her goods.

Environment-Friendly – designed to minimized harm to the natural world e.g. by using biodegradable ingredients.

Environmental Aide – a person authorized by the Local Chief Executive to assist in the implementation of this ordinance and to assist also the local police forces to implement the provisions of this ordinance and other environmental laws and ordinances of this municipality.

Citation Ticket – a printed notice issued by the Environmental Officer (Aide) or the police or authorized persons to violators of this ordinance.

Biodegradable Plastics – are forms of plastic derived from plant sources such as hemp oil, soy bean oil and corn starch rather than from petroleum. These plastics are derived from natural products and have compounds that are readily broken down by microbes, so it decays relatively quick. These plastics do not cause harm to the environment.

Non-biodegradable Plastics – are forms of plastic derived primarily from crude oil, natural gas or coal. These types of plastics cannot be broken down by microbes to decay. And if burned will produce toxic smoke and pollute the environment which will result to ecological damage.

SEC. 3. This Ordinance shall cover all markets, grocery stores, retail outlets, catering services and other commercial stalls, business establishments, restaurants and eateries and entities in all areas in the municipality.

SEC. 4. All supermarkets, markets, bakeries, restaurants, groceries and retail stores in the municipality are hereby required to use packing/bagging materials such as papers or cloth bags, buri bag or bayong, non-plastic sack or bags and sturdy reusable shopping bags, biodegradable plastics or other biodegradable containers instead of plastic bags. Bulky goods shall be packed in paper boxes or cartoons or other biodegradable bagging materials.

SEC. 5. Ambulant vendors are prohibited to sell items within the Municipality of Bulalacao using non-biodegradable plastic bags.

SEC. 6. Goods sold in the Municipal Market such as fresh meat, fish, fruits, vegetables and the like shall be packed only by biodegradable or environment-friendly bagging containers or such other bagging materials provided under the Section 10 hereof.

SEC. 7. No establishment shall issue, sell (retail or wholesale) non-biodegradable plastic bags for use by customers as bagging materials.

SEC. 8. Vendors, agents or deliverymen engaged in the sale of non-biodegradable plastic bags shall not be allowed to sell or distribute the same or unload or make any delivery of non-biodegradable plastic or similar items in any establishment in the Municipality of Bulalacao.

SEC. 9. Factories and establishments engaged in the manufacture of non-biodegradable plastic bags are prohibited in the municipality of Bulalacao. Storage, sale or distribution of non-biodegradable plastic bags is likewise prohibited.

SEC. 10. Consumers may provide themselves with non-biodegradable plastic bags or other sturdy reusable bags, boxes or crate or containers in the public market, provided that in case of non-biodegradable plastic bags, the same shall be properly marked/stamped by proper authorities at the entrance of the public market to determined the reuse of plastic bags in compliance with this ordinance.

SEC. 11. Business establishments, restaurants and canteens, are prohibited to use non-biodegradable Styrofoam clamshells and glasses.

SEC. 12. Penalties.

Any person or establishment who/which violates the following provisions of this Ordinance shall suffer the following penalties.

a. Section: 5, 10

First Offense : Php300.00 fine and confiscation of the prohibited items.

Second Offense : Php500.00 fine and confiscation of the prohibited items.

Third Offense : Php1,000.00 fine, five (5) days imprisonment and confiscation of the prohibited items.

b. Section: 8

First Offense : Php500.00 fine and confiscation of the prohibited items.

Second Offense : Php1,000.00 fine, five (5) days imprisonment and confiscation of the prohibited items.

Third Offense : Php1,500.00 fine, seven (7) days imprisonment and suspension of business permit/s for three months.

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c. Section: 4, 6, 7

First Offense : Php1,000.00 fine

Second Offense : Php1,500.00 fine, twenty (20) days imprisonment and suspension of business permits for three months.

Third Offense : Php2,000.00 fine, thirty (30) days imprisonment and revocation of business permit and the owner/operator shall be disqualified to engage in the same business.

SEC. 13. The Environmental Aides with the assistance from the local police shall issue citation tickets to violators of this ordinance, stating the violation and the corresponding penalty thereof. In case the penalty is only a fine and the violator does not contest the citation issued, he/she shall pay the fine with the Officer of the Municipal Treasurer immediately.

SEC. 14. The Local Government Unit shall deputize Environmental Aides to assist the Environmental Officer and the local police to ensure compliance with the provisions of this Ordinance.

SEC. 15. The Municipality of Bulalacao through the Office of the Environmental Aide shall maintain a database of all establishments which comply with this Ordinance and initiate activities that would discourage use of non-biodegradable plastics. Business establishments shall likewise remind their customers to provide themselves or bring their own shopping bags, preferably biodegradable packing materials or containers.

SEC. 16. Upon approval of this Ordinance, a Task Force composed of the Punong Barangays, the Chairman of the Barangay Committee on Environment, the Chairman of the Barangay Committee on Health, the Chairman of the Barangay Committee on Education, Barangay Health Workers, the Solid Waste Management Board, together with the Municipal Health Officer and the Environmental Aide shall embark on a comprehensive information campaign on this Ordinance for a period of thirty (30) days.

An Oversight Committee composed of the same members as the Task Force is hereby created to review the provisions hereof in relation to its implementation and to recommend modifications or amendments. After three (3) months of its initial implementation, the oversight committee shall convene and shall study the problems regarding the implementation of this Ordinance and submit within one month its recommendations if there is a need for amendments.

SEC. 17. Repealing Clause - All Ordinances or parts of any Ordinance inconsistent with the provision of this Ordinance are hereby repealed or modified accordingly.

SEC. 18. Separability Clause – If any provision hereof is declared null and void, those not affected shall remain in full force and effect.

SEC. 19. Effectivity Clause - This Ordinance shall take on January 1, 2012.

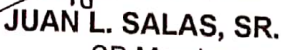
ENACTED this 19th day of September, 2011, Bulalacao, Oriental Mindoro.


EDUARDO C. ACERON
SB Member



EMELITA A. OSORIO
SB Member


GUILLERMO G. SALAS, JR.
SB Member



LEONARDO A. ANDALLON
SB Member


JUAN L. SALAS, SR.
SB Member


SENEC C. FAMILARA
SB Member


VIRGELIO M. ASTILLO
Pangulo, Liga ng mga Brgy.


CERTIFIED TRUE AND CORRECT:


SIXTO O. BARRIENTOS
Secretary to the Sanggunian

ATTESTED:


RAMON G. MAGBANUA
Temporary Presiding Officer

APPROVED:


ENGR. ERMILLO C. VILLAS
Municipal Mayor
Date Signed: 01-11-12