

Republic of the Philippines
Province Of Nueva Vizcaya
Municipality of Solano
BARANGAY OSMEÑA

SANGGUNIANG BARANGAY OF OSMEÑA, SOLANO, NUEVA VIZCAYA

Excerpts from the minutes of the Regular Session of the Sangguniang Barangay Members of Barangay Osmeña held on August 4, 2014 at the Barangay Osmeña Session Hall.

PRESENT:

HON. DANILO E. DOMINGO

PUNONG BARANGAY/
PRESIDING OFFICER

HON. JUANITA A. BANGLOY

BARANGAY KAGAWAD

HON. OSCAR D. CORPUZ

BARANGAY KAGAWAD

HON. MELVIN M. PADILLA

BARANGAY KAGAWAD

HON. CESAR M. DAGUIO

BARANGAY KAGAWAD

HON. FREDO M. LABASAN

BARANGAY KAGAWAD

HON. MELIZZA D. MERCADO

BARANGAY KAGAWAD

HON. EVANGELINE M. HERNAEZ

BARANGAY KAGAWAD

MR. HARREN JESSIE D. BAÑA

BARANGAY SECRETARY

MR. MARVIN T. DE VERA

BARANGAY TREASURER

ALSO PRESENT:

MRS. CHENITA A. FARIÑAS

BNS

BARANGAY ORDINANCE NO. 02
Series of 2014

AUTHORED BY:

HON. EVANGELINE M. HERNAEZ
Chairman, Committee on Health and Sanitation

AN ORDINANCE ADOPTING THE PROVISIONS OF REPUBLIC ACT NO. 9003 – ECOLOGICAL SOLID WASTE MANAGEMENT OF BARANGAY OSMEÑA, SOLANO, NUEVA VIZCAYA FOR AN EFFECTIVE IMPLEMENTATION.

WHEREAS, Republic Act No. 9003 otherwise known as the Ecological Solid Waste Management Act of 2000, provides that the Policy of the State is to adopt a systematic, comprehensive and ecological solid waste management program which shall ensure the proper segregation, collection, transport, storage, treatment and disposal of garbage and adaptation of the best environmental practices in solid waste management, Furthermore, Section 10 of the same law mandates the Barangay to be responsible for the collection of solid waste from residential, commercial, industrial and agricultural sources within its geographical subdivisions;

WHEREAS, RULE XVII, Section 3 of the Implementing Rules and Regulations of R.A. No. 9003 authorizes the Barangay to impose and collect Garbage Fees for the collection and segregation of biodegradable, compostable and reusable wastes from households, commercial, other sources of domestic wastes, and for the use of Barangay Materials Recovery Facility;

WHEREAS, the Local Government Code of 1991 empowers the local government units to enact ordinances which shall ensure an efficient and effective system of solid waste and garbage collection and disposal including the prohibition on littering and the placing of throwing of garbage, refuse and other filth and waste;

WHEREAS, the Sangguniang Barangay of Osmeña recognizes the need to have a Solid Waste Management Program for the Barangay, providing therein a systematic solid waste

management program including the collection from household, business establishments and institutions; recycling; segregation; and storage for the collection and final disposal of the City.

NOW THEREFORE, BE IT ENACTED BY THE SANGGUNIANG BARANGAY OF OSMEÑA, PROVINCE OF NUEVA VIZCAYA, UPON MOTION BY HONORABLE EVANGELINE M. HERNAEZ DULY SECONDED BY THE BODY WITHOUT ANY OPPOSING VOTE, BY VIRTUE OF THE POWERS VESTED BY R.A 7160, IN SESSION ASSEMBLED, THAT:

Section 1. **SHORT TITLE.** This ordinance shall otherwise be known as the **Barangay Osmeña Ecological Solid Waste Management Ordinance.**

Section 2. **DEFINITION OF TERMS.** As use in this ordinance, the following terms shall mean:

- (a) **Agricultural waste** shall refer to waste generated from planting or harvesting of crops, trimming or pruning of plants and wastes or run-off materials from farms or fields;
- (b) **Biodegradable** shall refer to 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.
- (c) **Bulky wastes** 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, bookcases, filing cabinets, and other similar items;
- (d) **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;
- (e) **Collection** shall refer to the act of removing solid waste from the source or from a communal storage point;
- (f) **Collection vehicle** shall refer to an authorized vehicle used in the gathering of stored waste during the scheduled collection.
- (g) **Collection schedule** shall refer to the designated time given for the collection of waste in a particular route.
- (h) **Construction / Demolition Debris** shall refer to solid waste arising from construction and demolition of structure, such as earth mounds, dilapidated concrete, pieces of stones, rocks and woods, metal and plastic scraps.
- (i) **Composting** shall refer to the controlled decomposition of organic matter by micro-organisms, mainly bacteria and fungi, into a humus-like product;
- (j) **Consumer Electronics Waste** shall refer to special waste that includes worn-out, broken, and other discarded items such as radios, stereos, and TV sets;
- (k) **Disposal** shall refer to the discharge, deposit, dumping, spilling, leaking or placing of any solid waste into or in a land;
- (l) **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;
- (m) **Generation** shall refer to the act or process of producing solid waste;

- (n) **Generator** shall refer to a person, natural or juridical, who last uses a material and makes it available for disposal or recycling;
- (o) **Hazardous waste** shall refer to solid waste management or combination of solid waste which because of its quantity, concentration or physical, chemical or infectious characteristics may:
 - (1) cause, or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness; or
 - (2) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of, or otherwise managed;
- (p) **Leachate** shall refer to the liquid produced when waste undergo decomposition, and when water percolate through solid waste undergoing decomposition. It is contaminated liquid that contains dissolved and suspended materials;
- (q) **Materials recovery facility** - includes a solid waste transfer station or sorting station, drop-off center, a composting facility, and a recycling facility;
- (r) **Recyclable material** shall refer to any waste 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, newspaper, ferrous scrap metal, non-ferrous scrap metal, used oil, corrugated cardboard, aluminum, glass, office paper, tin cans and other materials as may be determined by the Commission;
- (s) **Recycling** shall refer to the treating of used or waste materials through a process of making them suitable for beneficial use and for other purposes, and includes any process by which solid waste materials are transformed into new products in such a manner that the original product may lose their identity, and which maybe used as raw materials for the production of other goods or services;
- (t) **Resources recovery** shall refer to the collection, extraction or recovery of 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;
- (u) **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;
- (v) **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;
- (w) **Segregation at source** shall refer to a solid waste management practice of separating, at the point of origin, 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;
- (x) **Solid waste** shall refer to all discarded household, commercial waste, non-hazardous institutional and industrial waste, street sweepings, construction debris, agricultural waste, and other non-hazardous/non-toxic solid waste.
- (y) **Solid waste management** shall refer to the discipline associated with the control of generation, storage, collection, transfer and transport, processing, and disposal of solid wastes 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;

- (z) **Special collection** shall refer to the collection outside of the regular garbage collection schedule, in compliance to the request or complaint received.
- (aa) **Special wastes** shall refer to household hazardous wastes such as paints, thinners, household batteries, lead-acid batteries, spray canisters and the like. These include wastes from residential and commercial sources that comprise of bulky wastes, consumer electronics, white goods, yard wastes that are collected separately, batteries, oil, and tires. These wastes are usually handled separately from other residential and commercial wastes;
- (bb) **Storage** shall refer to the interim containment of solid wastes after generation and prior to collection for ultimate recovery or disposal;
- (cc) **White goods** shall refer to 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.);
- (dd) **Yard waste** shall refer to wood, small or chipped branches, leaves, grass clippings, garden debris, vegetable residue that is recognized as part of a plant or vegetable.

Section 3. GENERAL POLICY. Any waste should be left in the place of purchase or in the household and no other person or individual in between has the obligation to keep the waste. All stores, establishments and households are required to have suitable trash receptacles to keep one’s garbage to be kept inside its premises and not on the sidewalk. Waste should not be taken out except during scheduled collection by the Barangay Collection Vehicle or accredited garbage collectors.

Section 4. MANAGEMENT & ENFORCEMENT

4.1. The Barangay ESWM Committee shall be created to provide the necessary support in the implementation of this Ordinance. The Punong Barangay shall be the Chairman of the Committee.

4.2. Members. All Sangguniang Barangay Members and Employees, Non-Governmental Organizations, Purok Leaders, Department of Education Representative, Youth Representative

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|-----------|-------------------------------|
| Chairman: | Punong Barangay |
| Members: | Chairman, Committee on |
| | Health and Sanitation |
| | Sangguniang Barangay Members |
| | Barangay Nutrition Scholar |
| | New Dalton HS Principal |
| | Dep. Ed. Representative |
| | Cooperatives Representative |
| | Inter-Faith Representative |
| | BAFC Representative |
| | Purok Presidents |
| | Chief Barangay Tanod |
| | Barangay Laborers |
| | Sand and Gravel Fee Collector |
| | Garbage Fee Collector |
| | Sand and Gravel Truck Driver |
| | Garbage Truck Driver |
| | Barangay Hall Care Taker |
| | Task Force On Youth Members |

- a. **Meeting.** The Committee shall meet regularly, ideally at least once a month. At the minimum, the committee should meet once every quarter.

Section 5. STORAGE AND DISCHARGE OF WASTE FOR COLLECTION

5.1 Waste shall be stored only in the place of purchase or in the household. Under no circumstances shall waste be stored in any other place. Waste shall be stored only within the premises of the generator.

5.2 Household toxic and hazardous waste (THW) shall be placed in separate appropriate container and shall be disposed of in a specific manner in accordance with R.A. 6969. Broken glasses or lamps and other sharp objects shall be securely enclosed in hard cardboard with tie to prevent injury to handlers and rip and tear of bags/containers.

5.3 Waste shall be set out for collection only within the scheduled date and time of collection by the Barangay Collection Vehicle or accredited garbage collectors.

5.3 Bulky waste shall be collected separately or scheduled for special collections.

Section 6. PROHIBITION AGAINST BURNING

6.1 No open burning of waste, including leaves and other garden wastes shall be allowed.

6.2 No incineration plants or any other facility that utilizes burning, including but not limited to pyrolysis, plasma arc, gasification, etc, shall be constructed within the barangay.

Section 7. WASTE COLLECTION SYSTEM

7.1 The Barangay shall strictly implement a “no segregation, no collection” policy. Mixed waste shall not be accepted.

7.2 Only the Barangay Collection Vehicle or in its absence any authorized garbage collectors by the Barangay shall be allowed to handle waste from the generators. All garbage collectors, drivers and those involve in the collection of refuse shall be required to wear proper uniforms and identification cards to be prescribed by the Barangay.

7.3 Waste collected shall only be transported directly to the prescribed disposal MRF site.

6.6 Junk dealers are not allowed to collect recyclable materials during the scheduled time of collection.

6.7 Scrap buying and selling shall not be allowed during the scheduled collection time.

Section 8. SEGREGATION/SORTING OF SOLID WASTE REFUSE INTO COMPOSTABLES, RECYCLABLES, RESIDUALS, AND HAZARDOUS. All owners, lessee, tenants and the like of residential houses, commercial establishments, buildings and other entities with Barangay Osmeña are required to separate, sort-out their solid waste, refuse, garbage materials into the following classification:

- a. **Compostable – Kitchen Waste**

Examples of this are the following: food leftovers, vegetable peels, meat bones and fish innards, etc. These wastes shall be stored on a covered pail.

- b. **Compostable – Garden Wastes**

Examples of this are the following: grass, trimmings, leaves and branches. These wastes may be stored using sacks and cans inside one’s backyard and should not be piled along the streets or any vacant lot.

- c. **Compostable – Agricultural Wastes**

Examples of this are the following: coconut husks from copra making, rice straw, etc. These wastes should be stored within one's lot in a manner that will not pose a fire hazard.

d. **Recyclable**

Examples of this are the following: metals, cans, hard plastics, bottles, glass, paper, etc. These wastes should be stored using bags or sacks according to each type.

e. **Residual**

Examples of this are the following: sachets, sando bags, plastic wrappers, styropors, straws, etc. These wastes should be cleaned and dried prior to disposal, free from organic materials that may attract pests like rats and cockroaches. They should be stored in any bags, sacks or containers.

f. **Hazardous – Household**

Examples of this are the following: batteries, old mercury thermometers, paint cans, etc. These wastes should be stored separately, away from the reach of children and animals. They should be placed inside properly labeled bags or sacks.

g. **Hazardous – Hospital and Industries**

These wastes should be directly coordinated with the City. Its storage, transportation and disposal shall be subject to the conditions set by Republic Act 9003 and Republic Act 6969.

Section 9. REQUIREMENT OF SEGREGATION FOR SITE COLLECTION:

8.1 For individual household: Each type of waste shall be stored in separate containers. The authorized garbage collector shall transfer the contents and return the container to the owner.

8.2 In case of premises containing three (3) or more residential units: In addition to the obligation of individual household, owner/person in charge shall provide a designated area and separate containers for each type of waste.

8.3 For commercial, institutional and industrial establishments: Owners/managers/head/person responsible for the operation shall be required to provide a designated area and separate containers for each type of waste.

Section 10. MAINTENANCE OF CLEAN AND SANITARY FRONTAGE AND IMMEDIATE SURROUNDINGS.

10.1 Household owners / caretakers / tenants / establishments owners, managers or any person responsible for the operations of establishment with Barangay Osmeña are required to maintain their frontage and immediate surrounding clean and sanitary. In case of the contractor hired by the owner to construct buildings or structures in his/her area, the contractor shall be required to provide receptacles/storage for the construction debris/materials that may accumulate on account of the construction activity, pending its collection and disposal.

10.2 All person covered by this provision are required to report and coordinate to the Punong Barangay within 24 hours from the time of accumulation of bulky waste or construction/demolition debris in their property, yard or immediate surroundings and accordingly coordinate with the said office the collection and disposal thereof. However, in case of self-generated bulky waste or construction/demolition debris, the house owner/care taker or establishment owner/manager/person responsible for its operations, before generating bulky waste or undergoing construction/ demolition activity, shall have prior coordination with the Punong Barangay on the collection and disposal thereof.

Section 11. AUTHORITY TO COLLECT GARBAGE FEE. The Barangay Treasurer through is hereby authorized to impose and collect Barangay Garbage fees in the amount, as follows:

11.1 Household garbage shall be assessed and collected with the corresponding fee amounting to Fifty Pesos (P 40.00) per month.

11.2 Commercial, Business and Industrial establishments' garbage will also be assessed and collected with the corresponding fee of Fifty Pesos (P 50.00) per month.

11.3 Special Waste and Resort's garbage shall also have corresponding fees to be paid; One Hundred Fifty Pesos (P 150.00) and Two Hundred Pesos (P 200.00) per month, respectively.

11.3 GARBAGE TICKET. The Barangay Treasurer is hereby authorized to print Garbage Fee Tickets as authorized in this ordinance.

11.4 OTHER FEES AND CHARGES. Other Fees and Charges for special collection and disposal shall be paid by person/persons responsible for the generation of bulky waste at the rate to be determined by the Punong Barangay on a per volume basis.

Section 12. INSTALLATION OF TRASH RECEPTACLES ON PUBLIC UTILITY VEHICLE. All owners/operators/drivers of jeeps and tricycles for public use, operating within or traversing through the territorial jurisdiction of Barangay Osmeña, shall provide trash receptacle in their vehicle as prescribed by the Punong Barangay.

Section 13. LITTERING OF WASTE. The throwing of waste, refuse or garbage matters, papers, cigarette butts and the like in any quantity, in any place in the streets or public building or property, including waterways, river banks not otherwise designated as garbage dumping place is hereby prohibited. A penalty of Two Hundred Pesos (P 200.00) shall be imposed to an individual violator.

Section 14. DUMPING OF WASTE. The dumping, placing, and scattering of waste, refuse or garbage matters, papers, and the like, in any place in the streets or public building or property, including waterways, riverbanks not otherwise designated as garbage dumping place is hereby prohibited.

Section 15. PUSH CART / PEDICAB WHEELERS ACCREDITATION. All pushcart/pedicab wheelers owners/operators operating within Barangay Osmeña in line with recycling business and garbage collection shall be organized and accredited accordingly. The Punong Barangay shall issue the necessary guidelines in the accreditation of existing push cart and pedicab wheelers. Provided, that all push cart and pedicab wheelers shall cease from operation as soon as the Materials Recovery Facility and all the garbage collection vehicle of the Barangay have become fully operational.

Section 16. REQUIREMENT FOR JUNK SHOP OPERATIONS All Junk Shop operators who wish to operate in the Barangay shall secure the necessary permit from the Barangay.

16. 1 All collectors/ employees of the junk shops authorized by the barangay shall wear proper uniforms showing the name of the Junk Shops.

16. 2 Collectors from junkshops not authorized by the barangay shall not be allowed to enter and collect recyclable materials within the barangay.

16.3 It shall be the obligation of junk shop operators operating within the Barangay Osmeña to provide an area for the sorting and storing of each type of recyclable materials and maintain their area of operation and immediate surroundings clean and sanitary.

Section 17. USE OF ENVIRONMENTAL-FRIENDLY MATERIALS. All food chains, restaurants, supermarkets, eateries and other similar establishments within Barangay Osmeña, are given two (2) years to dispose all of their stocks of plastics, styrofoams and the like that are being used as food and product packages and shall be replaced by reusable wares or environmental-friendly products such as paper plates, paper bags, paper cups, paper board-food packs and other

similar biodegradable materials. Priority should be given however to the promotion of reusable materials, including, but not limited to bayong, “katsa”, basket, for secondary packaging.

Section 18. PROMOTION ON USE OF KITCHEN WASTE AS FEEDSTOCK Residents shall be encouraged to separate suitable kitchen waste to be used as feed stock, and these shall be given to all hog raisers authorized by the barangay.

Section 19. PROMOTION OF COMPOSTING All residents shall be encouraged to practice household composting. Composting methods may include, but are not limited to the following models, compost pit, wind row composting, clay pot composting, vermiculture, etc.

Section 20. ADMINISTRATIVE FINES:

20.1 ISSUANCE OF CITATION TICKETS. Violators of any provision of this ordinance shall be issued Citation/Violation Ticket by Eco Police/Enforcers or other Environmental Enforcers deputized by the Punong Barangay, informing them the nature of the infraction committed and the corresponding fines to be paid.

20.2 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 association or owner of mall, condominium, tenement house and household shall be the respondent in case of violation of this Ordinance. Compliance to this Ordinance shall be a prerequisite for the issuance of renewal of barangay clearance/work permit for commercial and industrial establishments.

Section 21. PENALTY. Any person who shall violate, disobey, refuse and/or neglect to comply with any of the provision of this ordinance shall be punished in accordance with the following penalty:

21.1 Individual – a fine of FIVE HUNDRED (P500) shall be imposed.

21.2 Corporation/Establishment – a fine of One Thousand Pesos (P1,000) shall be imposed.

21.3 Fines or penalty imposed herein shall be without prejudice to the administrative sanctions that may be imposed to erring establishments.

Section 22. COLLECTION AND DISPOSITION OF FINES. The payment of fines for violation of this Ordinance shall be at the Barangay Treasurer’s the fines collected in violation of the Ordinance shall accrue in favor of the Barangay Solid Waste Management Trust Fund.

Section 23. CONDUCT OF PUBLIC INFORMATION, EDUCATION AND COMMUNICATION (IEC) CAMPAIGNS. The Punong Barangay in cooperation with other government agencies shall conduct a massive public awareness campaign to inform and instruct the people and communicate with people and all stakeholders on matters relative to the implementation of this Ordinance.

23.1 All the schools in the barangay shall be requested to develop programs to support the implementation of this ordinance.

23.2 All the schools shall also be encouraged to integrate ecological solid waste management concepts in their curriculum.

Section 24. REGULATION OF ISSUANCE OF BARANGAY PERMITS TO VIOLATORS No barangay clearance and/or permit shall be issued to any individual, household, or business that does not comply with any provision of this ordinance.

24.1 No barangay clearance shall be issued to any member of a household that does not comply with the provisions of this Ordinance.

24.2 No Business Permit shall be issued to any business establishment that does not comply with the provisions of this ordinance.

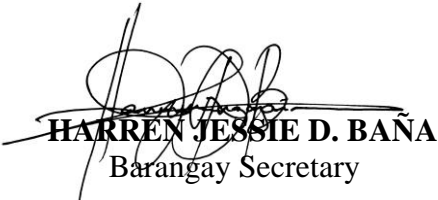
Section 24. SEPARABILITY CLAUSE. Should any provision of this ordinance or the application thereof to any person or entity be declared invalid the remainder of the ordinance not otherwise declared so shall remain valid and effective.

Section 25. REPEALING / AMENDATORY CLAUSE. All ordinances, rules and regulations, executive orders or portions thereof inconsistent with this ordinance are hereby repealed, amended and/or modified accordingly.

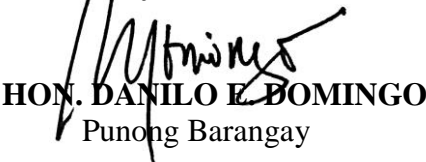
Section 26. EFFECTIVITY. This ordinance shall take effect immediately upon its approval.

Enacted on this 4th day of August, 2014, Barangay Osmeña, Solano, Nueva Vizcaya.

I HEREBY CERTIFY to the correctness of the above Barangay Ordinance.


HARREN JESSIE D. BAÑA
Barangay Secretary

Attested by:


HON. DANILO E. DOMINGO
Punong Barangay