



MUNICIPAL MAYOR OF BAYAMBANG

EXECUTIVE ORDER NO. 048, SERIES OF 2016

STRICT IMPLEMENTATION OF RA 9003, OTHERWISE KNOWN AS ECOLOGICAL SOLID WASTE MANAGEMENT ACT OF 2000

WHEREAS, under Section 2 of Republic Act No. 9003 or the Ecological Solid Waste Management Act of 2000, it is declared that it is the policy of the State to adopt a systematic, comprehensive and ecological solid waste management program which shall ensure the protection of public health and environment;

WHEREAS, RA No. 9003 further states that the Local Government Units should retain primary enforcement and responsibility of solid waste management while establishing a cooperative effort among the national government, other local government units, non-government organizations, and the private sector;

WHEREAS, under Section 10 of Republic Act No. 9003 pursuant to the relevant provisions of R.A. No. 7160, otherwise known as the Local Government Code, the LGUs shall be primarily responsible for the implementation and enforcement of the provisions of this Act within their respective jurisdictions.

Segregation and collection of solid waste shall be conducted at the barangay level specifically for biodegradable, compostable, and reusable wastes; *Provided*, that the collection of non-recyclable materials and special wastes shall be the responsibility of the municipality or city.

WHEREAS, Republic Act No. 9003, otherwise known as the Ecological Solid Waste Management Act of 2000, especially Section 11 thereof provided for the creation of the Municipal Solid Waste Management Board;

NOW THEREFORE, I, CEZAR T. QUIAMBAO, Municipal Mayor of Bayambang, Province of Pangasinan, by virtue of powers vested in me by law, do hereby order:





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SECTION 1. MUNICIPAL SOLID WASTE MANAGEMENT BOARD

Executive Order No. 13 or also known as the Municipal Solid Waste Management Board of the Municipality of Bayambang shall prepare, submit and implement a plan for the safe and sanitary management of solid waste generated in areas under geographical and political coverage.

SECTION 2. ESTABLISHMENT OF LGU MATERIALS RECOVERY FACILITY

There shall be established a Materials Recovery Facility (MRF) in every barangay or cluster of barangays. The facility shall be established in a barangay-owned or leased land or any suitable open space to be determined by the barangay through its Sanggunian. For this purpose, the barangay or cluster of barangays shall allocate a certain parcel of land for the MRF. The determination of site and actual establishment of the facility shall likewise be subject to the guidelines and criteria set pursuant to this Act. The MRF shall receive mixed waste for final sorting, segregation, composting, and recycling. The resulting residual wastes shall be transferred to a long-term storage or disposal facility or sanitary landfill.

SECTION 2-A. GUIDELINES FOR ESTABLISHMENT OF MATERIALS RECOVERY FACILITY

Materials recovery facilities shall be designed to receive, sort, process, and store compostable and recyclable material efficiently and in an environmentally sound manner.

The facility shall address the following considerations:

- (a) The building and/or land layout and equipment must be designed to accommodate efficient and safe materials processing, movement, and storage; and
- (b) The building must be designed to allow efficient and safe external access and to accommodate internal flow.

SECTION 3. CREATION OF BASURA PATROL TEAM

A composite team to be called "**Basura Patrol Team**" shall be created to strictly implement and enforce the provisions of RA 9003 by patrolling public places such



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as the major thoroughfares, sidewalks, canals and park and ensure that cleanliness is in place in the Local Government Unit.

SECTION 3-A. DUTIES OF BASURA PATROLLERS

- Basura Patrollers' primary duty is to supervise and monitor the compliance of the LGU with RA 9003 and report violations such as those pertaining to segregation, waste disposal and other aspects of solid waste management.
- These patrollers will move around the LGU jurisdictions and engage in monitoring of anti-littering of garbage and to identify the violators to ensure cleanliness and in order to strictly implement particularly the penal provisions for littering and on illegal dumping;
- A patroller would be on the look-out for littering, throwing and dumping of wastes, and collection of unsorted wastes.
- These patrollers are instructed to take pictures of improper waste handlings and make recommendations to the Local Chief Executive (LCE).
- The LCE would then issue a notice of clean-up forwarded to the concerned Punong Barangay.
- Administrative charges will be filed against the Punong Barangays who continue to violate the law by failing to heed the LCE after three notices.

SECTION 4. PENAL PROVISIONS. - The following acts are prohibited:

- (1) 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;
- (2) Undertaking activities or operating, collecting or transporting equipment in violation of sanitation operation and other requirements or permits set forth in or established pursuant to this Act;
- (3) The open burning of solid waste;
- (4) Causing or permitting the collection of non-segregated or unsorted waste;



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- (5) Squatting in open dumps and landfills;
- (6) Open dumping, burying of biodegradable or non-biodegradable materials in flood prone areas;
- (7) Unauthorized removal of recyclable material intended for collection by authorized persons;
- (8) The mixing of source-separated recyclable material with other solid waste in any vehicle, box, container or receptacle used in solid waste collection or disposal;
- (9) Establishment or operation of open dumps as enjoined in this Act, or closure of said dumps in violation of Sec. 37 of R.A. No. 9003;
- (10) The manufacture, distribution or use of non-environmentally acceptable packaging materials;
- (11) Importation of consumer products packaged in non-environmentally acceptable materials;
- (12) Importation of toxic wastes misrepresented as "recyclable" or "with recyclable content";
- (13) Transport and dumping in bulk of collected domestic, industrial, commercial and institutional wastes in areas other than centers of facilities prescribed under this Act;
- (14) Site preparation, construction, expansion or operation of waste management facilities without an Environmental Compliance Certificate required pursuant to Presidential Decree No. 1586 and this Act and not conforming to the land use plan of the LGU;
- (15) The construction of any establishment within two hundred (200) meters from open dumps or controlled dumps or sanitary landfills; and
- (16) The construction or operation of landfills or any waste disposal facility on any aquifer, groundwater reservoir or watershed area and or any portions thereof;



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SECTION 5. FINES AND PENALTIES:

- (a) Any person who violates Sec. 48, paragraph (1) shall, upon conviction, be punished with a fine of not less than Three hundred pesos (P300.00) but not more than One thousand pesos (P1, 000.00) or render community service for not less than one (1) day to not more than fifteen (15) days to an LGU where such prohibited acts are committed, or both;
- (b) Any person who violates Sec. 48, pars. (2) And (3), shall, upon conviction, be punished with a fine of not less than Three hundred pesos (P300.00) but not more than One thousand pesos (P1,000.00) or imprisonment of not less than one (1) day to not more than fifteen (15) days, or both;
- (c) Any person who violates Sec. 48 pars. (4), (5), (6), and (7) shall, upon conviction, be punished with a fine of not less than One thousand pesos (P1,000.00) but not more than Three thousand pesos (P3,000.00) or imprisonment of not less than fifteen (15) days but not more than six (6) months, or both;
- (d) Any person who violates Sec. 48 pars. (8), (9), (10) and (11) for the first time shall, upon conviction, pay a fine of Five hundred thousand pesos (P500,000.00) plus an amount not less than five percent (5%) but not more than ten percent (10%) of his net annual income during the previous year.
- (e) The additional penalty of imprisonment of a minimum period of one (1) year, but not to exceed three (3) years at the discretion of the court, shall be imposed for second or subsequent violations of Sec. 48, paragraphs (9) and (10).
- (f) Any person who violates Sec. 48, pars. (12) and (13), shall, upon conviction, be punished with a fine of not less than Ten thousand pesos (P10,000.00) but not more than Two hundred thousand pesos (P200,000.00) or imprisonment of not less than thirty (30) days but not more than three(3) years, or both;
- (g) Any person who violates Sec. 48, pars. (14), (15) and (16) shall, upon conviction, be punished with a fine not less than One hundred thousand pesos (P100,000.00) but not more than One million pesos (P1,000,000.00), or imprisonment not less than one (1) year but not more than six (6) years, or both.



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If the offense is committed by a corporation, partnership, or other juridical Entity duly organized in accordance with law, the chief executive officer, president, general manager, managing partner or such other officer-in-charge shall be liable for the commission of the offense penalized under this Act.

If the offender is an alien, he shall, after service of the sentence prescribed above, be deported without further administrative proceedings.

The fines herein prescribed shall be increased by at least ten percent (10%) every three (3) years to compensate for inflation and to maintain the deterrent function of such fines.

SECTION 6. ADMINISTRATIVE SANCTION

Local government officials and officials of government agencies concerned who fail to comply with and enforce rules and regulations promulgated relative to this Act shall be charged administratively in accordance with R.A. 7160 and other existing laws, rules and regulations.

SECTION 6-A. IMPLEMENTATION OF THE THREE-STRIKE POLICY

Under the Three-Strike Policy of the Department of Environment and Natural Resources which was implemented to discipline LGUs that do not comply with RA 9003, administrative charges will be filed against local government officials who have jurisdiction over the area where the violations are committed. Non-compliant LGUs will receive strike letters and will be charged by the Ombudsman if after three notices they continue to violate the law and still not acted on the matter.

Effectivity This Executive Order shall take effect immediately and any other prior issuances is hereby repealed, modified and amended accordingly.

Done in the Municipality of Bayambang, Province of Pangasinan, and this 2nd day of December, 2016.


DR. CESAR T. QUIAMBAO
Municipal Mayor



WORLD RECORD HOLDER
LONGEST BARBQUE