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**MUNICIPAL ORDINANCE NO. 18**  
 Series of 2017

**AN ORDINANCE PROVIDING FOR AN ECOLOGICAL SOLID WASTE MANAGEMENT, PRESCRIBING FEES FOR SOLID WASTE MANAGEMENT SERVICES, DECLARING CERTAIN ACTS PROHIBITED AND PROVIDING PENALTIES, THEREFOR.**

*Sponsored by: SBM Mylvin T. Junio and SBM Amory M. Junio*

**EXPLANATORY NOTES:**

**WHEREAS**, Republic Act No. 9003 provides for an ecological solid waste management program, creates the necessary institutional mechanisms and incentives, declares certain acts prohibited and provides penalties for violations;

**WHEREAS**, Section 10 of Republic Act No. 9003 provides that, "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.";

**WHEREAS**, Section 16 of Republic Act No. 9003 provides that, "The province, city or municipality, through its local solid waste management boards, shall prepare its respective 10-year solid waste management plans consistent with the National Solid Waste Management Framework: Provided, That the waste management plan shall be for the re-use, recycling and composting of wastes generated in their respective jurisdictions: Provided further, That the solid waste management plan of the LGU shall ensure the efficient management of solid waste generated within its jurisdiction.";

**WHEREAS**, Section 47 of Republic Act No. 9003 provides that, "The local government unit shall impose fees in amounts sufficient to pay the costs of preparing, adopting, and implementing a solid waste management plan prepared pursuant to this Act.";

**WHEREAS**, Section 4, Rule XIX of the Implementing Rules and Regulations (IRR) of Republic Act No. 9003 provides that local government units shall be required to legislate appropriate ordinances to aid in the implementation of Republic Act No. 9003 and in the enforcement of its provisions; provided, such ordinances shall be formulated pursuant to relevant provisions of R.A. No. 7160.

**WHEREAS**, the Municipality of Bayambang is committed to the protection, preservation and conservation of the environment, through the implementation of integrated, comprehensive ecological solid waste management program.

**NOW THEREFORE**, on motion of SB Member Benjamin Francisco S. De Vera, duly seconded;

*Be it enacted by the Sangguniang Bayan in session assembled that:*

**ARTICLE I**  
**General Provisions**

**Section 1. Title** - This ordinance shall be known as the Bayambang Ecological Solid Waste Management Ordinance of 2017.

**Section 2. Coverage** - The ordinance shall apply to all residential houses, commercial and industrial establishments, institutions, like hospitals, schools, churches, public and private offices, other establishment of any kind and agricultural areas within the Municipality of Bayambang.

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 DATE: August 7, 2017  
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**Section 3. Declaration of Policies** - It is hereby declared the policy of the Municipality to adopt and implement a comprehensive, integrated and ecological solid waste management program which shall:

- a) Ensure the protection of public health and the environment for the safety, convenience and general welfare of inhabitants in the municipality;
- b) Utilize environmentally-sound methods that maximize the utilization of valuable resources and encourage resources conservation and recovery;
- c) Set guidelines for the generation, segregation, collection, transport and disposal of solid waste in accordance with ecologically sustainable development principles;
- d) Strengthen SWM organizations/committees at various levels;
- e) Strengthen education and advocacy activities in collaboration with various stakeholders to promote environmental awareness and action among citizenry;
- f) Implement local enforcement plan with barangays and other government unit, non-government organizations, and the private sector; and
- g) Institutionalize greater public participation in solid waste management.

**ARTICLE II**  
**Definition of Terms**

**Section 4. Definition of Terms** - For the purposes of this Ordinance, the term:

- a) **Agricultural Waste** - shall refer to waste generated from planting or harvesting of crops, trimming or pruning of plants, animal manure and waste or run-off materials from farm or fields;
- b) **Ambulant Vendor or peddler** - shall mean any individual or person who sells any kind of goods, merchandise, commodity or service while walking, moving or traveling about, or who does not have a fixed stall, store or place of vending or service;
- c) **Barangay** - shall refer to the Barangay Local Government Unit;
- d) **Biodegradable** - shall refer to materials capable of being decomposed by biological. Anything that originate from living things, whether animal, plant or human, which decomposes and reduced into fine particles by microorganism or enzymes, e.g. paper, wood, fruits, peels, left over, seed, fish, fowl innards and the like;
- e) **Biodegradable waste** - shall refer to any material that can be reduced into four particles, degraded or decomposed by microbiological or enzymes. This is synonymous with compostable;
- f) **Bulky Waste** - shall refer to waste materials which cannot be appropriately placed in separate containers because of either its bulky size, shape or other physical attributes. These include large worn-out or broken household, commercial, and industrial items such as furniture, lamps, bookcase, filing cabinets, and other similar items;
- g) **Bureau** - shall refer to the Environmental Management Bureau;
- h) **Buy-back center** - shall refer to a recycling center that purchases or otherwise accepts recyclable materials from the public for the purpose of recycling such materials;
- i) **Collection** - shall refer to the act of removing waste from the source of communal storage point;
- j) **Collection Frequency** - shall refer to the number of times collection of waste is provided in a given period of time;
- k) **Collection equipment** - vehicle used in the gathering of stored waste set out for collection;
- l) **Collection schedule** - designated time given for the collection of waste in the route;
- m) **Color Code** - A specific color assigned to each Eco-Aide by the SWMO for proper identification;
- n) **Commercial Establishments** - shall include but not limited to those engaged in transportation, communication, storage, commerce, service and the like;





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- o) **Community service** - shall refer to the service that benefits the local community. It shall be imposed to violators of this Ordinance as a penalty in itself or in lieu of fine imposed against him;
- p) **Controlled Dump Site** - shall refer to a disposal site at which solid waste is deposited in accordance with the minimum prescribed standards of site operation;
- q) **Consumer electronics waste** - shall refer to special wastes that include worn out, broken, and other discarded items such as cellular phones, radios, stereos, TV sets, computer parts and hardware, and all wastes emanating or as a result of a defective electronic device;
- r) **Composting** - shall refer to the controlled decomposition of organic matters (bio-degradable waste) by micro-organisms, mainly bacteria, fungi and activators under controlled conditions;
- s) **Domesticated animal** - shall refer to a household pet kept for companionship and enjoyment;
- t) **Disposal** - shall refer to the discharge, deposit, dumping, spilling, leaking or placing of any solid waste into or in any land;
- u) **Disposal Site** - shall refer to the site where solid waste is finally discharged and deposited.
- v) **Ecological Solid Waste** - shall refer to the systematic administration of activities which provide for segregation at source, segregated transportation, storage, transfer, processing, treatment and disposal of solid waste and all other waste management activities which do not harm the environment;
- w) **Ecological solid waste management** - shall refer to the systematic administration of activities which provide for segregation at source, segregated transportation, storage, transfer, processing, treatment, and disposal of solid waste and all other waste management activities which do not harm the environment;
- x) **Ecological solid waste management fee** - a fee imposed to household, establishment, institutions, and all waste generators;
- y) **Environmentally acceptable** - shall refer to the quality of being reuseable, biodegradable or compostable, recyclable and not toxic or hazardous to the environment;
- z) **Food waste** - shall refer to organic wastes generated from restaurants, canteens, eateries and similar establishments;
- aa) **Generation** - shall refer to the act or process of producing solid waste;
- bb) **Generator** - shall refer to a person, natural or judicial, who last uses a material and makes it available for disposal or recycling;
- cc) **Grocery store** - shall refer to a shop selling foodstuff and household supplies among others;
- dd) **Garbage collector** - any person tasked to pick up stored waste set out for collection
- ee) **Hazardous waste** - shall refer to solid waste or combination of solid waste which because of concentration or physical, chemical or infectious characteristic may (a) cause or significantly contribute to an increase in mortality or (b) increase serious irreversible or incapacitating hazard to human health or the environment and disposed improperly treated stored, transported and disposed of or otherwise managed;
- ff) **Industrial waste** - shall refer to liquid, gaseous, or solid matter or other waste substances or combination thereof resulting from any process of industry, manufacturing trade or business or from the development;
- gg) **Leachate** - shall refer to the liquid produced when waste undergoes decomposition, and when water percolates through solid waste undergoing decomposition. It is a contaminated liquid that contains dissolved and suspended materials;
- hh) **Littering from vehicles** - is the act of indiscriminately scattering food leftovers, wrappers, plastic bottles and other similar wastes in streets by drivers, passengers or commuters;
- ii) **Material Recovery Facility** - includes a solid waste transfer station or sorting station, dropped off center, a composting facility and recycling facility;
- jj) **Mobile garbage bin** - shall refer to the receptacles with wheels distributed to garbage collection points by the Municipal Government of Bayambang for use as temporary storage containers for biodegradable and residual wastes;

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- kk) **Municipal waste** - shall refer to wastes produced from activities within local government units which include a combination of domestic, commercial, industrial and institutional wastes and street litters;
- ll) **Open dump site** - shall refer to a disposal area, wherein the solid waste are indiscriminately thrown or disposed of without due planning and consideration for environmental and health standards;
- mm) **Open burning** - shall refer to thermal destruction by means of direct exposure to fire;
- nn) **Person(s)** - shall refer to any being, natural or judicial, susceptible of rights and obligations, or of being the subject of legal relations;
- oo) **Receptacles** - shall refer to individual containers used for source separation and the collection of recyclable materials;
- pp) **Recyclable materials** - shall refer to any material retrieved from the waste stream and free from contamination that can still be converted into suitable beneficial use or for other purposes, including, but not limited to newspapers, ferrous scrap metal, non-ferrous scrap metal, used oil, corrugated cardboard, aluminum glass, office papers, tin, cans, and other materials as may be determined by the board;
- qq) **Recycled material** - shall refer to post-consumer material that has been recycled and returned to the economy;
- rr) **Recycling** - shall refer to the treating of used or waste materials through a process of making them suitable for beneficial use and for purposes, and includes any process by which solid waste materials are transformed into new products in such a manner that the original products may lose their identity, and which may be used as raw materials for the production of other goods or services;
- ss) **Residual wastes** - refer to any material which has no more use at all and therefore be disposed off from source.
- tt) **Residual containment area** - shall refer to a temporary facility for the storage of residual wastes;
- uu) **Resource recovery** - shall refer to the collection, extraction or recovery recyclable materials from the waste stream for the purpose of recycling, generating energy or producing a product suitable for beneficial use: provided, that such resource recovery facilities exclude incineration;
- vv) **Re-use** - shall refer to the process of recovering materials intended for the same or different purpose without the alteration of physical and chemical characteristics;
- ww) **Sanitary landfill** - shall refer to a waste disposal site designed, constructed, operated and maintained in a manner that exerts engineering control over significant potential environmental impacts arising from the development and operation of the facility;
- xx) **Scavenging** - the act of opening stored waste set out for collection and disposal to retrieve recyclable or re-usable materials;
- yy) **Segregation** - shall refer to a solid waste management practice of separating different materials found in solid waste in order to promote recycling and re-use of resources and to reduce the volume of waste for collection and disposal;
- zz) **Solid Waste** - shall refer to all discarded household and commercial waste, non-hazardous, institutional and industrial waste, street sweepings, construction debris, agricultural waste and other nonhazardous/non-toxic solid waste.
- aaa) **Solid Waste Management** - shall refer to the discipline with control on generation, segregation, storage, collection, collection, transfer, processing and disposal of solid waste in a manner that is in accord with the best principles of public health, economics, engineering, conservation, aesthetics and other environmental considerations and that is also responsive to public attitudes;
- bbb) **Source reduction** - shall refer to the reduction of solid waste before it enters the solid waste stream by methods such as product design, materials substitution, materials re-use and packaging restrictions;
- ccc) **Source separation** - shall refer to the sorting of solid waste into some or all of its component parts at the point of generation;





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- ddd) **Special Waste** - shall refer to household hazardous waste such as paints, thinners, household batteries, lead acid, batteries, spray canisters and the like. These include waste from residential and commercial sources that comprise of bulky waste, consumers electronics, white goods, yard waste that are collected separately, batteries oil and tires. These waste are usually handled separately from other residential and commercial wastes;
- eee) **Street sweepings** - are materials such as sand, salt, leaves, broken glass, small pieces of metal, and other litter and debris removed from streets;
- fff) **Storage** - shall refer to the interim containment of solid wastes after generation and prior to collection for ultimate recovery or disposal;
- ggg) **Store** - shall refer to any place where goods are sold directly to the consumers, which shall include but not limited to department store, convenience store, sari-sari store and market place;
- hhh) **Transfer stations** - shall refer to those facilities utilized to transfer the solid wastes directly from smaller to larger vehicles for transport. Such facilities may have areas to segregate wastes and store recovered biodegradable or recyclable materials;
- iii) **Toxic waste** - shall refer to wastes covered by Republic Act 6969, otherwise known as the "Toxic Substance and Hazardous and Nuclear Wastes Control Act of 1990" and are excluded from the term "solid Waste" as used in this Ordinance. It includes the following:
- 1) Waste identified or listed under Republic Act 6969 as hazardous waste of a solid, liquid, contained gaseous or semisolid form which may cause or contribute to an increase in mortality or in serious or incapacitating irreversible illness, or acute/chronic effect on the health of persons and other organisms;
  - 2) Infectious waste from hospitals, clinics and health centers, such as equipment, instruments, utensils, and fomites of a disposable nature from patients who are suspected to have or have been diagnosed as having communicable diseases and must therefore be isolated as required by public health agencies, laboratory wastes such as pathological specimens (i.e all tissues, specimens of blood elements, excreta, and secretions obtained from patients or laboratory animals) and disposal fomites that may harbor or transmit pathogenic organisms, and surgical operating room pathologic specimens and disposable fomites attendant thereto, and similar disposable materials from outpatient areas and emergency rooms, and
  - 3) Waste resulting from mining activities, including contaminated soil and debris.
- .jjj) **Waste matters** - shall refer to fruit peelings, pieces of paper, cartons, plastic wrappers or containers, disposable food and beverage containers and other wastes materials or unsanitary things;
- kkk) **White goods** - shall refer to the large worn-out or broken household, commercial, and industrial appliances such as stoves, refrigerators, dishwashers, and clothes washers and dryers collected separately. White goods are usually dismantled for the recovery of specific materials (e.g. copper, aluminum, etc).

ARTICLE III

Bayambang Solid Waste Management Board

Section 5. Bayambang Solid Waste Management Board - There is hereby created a Municipal Solid Waste Management Board of Bayambang to craft or propose policies and measures for the implementation of this ordinance.





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**Section 6. Composition** – The Municipal Solid Waste Management Board of Bayambang shall be composed of the following:

- |               |   |
|---------------|---|
| Chairman      | - Municipal Mayor   |
| Vice-Chairman | - Chairman, SB Committee on Health and Sanitation<br>- Chairman, SB Committee on Environment and Natural Resources  |
| Members       | - Municipal Health Officer<br>- Municipal Planning Development Officer<br>- Municipal Engineer<br>- President, Liga ng mga Barangay<br>- Chairman, SB Committee on Barangay Affairs |

**Section 7. Duties and Responsibilities. The Board shall:**

- a) Develop the Bayambang Solid Waste Management Plan that shall ensure the long-term management of solid waste, as well as integrate the various solid waste management plans and strategies of the Barangay in its area of jurisdiction. In the development of the Solid Waste Management Plan, it shall conduct consultations with the various sectors of the community;
- b) Adopt measures to promote and ensure the viability and effective implementation of solid waste management programs in the Barangay;
- c) Monitor the implementation of the Bayambang Solid Waste Management Plan through its various political sub Offices and in cooperation with the private sector and the NGOs;
- d) Adopt specific revenue-generating measures to promote the viability of its Solid Waste Management Plan;
- e) Convene regular meeting for purposes of planning and coordinating the implementation of the solid waste management plans of the Barangay;
- f) Oversee the implementation of the Bayambang Solid Waste Management Plan;
- g) Review every three (3) years or as need arises the Bayambang Solid Waste Management Plan for purposes of ensuring its sustainability, viability, effectiveness and relevance in relation to local and international developments in the field of solid waste management.
- h) Develop the specific mechanisms and guidelines for the implementation of the Bayambang Solid Waste Management Plan;
- i) Recommended to appropriate local government authorities' specific measures or proposals for franchise or build-operate-transfer agreements with duly recognized institutions, pursuant to R.A. 6957, to provide either exclusive or non-exclusive authority for the collection, transfer, storage, processing, recycling or disposal of solid waste. The proposals shall take into consideration appropriate government rules and regulations on contracts, franchises and build-operate-transfer agreements;
- j) Recommend measures and safeguards against pollution and for the preservation of the natural ecosystem;
- k) Coordinate the efforts of the Barangay in the implementation of the Bayambang Solid Waste Management Plan;
- l) Recommend to the Sangguniang Bayan appropriate of the needed funds for the implementation of this ordinance;
- m) From time to time, call on any concerned agencies or sectors, as it may deem necessary for the proper implementation of this ordinance.

**ARTICLE IV**

**The Municipal Solid Waste Management Plan**

**Section 8. Implementation** – The Municipal Solid Waste Management Plan shall be implemented in accordance with the implementation schedule, strategies and guidelines contained in the said Municipal Solid Waste Management Plan.





**ARTICLE V**  
**Waste Generation and Storage**

**Section 9. Mandatory Segregation of Solid Waste** – The segregation of solid waste shall be mandatory. Segregation shall primarily be conducted at the source to include household, institutional, industrial, commercial and agricultural sources.

**Section 10. Categories of Solid Waste** – Solid waste shall be segregated into the following categories:

- a) Compostable or Biodegradable
- b) Recyclable
- c) Residual
- d) Special Waste

**Section 11. Requirements for Segregation and Storage of Solid Waste** – The sources of solid waste as listed above shall have separate receptacles or containers (i.e. sacks, bins, boxes, cans, bags, etc.) for each type of solid waste. Solid waste shall be properly marked or identified for on-site collection as “compostable”, “recyclable”, “residual” or “special waste” and properly sealed or tied for easy handling and collection. The receptacles shall be properly covered, secured or protected to prevent spillage or scattering of the waste and to ensure its containment. In addition the said receptacles shall be color coded as follows:

- Biodegradable wastes – green
- Recyclable Non-Biodegradable – orange
- Residual wastes – yellow
- Special wastes – blue

**Section 12. Additional Requirements for Premises Containing Six (6) or More Residential Units** – The owner or person in charge of premises containing six (6) or more residential units shall provide for the residents a designated area and containers in which to accumulate source separated recyclable materials for collection. In addition, such owner or person in charge shall notify the residents or occupants of such premises of the requirements of segregation.

**Section 13. Additional Requirements for All Commercial, Institutional and Industrial Establishments** – The owners or heads of all commercial, institutional and industrial establishments shall provide a designated area and containers in which to accumulate source separated recyclable materials for collection. In addition, such owner or head of the institution shall notify all workers, employees, and entities working in the premises of the requirements of segregation. No scavenging or unauthorized collection in designated segregation containers or areas shall be allowed.

**Section 14. Additional Requirements in Agricultural Areas** - Agricultural waste such as rice straws, corn cobs, leaves, animal manure, etc., shall be properly stockpiled by the concerned individual for composting. Burning of agricultural waste shall be prohibited.

**Section 15. Requirements for Public Conveyances** – Public conveyances (i.e. tricycle, bus, vans, jeepneys) are likewise required to have two receptacles for separated residual and biodegradable wastes. Private vehicles are encouraged to do the same.

**ARTICLE VI**  
**Proper disposal of carcass and excreta of animals**

**Section 16. Disposal of Carcass of Animals.** Carcasses of domestic animals should be disposed by burying them at least two (2) feet under the ground. The disposal of carcasses of farm animals and other animals shall be subject to the guidelines set by the Municipal Health Office.





No carcass of animals shall be thrown inside the mobile garbage bins.

In cases where the owner of the dead animal cannot be identified, it shall be the responsibility of the Barangay to dispose it.

**Section 17. Disposal of Excreta of Domestic Animals.** Excreta of domestic animals should be disposed by burying. No animal excreta shall be thrown inside the mobile garbage bins. The disposal of excreta of farm animals and other animals shall be subject to the guidelines set by the Municipal Health Office.

#### ARTICLE VII Collection and Transport

**Section 18. Mandatory Segregated Collection and Transport.** - Segregated collection and transport of solid waste shall be mandatory. There shall be different collection Schedules for the different types or categories of solid waste. The collection of different types of waste on the same schedule may be allowed, provided that, separate collection vehicles or vehicles with compartments are used.

**Section 19. Requirements for the transport of solid waste.-**

- a. The use of separate collection schedules and/or separate collection trucks, compactors, haulers, units shall be required for specific types of wastes. Otherwise, vehicles used for the collection and transport of solid waste shall have the appropriate compartments to facilitate efficient storing of segregated waste while in transit;
- b. Vehicles shall be designed to consider road size, condition and capacity to ensure the safe and efficient collection and transport of solid wastes; and
- c. The waste compartment shall have a cover to ensure the containment of solid waste while in transit.

**Section 20. Requirements for the collection Crew.** - The following shall be the minimum standards and requirements for the collection crew:

- a. All collectors and other personnel directly dealing with collection of solid waste shall be equipped with personal protective equipment (PPE) to protect them from the hazards of handling solid waste;
- b. Appropriate training shall be given to collectors and personnel to ensure the sanitary and proper handling of solid wastes; and
- c. Collection of solid waste shall be done in an efficient and proper manner to prevent damage to the receptacle and spillage or scattering of solid waste within the collection vicinity.

**Section 21. Public Address.** - A public address and/or sound system shall be installed on all collection vehicles.

**Section 22. Responsibilities in the Collection of Solid Waste.** - Consistent with the provisions of RA 9003, Barangay Local Government Units (LGUs) shall be responsible for the collection and transport of the biodegradable and recyclable waste generated within their respective Barangays. For residual and special waste, the Municipal Government shall make arrangements with the Barangay LGUs for the collection and transport of the same.

**Section 23. Schedule of Collection by the Barangay.** - The Barangay LGUs shall prepare their respective schedules for the segregated collection and transport of the segregated waste to be done by the Barangay LGU. The collection schedule shall be thoroughly disseminated by the respective Barangay LGUs to the sources covered by the said collection services.





**Section 24. Schedule of Collection by the Municipality.** -The office of the Municipal Government responsible for waste management shall prepare the schedules for the segregated collection and transport of solid waste. The collection schedule shall be thoroughly disseminated by the Municipality to the Barangay LGUs and all sources covered by the collection services. Residual and special wastes shall be collected by the municipality from the respective MRF of each barangay and brought to the municipality's disposal facility: Provided, that the barangay LGU with the capability to collect residual and special wastes shall perform the said services within the barangay and shall dispose the collected waste to the material recovery facility.

**Section 25. Accreditation.** -Private individuals/entities/groups/cooperatives and Barangays that engage in solid wastes collection must comply with this ordinance. Provided that, they are to secure accreditation from the office of the Municipal Government responsible for waste management prior to operating to ensure that the operation is in, accordance with this Ordinance. Provided, further that said accreditation is not equivalent to license or permit required by the municipality.

**Section 26. Responsibility of Constructors.** -Constructors, in coordination with the office of the Municipal Government responsible for waste management shall be responsible for the disposal of construction wastes and debris.

**Section 27. Responsibilities of owners and/or managers of business establishments.** -Owners and/or managers of business complexes, establishments, institutions and industries shall be responsible for the transport of their waste to the disposal facility. Provided that only segregated waste shall be allowed in the disposal facility.

#### ARTICLE VIII Waste Processing and Resource Recovery

**Section 28. Establishment of Materials Recovery Facility** - The Municipality shall improve the Municipal MRF at Barangay Telbang. The operation of the MRF shall be in accordance with the strategy and guidelines prescribed in the municipal ISWM Plan. Likewise, the minimum requirements for establishment and operation prescribed in RA 9003 and its IRR shall be complied with. The income generated from the operation of the Municipal MRF shall accrue to and form part of the Municipal Solid Waste Management Trust Fund to be used for SWM-related activities only.

**Section 29. Barangay MRFs** - In addition to the municipal MRF, Materials Recovery Facilities with a minimum size of 1m x 3m shall be established in the barangays or clusters of barangays and in the public market. The barangay MRFs shall be established and operated in accordance with the strategy and guidelines prescribed in the municipal ISWM Plan. The municipal government will provide technical assistance for the operation of MRF. Likewise, the minimum requirements for establishment and operation prescribed in RA 9003 and its IRR shall be complied with.

Consistent with the provisions of RA 9003, Barangays shall assume primary responsibility in managing the biodegradable and recyclable waste within their respective barangays.

**Section 30. Composting by Barangays** - Barangays shall undertake composting of biodegradable waste from sources within the Barangay. Barangays without adequate space for composting may enter into arrangements with other Barangays or private entities for the composting of their biodegradable waste. Such arrangements may include the payment of fees for the services provided.

**Section 31. Backyard Composting** - In areas where space is available, compost heaps/bins shall be established in every household or cluster of households, institutions and establishments. As part of the implementation of the Municipal Solid Waste Management Plan, households shall be encouraged to undertake backyard composting.

**Section 32. Composting by Establishments.** The following establishments shall undertake composting of biodegradable waste generated at source:





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- 1) Agro-industrial establishments;
- 2) Farms and plantations;
- 3) Schools;
- 4) Hospitals;
- 5) Dressing Plants;
- 6) Private Markets;
- 7) Hotels, motels, inns, lodging houses, apartelles, resorts, spas;
- 8) Convenience Stores;
- 9) Malls and arcades;
- 10) Food Establishments;
- 11) Funeral homes, and
- 12) Cemeteries.

Establishments without adequate space for composting may enter into arrangements with the barangay or private entities for the composting of their biodegradable waste. Such arrangements may include the payment of fees for the services provided.

**ARTICLE IX**  
**Disposal Facility**

**Section 33.** Incineration or open burning of solid waste shall be strictly prohibited. Segregated residual and special waste shall be disposed of at the municipal recovery facility which shall be established in accordance with the schedule and guidelines prescribed in the ISWM Plan.

**ARTICLE X**  
**Regulation of Junk Shop Operations**

**Section 34.** All junk shops and ambulant junk buyers operating in the municipality shall secure the necessary permit/accreditation from the Supervising Environmental Management Specialist (SEMS) prior to operation. Ambulant junk buyers from other municipalities are required to pay the amount of P200.00 before issuance of the accreditation certificate and ID, which shall be effective for a period of one (1) year.

**ARTICLE XI**  
**Incentive Programs**

**Section 35. Search for Best SWM Implementors** – The Municipality shall conduct a municipal-wide annual Search for Best SWM Implementors in schools, barangays, institutions and establishments. The Supervising Environmental Management Specialist (SEMS), in coordination with the MSWM Board shall develop the mechanics for this contest following the criteria used in the present national search for model barangays implementing ESWM. Barangay LGUs are likewise encouraged to conduct similar contest at the purok level.

**Section 36. Discounts on Ecological Solid Waste Management (ESWM) Fees** – There shall be discounts on the ESWM fee (10%) when such is paid in full at the start of the year. In addition, winning institutions and establishments in the search for best SWM implementors shall be entitled to twenty percent (20%) discount.

**Section 37. Redemption Scheme for Recyclables** – The municipality, in collaboration with barangay LGUs may implement a redemption scheme for recyclables. Redeemable price stubs shall be given for recyclables brought to the municipal MRF. These price stubs may be redeemed after the recyclables for which they have been issued have been traded or sold. The Supervising Environmental Management Specialist (SEMS) shall prepare the mechanics for the redemption scheme.





**ARTICLE XII**  
**Education**

**Section 38. Information, Education and Communication (IEC)** – An IEC program shall be implemented by the Municipality pursuant to the strategies, mechanisms and guidelines contained in the municipal ISWM Plan. The Sangguniang Bayan shall appropriate the necessary funds to support the implementation of the IEC program.

**Section 39. Orientation/Seminar.** Owners, Managers of commercial, industrial, institutional, agro-industrial and agricultural establishments and administrative officers of national government agencies shall be required to attend seminars on solid waste management to be organized by the Municipality. Attendance to the seminar shall be a requirement to the issuance of the Solid Waste Management Certificate issued pursuant to this ordinance. The Supervising Environmental Management Specialist (SEMS) shall be responsible for the preparation of the schedule and conduct of the seminar.

**Section 40. Academic Curricula of Formal and Non-formal Education.** The Supervising Environmental Management Specialist (SEMS) shall coordinate with the Department of Education, Commission on Higher Education and Technical Education Skills Development Authority, for the integration of ecological solid waste management, which includes methods of waste reduction, collection, separation, processing, recovery and disposal, into the academic curricula of formal and non-formal education.

**Section 41. IEC Materials** – A variety of IEC materials shall be developed to support the SWM communications program. Print materials such as information sheets, posters, flyers, billboards and banners shall be developed, reproduced and distributed to target audiences. Public service announcements (e.g. bandilyo), radio and TV plugs/programs shall be developed and aired through the local radio stations and local cable network.

**Section 42. Creation of IEC & Advocacy Teams** – A municipal IEC & Advocacy team shall be created and shall be responsible, in promoting solid waste management concerns. The IEC & Advocacy team, in coordination with the Supervising Environmental Management Specialist (SEMS) shall perform the following functions:

- 1) prepare and implement detailed communication plans to support the implementation of the 10-year SWM Plan;
- 2) develop/produce/reproduce and disseminate SWM promotional materials;
- 3) conduct information/advocacy campaign to waste generators;
- 4) establish linkage/networking with partners to generate support for SWM implementation;
- 5) organize and train barangay IEC Committees;
- 6) document best SWM practices/model and facilitate publication/distribution of SWM success stories; and
- 7) perform such other functions as may be required.

**ARTICLE XIII**  
**Solid Waste Management Certificate**

**Section 43. Coverage.** The following establishments shall annually secure a Solid Waste Management Certificate:

1. industrial establishments;
2. agro-industrial establishments;
3. agricultural establishments;
4. institutions such as, but not limited to:
  - a. schools;
  - b. hospitals;
  - c. lying-in clinic;
  - d. medical/dental clinics;
  - e. laboratories;
  - f. religious institutions;





5. Commercial establishments such as, but not limited to:
  - a) Malls, arcades and convenience stores
  - b) Hotels, motels, inns, condominiums, dormitories, lodging houses, apartelles, resorts, spas;
  - c) Restaurants and bakeries
  - d) Recreational and sports facilities;
  - e) Markets;
  - f) Gasoline stations;
  - g) Machine shops;
  - h) Funeral homes;
  - i) Slaughterhouses and dressing plants;
6. Buy-back centers, junkshops and recyclers;
7. Cemeteries;
8. Solid waste hauling services;
9. Building contractors and residential subdivision developers; and
10. All national government agencies;

**Section 44. Authorized Office.** The Solid Waste Management Certificate shall be issued by the Municipal Solid Waste Management Board. The Supervising Environmental Management Specialist (SEMS) shall likewise be responsible for monitoring the implementation by the establishments of the solid waste management plans and programs prescribed hereunder.

**Section 45. Requirements.** The following shall be the requirements for issuance of the Solid Waste Management Certificate:

1. Solid Waste Management Plan & Program in accordance with the guidelines to be issued by the Supervising Environmental Management Specialist (SEMS);
2. Budget for implementation of such plan and program;
3. Attendance to the solid waste management orientation; and
4. Payment of the prescribed certificate fee.

**Section 46. Certification Fee.** For the issuance of ESWM Clearance/Certificate, the applicant shall pay the amount of SEVENTY FIVE (P75.00) PESOS. Said amount shall be included as additional fee in the application/renewal of Mayor's permit and payable at the Office of the Municipal Treasurer.

**ARTICLE XIV**  
**Ecological Solid Waste Management (ESWM) Fees**

**Section 47. Imposition of Fees** - There is hereby imposed an ESWM fee for solid waste management services provided by the Municipality in accordance with the schedule contained hereunder. The fees collected shall form part of the Municipal Solid Waste Management Fund established under this ordinance.

**Section 48. Coverage** - The ESWM fees imposed herein shall be collected from all sources of solid waste covered by the solid waste management collection services provided by the Municipality.

**Section 49. Fees for Households** - There shall impose a household fee/ ESWM fee for solid waste management services provided by the Municipality as follows:

Household	Amount
Single detached unit	P30.00
Multiple units/apartment style	P40.00
Other types of units such as condominiums	P70.00

**Section 50. Fees for Industrial and Manufacturing Firms** - Industrial and manufacturing firms shall pay an annual ESWM fee of Ten Thousand Pesos (P10,000.00) for collection services provided by the Municipality as follows:

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**Section 51. Fees for Establishments/Institutions** – Establishments/Institutions shall pay a monthly ESWM fee for collection services provided by the municipality as follows:

Type of Institution/ Establishment	Amount		
	Small	Medium	Large
1. Agro-industrial & Industrial	100.00	150.00	250.00
2. Business /commercial Establishment (Food establishment, General stores Market stalls, Recreation centers & Service centers, Bus, Bus w/ terminal)	40.00	100.00	250.00
3. Hospitals General Wastes	150.00	200.00	250.00
4. Hotels, Tourist Establishments, Lodging house, Resorts, Memorial Parks & Apartments	100.00	150.00	200.00
5. Clinics & Special Waste Generators (Gasoline and refilling stations, Funeral Parlors & Memorial homes)	80.00	100.00	120.00
6. Institutions (Banks, Pawnshops, Lending Agencies & Money Transfer Telephone & Communication, Churches & Chapels, Public & Private Schools)	60.00	80.00	100.00
7. Terminals	150.00	200.00	250.00

**Section 52. Manner of Payment/Collection** – The fees imposed herein shall be paid/collected as follows:

Sources of Wastes	Schedule of Payment
Households	Monthly
Institutions/Establishments/	Annually

**Section 53. Collection of ESWM fees** – For household residents, the Barangay Treasurer shall be responsible in the collection of ESWM fees. Collection of ESWM fees for institutions and establishments shall be incorporated in the payment of Real Property Tax, Business Permit and Licenses.

**Section 54. Adjustment of Fees** – The fees imposed herein shall be subject to a ten percent (10%) increase after three (3) years. Any subsequent increase or decrease shall be made through an appropriate ordinance enacted by the Sangguniang Bayan based on results of assessments or studies conducted for the purpose.

**Section 55. Penalties** – For late payments, a surcharge of five percent (5%) per month of delay shall be imposed.

**ARTICLE XV**  
**Barangay Share in ESWM Fees and Fines**

**Section 56. Share in ESWM Fees** – Barangay LGUs undertaking collection of ESWM fees for households within their jurisdiction shall be entitled to forty(40)(%) share of the fees collected. The fees shall be paid every 30th day of the month and a penalty of 5% shall be imposed for late payment.

**Section 57. Share in ESWM Fines** - Barangay LGUs are likewise entitled to twenty five percent (25%) share from the fines collected for violations committed within their territorial jurisdiction.





**ARTICLE XVI**  
**Prohibited Acts and Penalties**

**Section 58. Prohibited Acts.** - In addition to the prohibitions contained in the above provisions, the following acts are likewise prohibited:

- a) Littering, throwing or dumping of garbage on the streets, rivers, seas, sidewalks, esteros, canals, parks, playgrounds and other public or private places other than the designated disposal facility;
- b) Non-segregation of solid waste at source;
- c) Unscheduled bringing out of waste;
- d) Unauthorized/improper dumping of solid waste at the disposal facility;
- e) Transport of solid waste without nets or covering materials on the collection vehicles;
- f) For public conveyances, non-allocation of separate receptacles for residual and biodegradable wastes;
- g) Open burning of solid waste; and
- h) Vandalism, destruction or defacement of SWM facilities/receptacles

**ARTICLE XVII**  
**Administrative Procedure and Imposable Fines**

**Section 59. Administrative Fines:**

**59.1 Issuance of Citation Tickets** - Violator/s of any provision of this ordinance shall be issued Citation/Violation Ticket by Philippine National Police-Bayambang Police Station or SWM enforcers deputized by the municipality informing them the nature of the infraction committed and the corresponding fines to be paid.

**59.2 Payment of Fines** - If the violator is a corporation, firm, institution or other corporate entities, the president, manager or person responsible for its operation shall be held liable. The head of association or owner of mall, tenement house ad household shall be the respondent in case of violation of this Ordinance.

**59.3 Compliance to this Ordinance shall be a pre-requisite for the issuance or renewal of business permit for commercial and industrial establishments.**

**ARTICLE XVIII**  
**Penal Provision**

**SECTION 60. PENALTIES.** Any person who shall violate, disobey, refuse and/or neglect to comply with any of the provision of these ordinance shall be punished:

- 1) **First Offense** - Php500.00 Fine and/or imprisonment of not less than five (5) days but not more than thirty (30) days, or both, at the discretion of the court.
- 2) **Second Offense** - Php1,000.00 Fine and/ or imprisonment of not less than one (1) month nor more than three (3) months, or both, at the discretion of the court.
- 3) **Third Offense** - Php2,500.00 Fine and/ or imprisonment of not less than three (3) month nor more than six (6) months, or both, at the discretion of the court.





**ARTICLE XIX**  
**Enforcement Mechanisms**

**Section 61. Enforcement.** – This Ordinance shall be enforced by the Philippine National Police (PNP)-Bayambang Police Station and deputized SWM enforcers. The deputized SWM enforcers shall consist of three groups, namely: a) regular enforcers, b) auxiliary enforcers, and c) volunteer enforcers.

**Section 62. Composition and Functions of Auxiliary Enforcers** – The auxiliary enforcers will consist of Barangay Officials and CVOs. They will be tasked to enforce specific SWM regulations in their areas of jurisdiction. The functions to be performed by the auxiliary enforcers are the following:

1. Apprehend violators of SWM ordinances within their areas of jurisdiction and issue citation tickets. The Head of the SWM Section of the Supervising Environmental Management Specialist (SEMS) shall prescribe the specific SWM Ordinances and/or regulations of the municipality that may be enforced by the auxiliary enforcers.
2. Immediately return the copy of issued citation tickets to the barangay captain in case violator opts to render community service and to the barangay treasurer in case violator chooses to pay.
3. Prepare and submit monthly reports to the Supervising Environmental Management Specialist (SEMS).
4. Perform other related functions as may be required.

**Section 63. Volunteer Enforcers** – To supplement the regular and auxiliary enforcers, a corps of volunteer enforcers will be formed. Volunteers may be members of civil society organizations (POs, NGOs, youth groups, etc.), purok officials, and other concerned citizens. The Supervising Environmental Management Specialist (SEMS) shall prescribe the requirements or qualifications needed for volunteers and the criteria for selection. In determining such requirements or qualifications, the Supervising Environmental Management Specialist (SEMS) shall take into account, at the very least, the apprehending, recording and reporting responsibilities of deputized volunteers. In addition, it is also important to consider that in order to be effective, those in enforcement must be able to command some respect from other members of the community.

**Section 64. Functions of Deputized Volunteers.** – The functions of deputized volunteers are as follows:

1. Apprehend violators of SWM ordinances and issue citation tickets. The Head of the SWM Section shall prescribe the specific SWM Ordinances and/or regulations of the municipality that may be enforced by the deputized volunteers.
2. Immediately return the copies of issued citation tickets to the barangay captain/ Supervising Environmental Management Specialist (SEMS) in case violator opts to render community service and to the barangay/municipal treasurer in case violator chooses to pay.
3. Prepare and submit monthly reports to the Supervising Environmental Management Specialist (SEMS).
4. Perform other related functions as may be required.

**Section 65. Recruitment.** – To initiate the process of recruitment, the Supervising Environmental Management Specialist (SEMS) will hold an LGU-wide information dissemination and orientation regarding the need for volunteers, their roles and responsibilities, and the criteria for selection. The SWM Board will then evaluate and screen the applicants. The results of the screening will be published or posted in strategic places. The criteria for the selection are as follows:

- A member of a civil society organization and duly recommended by the same.
- Meets all the qualification.
- The committee on enforcement will conduct an interview of recommendees to assess their willingness and commitment to participate in the program.
- Physical and mental fitness as determined by a government physician.





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THE LONGEST BARBECUE  
Bayambang, Pangasinan, Philippines  
April 4, 2014

**Section 66. Deputation.** – The process of deputation will start with the training of regular enforcers, auxiliary enforcers and the selected volunteers. The Supervising Environmental Management Specialist (SEMS) shall organize the training/s to be conducted and may seek the assistance or engage the services of qualified persons or organizations in developing the training module/s, training materials and evaluation criteria as well as in conducting the actual training/s.

The training/s shall, at the minimum, cover the following topics:

1. Key Components of the municipal ISWM Plan;
2. ISWM Ordinances of the municipality;
3. Roles and functions of enforcers;
4. Legal Considerations in Making Apprehensions;
5. Procedure for apprehension and issuance of citation tickets;
6. Reporting requirements;
7. Values formation

**Section 67. Evaluation of Volunteers.** – Volunteers will be evaluated after the training and those who pass shall go through a probationary period of one (1) month as temporary enforcers. After the probationary period, they shall again be evaluated and those who pass shall be deputized by the Municipal Mayor. The deputation shall be effective for a period of one (1) year, after which, the deputized volunteers shall again be evaluated to determine their fitness to serve as such.

**Section 68. Monitoring and Evaluation** – Enforcement activities will undergo periodic monitoring and evaluation. Enforcers are expected to regularly report on their performance using pre-agreed performance indicators. The extent of compliance with ordinances and regulations will then be determined from such reports and from regular “feedbacking” sessions among enforcers. The Municipality will also consult with various sectors to get their assessment and to identify with them areas for improvement.

**Section 69. Strategy.** – Enforcement activities on the first year of implementation of the municipal ISWM plan will be geared towards the inculcation of proper solid waste management. Enforcement activities will also strengthen the IEC campaign. Based on the experience gathered on the first year, a detailed enforcement plan for the succeeding years will be prepared by the Supervising Environmental Management Specialist (SEMS).

After three months of intensive IEC, SWM regulations will be strictly implemented and fines and penalties will be fully imposed on violators. There will be regular inspection of establishments to make sure that solid wastes are properly segregated and stored, and that collection rules are followed. There will be random checking of vehicles to see if waste receptacles are provided. No business permit will be issued or renewed until establishment owners or their duly authorized representatives attend the required annual SWM seminar.

**Section 70. Incentives and/or Rewards for Enforcers.** – The Municipality shall give incentives and/or rewards to enforcers as follows:

**a) Regular and Auxiliary Enforcers**

1. For every apprehension, a cash award of twenty five percent (25%) of the penalty actually paid shall be given to the Regular or Auxiliary enforcer.
2. For every 25 apprehensions, a Certificate of Recognition will be awarded by the Municipal Mayor to the Regular or Auxiliary Enforcer concerned.

**b) Deputized Volunteers**

1. For every apprehension, a cash award of twenty five percent (25%) of the penalty actually paid shall be given to the deputized volunteer.
2. For every 25 apprehensions, a Certificate of Recognition will be awarded to the deputized volunteer by the Municipal Mayor





- The top 10 deputized volunteers based on the number of apprehensions per annum will be given a Plaque of Commendation by the Municipal Mayor

**ARTICLE XX**  
**Community Involvement**

**Section 71. Public Notification.** – The Constituents of Bayambang shall be regularly informed of acts performed and activities undertaken in connection with the implementation of the ISWM Plan of Bayambang. For this purpose, notices of such acts and activities shall be posted regularly in a bulletin board at the entrance of the Municipal Hall, at the Office of Supervising Environmental Management Specialist (SEMS), Market Supervisor V, MPDC, MEO, in all barangay halls, at the public market and other public places. The Supervising Environmental Management Specialist (SEMS), MPDO, MEO and Mayors Office supported by the municipal IEC Team shall be responsible for the posting of the above information.

**Section 72. Public Participation.** – The Supervising Environmental Management Specialist (SEMS) shall ensure that public participation is maximized in the implementation of the ISWM Plan of Bayambang. For this purpose, the Supervising Environmental Management Specialist (SEMS) shall conduct public consultations with concerned stakeholders on matters that would affect the latter in connection with the implementation of specific components of the municipal ISWM Plan. The results of such public consultations shall be taken into consideration prior to the actual implementation of the particular component of the municipal ISWM Plan.

**ARTICLE XXI**  
**Miscellaneous Provisions**

**Section 73. Separability Clause.** – If for any reason or reasons, any part or parts or provisions of this Ordinance shall be held to be unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

**Section 74. Repealing Clause.** – All ordinances or any part or parts thereof which are inconsistent with any of the provisions of this Ordinance are hereby repealed or modified accordingly.

**Section 75. Effectivity.** – This Ordinance shall take effect after ten (10) days following its publication in a local newspaper of general circulation.

*ENACTED this 24<sup>th</sup> of July 2017*

**JOEL V. CAMACHO**  
 Secretary to the Sanggunian

**ATTESTED:**

**HON. MYLVIN T. JUNIO**  
 Acting Presiding Officer





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 OFFICE OF THE SANGGUNIANG BAYAN

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THE LONGEST BARBECUE  
 Bayambang, Pangasinan, Philippines  
 April 4, 2014

AN ORDINANCE PROVIDING FOR  
 AN ECOLOGICAL SOLID WASTE  
 MANAGEMENT, PRESCRIBING FEES  
 FOR SOLID WASTE MANAGEMENT  
 SERVICES, DECLARING CERTAIN  
 ACTS PROHIBITED AND PROVIDING  
 PENALTIES, THEREFOR.

WE CONCUR:  
 SANGGUNIANG BAYAN MEMBERS

HON. JOSEPH VINCENT E. RAMOS

HON. PHILIP R. DUMALANTA

HON. BENJAMIN FRANCISCO S. DE VERA

HON. JUNIE J. ANGELES

HON. MARTIN E. TERRADO II

HON. MA. CATALINA E. DE VERA

HON. AMORY M. JUNIO

HON. ROGELIO P. DUMALANTA  
 Pangulo, Liga ng mga Barangay  
 (absent)

APPROVED:

HON. CEZAR T. QUIAMBAO  
 Municipal Mayor