



Republic of the Philippines
Tanggapan ng Sangguniang Panlungsod
City of Naga



ORDINANCE NO. 2000-006

AN ORDINANCE PROHIBITING ALL GASOLINE STATIONS, AUTO REPAIR SHOPS, CARWASHING CENTERS AND ALL OTHER ESTABLISHMENTS OR ENTITIES FROM DISPOSING AND POURING USED OIL, WASTE WATER/LIQUID AND ANY OTHER POLLUTING/TOXIC LIQUID INTO DRAINAGE CANALS THAT FLOW INTO THE CREEKS AND UNTO THE NAGA RIVER AND PRESCRIBING PENALTIES THERETO:-

Author: Hon. Simeon Adan

Be it ordained by the Sangguniang Panlungsod of the City of Naga, that:

SECTION 1. - TITLE. - This ordinance shall be known as the “Ordinance preventing used oil, waste water/liquid and any other polluting/toxic liquid to spill into the Naga River from Gasoline Stations, Auto Repair Shops, Carwashing Centers and all other Establishments or Entities in Naga City”.

SECTION 2. - DEFINITION OF TERMS. -

- 2.1 Used Oil – refers to the dirty oils and other dirty petroleum based products that are discharged and emptied from motor vehicle engine parts when they are cleaned, overhauled and/or repaired which substance are no longer reusable for use of said vehicles;
- 2.2 Gasoline Station – are establishments that aside from dealing and selling gasoline and oil products, likewise maintain as auxiliary functions, car washing and oil facilities to compliment their sale of gasoline and other oil products;
- 2.3 Car washing Centers – these centers are those that offer cleaning and washing motor vehicles which while they do not deal with gasoline and oil products they perform jobs of not only washing the car body and engine but also change engine oil and provide greasing of engine parts;
- 2.4 Auto Repair and Reconditioning Shops – these are shops that perform only repairs on the engine parts of motor vehicles but in the process they cause used oil to be drained and wash the engine parts and discharge dirty substances from the motor vehicles before they are put back to normal functions.
- 2.5 Drainage Canals – these channels are usually found all around the City. They are man-made, usually covered concrete channels provided with manholes that can be lifted and opened. It being in such condition, it can easily be used for surreptitiously pouring the waste water or used oil from car washing and car repair facilities. All such canals lead into the low-lying areas especially to the Naga River.
- 2.6 Waste Water – are the water/liquid discharged from mechanical substance that is toxic or polluting.

2.7 Storm Drains – are drainage canals the main purpose of which is to contain the water run-off during rains and downpours.

SECTION 3. - SCOPE AND COVERAGE OF THIS ORDINANCE. -

3.1 The ordinance covers all gasoline stations, car washing facilities, auto repair shops and other similar establishments or entities located within the territorial jurisdiction of the City of Naga, including acts of their owners, operators and workers in said establishments.

SECTION 4. - INVENTORY OF GASOLINE STATIONS, CARWASHING, AUTO REPAIR SHOPS AND ALL OTHER ESTABLISHMENTS OR ENTITIES. -

4.1 Upon the passage of this ordinance, the City Environment & Natural Resources Office (City ENRO) of the City of Naga shall be mandated to organize a team from its present staff of not less than three (3) persons to conduct an inventory of all the Gasoline Stations, Carwash Centers and Auto Repair shops within the territorial jurisdiction of the City of Naga, listing the said establishments in alphabetical order and determining their respective locational addresses. Such directory should be on file at the City ENRO and furnished copy the Committee on Environment & Ecology of the Sangguniang Panlungsod as well as the Sangguniang Panlungsod Secretariat for ready reference.

SECTION 5. - REGULAR INSPECTION OF ESTABLISHMENTS. - Upon approval of this ordinance, it also mandates the City Environment & Natural Resources Officer (City ENRO) of the City of Naga to organize a team to make a routine but regular inspection of the Gasoline Stations, Auto Repair Shops, Carwashing Centers and all other Establishments or Entities as inventoried and listed in section 4 hereof. Said inspection shall be conducted once a month at the time most appropriate and opportuned as determined by the Team headed by the City ENRO Officer.

SECTION 6. - PROHIBITED ACTS BY ESTABLISHMENTS CONCERNED. - It is strictly prohibited for owners, operators and workers of gasoline stations, auto repair shops, car wash centers and all other establishments or entities to:

6.1 Pour into a drainage canal, storm drain, or any channel, covered or otherwise, any quantity of used oil, used grease, other used petroleum products or waste water and any other toxic/polluting liquid from car wash and any other establishments or entities, coming directly from vehicles being cleaned, repaired or washed or from any storage container for said used petroleum products;

6.2 Sweep or lead large quantities of used oil, used grease, waste water from the floor of the car washing facilities and directly channel said used or waste liquids into the drainage canals or storm drains allowing the same to flow into said channels and ultimately into the Naga River.

6.3 Mere presence of a large quantity of used oil, grease and waste water in a canal or storm drain proximate or directly connected to the car washing facilities of a given establishment mentioned herein will be sufficient presumption of proof that said establishment has caused the discharge of said waste liquids into the canal, as prohibited in this ordinance.

SECTION 7. - WHAT ESTABLISHMENTS CONCERNED ARE SUPPOSED TO DO WITH USED OIL AND WASTE SUBSTANCES. - To avoid penalty as herein above provided, gasoline stations, auto repair shops, car wash centers and all other establishments or entities are required to:

- 7.1 Provide for a convenient storage container in their premises to store their used oil, grease or other used liquids in such a manner that such will not leak into the floor or drain into the canal or storm drains proximate to it;
- 7.2 This stored used liquids should be disposed only if not recycled for legitimate purposes, by dumping the same into a private facility owned by the establishment conveniently structured away from populated areas and the same dump area is duly approved by an Environmental Compliance Certificate (ECC) issued by the City ENRO of the City of Naga;
- 7.3 Such storage containers should not be allowed to overflow into canals and must be protected from being hit by flames or combustible objects.

SECTION 8. - PENALTIES. -

- 8.1 Violations of any of the provisions of section 6 of this Ordinance shall be punishable by a fine of Two Thousand (P2,000.00) Pesos for the first offense, Three Thousand (P3,000.00) Pesos for the second offense and revocation of license and business permit for the third offense plus a fine of Five Thousand (P5,000.00) Pesos and an imprisonment of not more than six (6) months or both as maybe determined by the Court.
- 8.2 The absence of the facilities provided for in section 7.1 hereof shall be punishable by a fine of One Thousand (P1,000.00) Pesos on the first offense, Two Thousand (P2,000.00) Pesos on the second offense, and Five Thousand (P5,000.00) Pesos on the third offense plus revocation of licenses and business permits;
- 8.3 Violation of Sections 7.2 and 7.3 of this ordinance shall be likewise be punishable by fines and penalties as provided in section 8.2 above.

SECTION 9. - REPEALING CLAUSE. - Any provisions of existing ordinances, rules and regulations and/or parts thereof inconsistent with the provisions of this ordinance are hereby repealed and/or modified accordingly.

Should any portion or provision of this ordinance be declared unconstitutional or invalid, the other parts or provisions thereof not affected thereby shall remain and continue to be in full force and effect.

SECTION 10. - EFFECTIVITY. - This Ordinance shall take effect immediately upon its approval and publication in a newspaper of local circulation.

ENACTED: February 16, 2000.

WE HEREBY CERTIFY to the correctness of the foregoing resolution.

GIL A. DE LA TORRE
Board Secretary II
& SP Secretary-Designate

ESTEBAN R. ABONAL
City Vice Mayor & Presiding Officer

APPROVED:

SULPICIO S. ROCO, JR.
City Mayor