



Republic of the Philippines
Tanggapan ng Sangguniang Panlungsod
City of Naga



ORDINANCE NO. 2001-056

AN ORDINANCE AMENDING CITY ORDINANCE NO. 96-049, PROMULGATING RULES AND REGULATIONS ON SEGREGATION AND PROPER DISPOSAL OF GARBAGE BY COMMERCIAL, BUSINESS AND INDUSTRIAL ESTABLISHMENTS, AND INSTITUTIONS AND ALL HOUSEHOLDS IN THE CITY OF NAGA:-

Author: Hon. Simeon F. Adan

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

SECTION 1. - TITLE. - The title of the Ordinance as now amended shall be “AN ORDINANCE AMENDING CITY ORDINANCE NO. 96-049 MANDATING ALL HOUSEHOLDS, BUSINESS AND COMMERCIAL ESTABLISHMENTS, AND INSTITUTIONS TO ADOPT WASTE SEGREGATION AT SOURCE AND PROPER DISPOSAL OF THE SAME AND PROVIDING PENALTIES FOR VIOLATION THEREOF”.

SECTION 2. - SCOPE OF THIS ORDINANCE. - As in Ordinance No. 96-049, it covers all 27 Barangays of the City of Naga with emphasis on each and every household, business and commercial establishments and institutions in the urban centers as well as in the rural sectors of the City.

SECTION 3. - DEFINITION OF TERMS. - All definitions in City Ordinance No. 96-049 as enumerated below are hereby adopted with the additional definitions in 3.B. as follows:

3.A. Definitions in City Ordinance No 96-049 as hereto adopted:

- 3.A.1. TRASH CAN -a trash can is a drum cut into half with appropriate handle and cover, painted with the name of the business/industrial/commercial establishment or zone concerned and on the other side in big letter “N” to stand for “NALALAPA” or degradable for one can with the other can with letters “DN”, to stand for “DAI NALALAPA” (non-degradable);
- 3.A.2. TRASH BAG - can be plastic or sack in medium sizes, one kind to be colored green to contain degradable wastes and another kind to be black or rust in color to contain the non-degradable wastes from source.
- 3.A.3. GARBAGE AT SOURCE - garbage or wastes at source refers to waste materials still inside the establishments or household before they are thrown into the garbage pile near the roadside for picked up by garbage collectors.
- 3.A.4. URBANIZED BARANGAYS - are the barangay in the Central Business District populated areas of the city numbering 21 out of the 27 barangays of the entire City.

- 3.A.5. RURAL BARANGAYS - are the six outlying barangays of the City namely, San Felipe, Pacol, Carolina, Panicuason, Cararayan and San Isidro most of which are still sparsely populated.
- 3.A.6. BARANGAY WASTE DISPOSAL COMMITTEE - a Three-man Committee to be created and organized by the Barangay Council concerned to attend to the implementation of the provisions of this ordinance headed by a Chairman, a Vice Chairman and one Member.
- 3.A.7. GARBAGE PILE - an area along the road/street side to be designated by the barangay waste disposal committee conveniently located and marked where the garbage cans or bags are to be placed and where segregated waste shall be piled up at the convenient time for pick up by garbage trucks and EWAMP collectors.
- 3.A.8. BARANGAY GARBAGE MONITOR - these are duly appointed or designated barangay monitors of garbage piles. Tanod Members or Rabus Officers mostly volunteers who are responsible in overseeing the throwing of garbage or wastes at the designated compost piles in the barangay.

3.B. New definitions:

- 3.B.1. INSTITUTIONS - shall be taken to mean here as all schools, public or private, and religious, civic, and social aggregations;
- 3.B.2. WASTE SEGREGATION AT SOURCE - the process of classifying waste into biodegradable and non-biodegradable and putting waste so segregated in separate containers still at source or right in the households, establishments or institutions before disposal of the same at Pick Up Points.
- 3.B.3. PICK UP POINTS - are designated areas selected by the Barangay Council of each barangay with approval of ENRO preferably street corners duly marked by SIGNAGE "NALALAPA" and "DAI NALALAPA" and provided with waste receptacles where households and establishment or institutions proximate to them shall put their garbage at designated scheduled dates and time.
- 3.B.4. COMPOSTING CENTER - Composting Centers are constructed at chosen barangays or at the City Controlled Landfill where biodegradable wastes already segregated at source will be brought and composted into organic fertilizer and/or soil conditioner.
- 3.B.5. SOIL CONDITIONER - shall be construed as composted waste materials mixed with soil which can be used to loosen or enrich the soil for better plant growth on it.
- 3.B.6. MATERIALS RECOVERY SHED (CENTER) - a covered shed constructed at the disposal areas in barangay or at the City Controlled Landfill where non-biodegradable wastes shall be stored in compartments separated of each kind available for recycling or reuse. It will appear as a compartmentalized bodega or storage roofed and secured and with

sanitary surroundings.

- 3.B.7. CONTROLLED OR ENGINEERED LANDFILL - this is the new facility to be constructed by the City as the disposal site where composting of biodegradable wastes shall be done and all non-biodegradable wastes stored for recycling or reuse.
- 3.B.8. RESIDUE GARBAGE - this is the kind of garbage which cannot be recycled, reused or composted and needs to be finally disposed at the controlled Landfill Dumpsite.
- 3.B.9. 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, bookcases, filing cabinets, and other similar items (Art. 2, Sec. 3(b) of RA 9003);
- 3.B.10. CONSUMER ELECTRONICS - Shall refer to special wastes that include worn-out, broken, and other discarded items such as radios, stereos, and TV sets (Art. 2, Sec. 2(g) of RA 9003);
- 3.B.11. 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 collected separately, batteries, oil, and tires. These wastes are usually handled separately from other residential and commercial wastes (Art. 2, Sec. 2(pp) of RA 9003);
- 3.B.12. WHITE GOODS - shall refer to large worn-out or broken household, commercial, and industrial appliances such as stoves, refrigerators, dishwashers, and clothes and dryers collected separately. White goods are usually dismantled for the recovery of specific materials (e.g. copper, aluminum, etc.) (Art. 2, Sec. 2(tt) of RA 9003);
- 3.B.13. AGRICULTURAL WASTE - shall refer to waste generated from planting or harvesting crops, trimming or pruning of plants and wastes or run-off materials from farms or fields (Art. 2, Sec. 2(a) of RA 9003). This kind of waste may be composted separately in a cell to turn into mulch or soil conditioner.

SECTION 4 of City Ordinance No. 96-049 shall be changed to: PROCEDURES ON THE SEGREGATION OF WASTE AT SOURCE AND ITS PROPER DISPOSAL.

Rules shall be changed to Step.

Step 1. – Steps 1-5 in City Ordinance No. 96-049 are adopted and unaltered. Steps to be changed to Activity 1-3.

Steps 1-5 in City Ordinance No. 96-049, provides that:

- A. Steps to take – Whoever is in-charge of disposal of waste materials in stalls, establishments and households must observe the following steps:

1. Prepare two kinds of collection bags for garbage or wastes, namely: one for degradable wastes and another for non-degradable wastes.
2. Take note of degradable or nalalapa, (“N” NALALAPA), viz:
 - 2.1. All left-overs from the dining table or cooking wastes from the kitchen (rice, fish, vegetables, meats, bones, etc.).
 - 2.2. All peelings of fruits, vegetables, coco meat, spices, etc.
 - 2.3. Garden wastes – leaves, flowers, weeds, small twigs & branches, roots, etc.
 - 2.4. Soft tissue pads and papers.
3. Take note of non-degradable – DN (“DAI NALALAPA”), viz:
 - 3.1. cardboard, thick paper, used stationary.
 - 3.2. glass, bottles, and slides, and broken mirrors, old batteries of all sizes, busted electric bulbs, etc.
 - 3.3. used cloths, sacks, etc.
 - 3.4. plastic cups, containers, styrofoam, bags, wrappers, etc.
 - 3.5. rubber bands, rubber strips, tires exterior and interior, etc.
 - 3.6. metals – aluminum, steel, tin cans, pipes, staples, wire, bottle caps, strips, bronze, broken cables, etc.
4. Put these materials separately in the two kinds of bags or boxes. Do not mix the degradable with non-degradable wastes.
5. Bundle or tie each bag to avoid the contents to spill out and scatter.

Step 2. – (a) Shall now be read as:

Activity 1. – Bring these two kinds of container to the Pick Up Point as designated and as scheduled, or compost the same right at home if possible.

Activity 2. – Bring the non-biodegradable wastes also placed in bags or bundled tightly to the Pick Up Point for Non-biodegradable wastes labeled (DAI NALALAPA) at the designated place and also as scheduled.

Activity 3. – Be sure to leave the bags or bundles of segregated garbage only at the designated area and only at the designated schedule shown on the Pick Up Point Signage.

Rule 3 is adopted and unaltered as Step 3.

Rule 3 of City Ordinance No. 96-049, provides that:

Rule 3 – Only duly designated barangay garbage monitors or volunteers are allowed to arrange or rearrange piled up garbage bags at the designated garbage piles.

1. Street sweepers are not allowed to reopen and repack or disturb the garbage bundles thrown into the piles.
2. Garbage monitors or volunteers are to prevent stray dogs or animals from the garbage piles and report the presence of stray animals for possible apprehension. Said garbage monitors or volunteers are authorized to catch stray animals and bring the same to the Barangay Pound for proper disposal according to law.

Step 4 is now worded as: ENRO garbage vehicles and their authorized handlers are to gather the segregated garbage at the Pick Up Points in a manner consistent with the principle of Segregation of Wastes and strictly in accordance with the schedule printed at the Pick Up Point's signage seeing to it that wastes are collected separately by kind (Degradable separately from Non-degradable) and by separate vehicles at designated days and time.

Step 5 shall now read as: The Garbage Vehicles of whatever type shall convey their collected wastes to the Controlled/Engineered Landfill located at Balatas, this City, in the following manner, viz:

- 5.1. For the Biodegradable (NALALAPA) wastes. These are to be dumped and laid out at the Composting Cells at the Landfill with the assistance of Composting Cell Handlers, the same to be covered immediately by earthfill for the composting process.
- 5.2. As to the Non-biodegradable (DAI NALALAPA) wastes, the trucks collecting them shall deliver said wastes to the Controlled Landfill at Balatas where the same shall be deposited at the Materials Recovery Shed (Center) made for the purpose.
- 5.3. All agricultural wastes shall be collected separately by separate garbage trucks and brought to the Agricultural Waste Composting Cell at the Controlled Landfill. (Maybe beside or part of the Controlled Landfill area for residue garbage).

Step 6 shall now be read as: Any garbage or wastes not segregated according to kind described above and brought to the Pick Up Points shall not be collected but allowed to remain at such place and the Barangay Monitor shall trace its source and record the violators and issue a Citation Ticket to them for penalty as specified in this ordinance.

If after two (2) days the violator is not found, the unsegregated garbage shall be collected by the ENRO and all households in the area of the Pick Up Point shall be warned about the violation leading to the possible apprehension of the violator.

Rule 7 and 8 are deleted.

Rule 9 is adopted and unaltered and changed to Step 9.

Rule 9 of City Ordinance No. 96-049, provides that:

Rule 9 – Hospitals, medical centers, and funeral parlors shall adopt their own waste disposal systems according to law.

Step 10 shall now be read as follows:

- 10.1. Garbage disposal in the upper barangays shall adopt a more intensive composting of biodegradable wastes at the household level by utilizing backyard compost pits or compost bins like old discarded rubber tires or compost baskets. This type of degradable wastes when segregated will no longer be brought to the Controlled Landfill of the City. The manner of composting shall follow the steps in the Manual on Garbage Back To Mother Earth (GABTOME) taught practiced by ENRO piloted at Barangay Bagumbayan Sur (Manuals shall be furnished these areas).
- 10.2. If possible, the barangay concerned shall put up its Composting Center in selected area in the barangay, together with a Materials Recovery Shed for Non-Biodegradable Wastes patterned after that of Bagumbayan Sur model.
- 10.3. The non-biodegradable wastes as are also segregated shall be collected by the barangay assisted by the ENRO at least once a week and the same brought to the Materials Recovery Center referred to in 10.2 above or if said Center is not yet available at the time, the ENRO Collection System may haul the same to the City's Materials Recovery Center in Balatas, weekly.

SECTION 5. - Section 5 of City Ordinance No. 96-049 is adopted "en-toto", thus:

"SECTION 5. - PROVIDING TRASH CANS AT GARBAGE PILES. -

- a. It shall be the responsibility of every Barangay Council to provide the herein described trash cans of at least two (2) (one for the degradable and one for the non-degradable) in every designated garbage pile or at a place as may be designated and determined by the Barangay Garbage Disposal Committee. If cans are not practicable, garbage piles must be designated and properly mentioned.
- b. If at a certain determined area one trash can is not enough for each kind, it shall be the obligation of the Barangay Council to augment the numbers needed when appropriate.
- c. The Barangay Council concerned are authorized under this ordinance to raise funds from legitimate means or collect garbage fees from households or establishments based on a locally passed ordinance, and funds thereof duly accounted for by the barangay fiscal system if only to furnish the Program with the needed facilities as herein provided and grant honoraria to duly authorized garbage collectors by areas adopting the provisions of Par. 5 of the Executive Order No. 91-001 dated January 23, 1991.

SECTION 6. - ENRO'S GARBAGE COLLECTION SCHEME. - As an essential component of the Garbage Collection and Disposal System of the City, the Environment & Natural Resources Office (ENRO) being the department of the City in-charge of this task, shall formulate a Collection and Disposal System that will match this new system of Waste Segregation at Source and the Composting of Biodegradable Waste as well as the recycling, reuse and reduction of non-degradable waste Citywide.

- 6.1. The ENRO through the Solid Waste and Pollution Management Division shall prepare a Comprehensive Schedule of Collection of Waste on a segregated basis stating therein in clear terms the number of trucks used to collect and deliver the non-biodegradable wastes as well as the Agricultural Wastes at

certain days and time of the week. This schedule of collection and disposal shall be disseminated to all concerned thru a massive information process.

6.1.1. Each garbage vehicle (truck) shall be provided with a bell or sound system to announce its coming to the Pick Up Points and must be labeled in bold letters the kind of garbage it will collect and deliver.

6.1.2. Every garbage vehicle shall be provided with a convenient cover to prevent its contents from falling off as it traverses the roadways especially when they are already fully loaded.

6.2. The garbage vehicles shall give special attention to the barangay based Materials Recovery Center established in Pilot Barangays such as that in Bagumbayan Sur and others who may adopt the facility in order to lessen the volume of wastes being brought to the Balatas Controlled Landfill. Special schedules shall be prepared for this micro-level Materials Recovery Center of barangays.

SECTION 7. - Mandatory Attendance by Heads of Households, Business and Commercial Establishments and Institutions to a Seminar-Demonstration Workshop on Waste Segregation and Composting Process.

7.1. Starting immediately after approval of this ordinance and within a period of three (3) months thereafter, all heads of households, business and commercial establishments and institutions shall be required to attend a two or three-hour Seminar-Demonstration Workshop on the Proper Method of Waste Segregation at Source, Composting and Disposal of Garbage.

7.2. The ENRO in cooperation with the Committee on Environment & Ecology of the Sangguniang Panlungsod and the Environment Management Council shall conduct a massive training of all households, business and commercial establishments and institutions Citywide based on a uniform Module prepared for the purpose.

7.2.1. The Information, Education and Communications Action Team (IECAT) of all barangays shall be clustered and scheduled accordingly to accommodate all household heads to attend such short period seminar-demonstration workshop preferably conducted in the clustered area. Instruction through actual demonstration and participation shall be conducted thoroughly to enable every participant to understand and practice the new scheme of Segregation of Waste at Source, the Composting of Biodegradable Wastes, and the Recycling and Reuse of Non-biodegradable as well as Agricultural Wastes and their proper disposal.

7.2.2. Attendance to such Seminar shall be compulsory but free and Certificates of Completion shall be issued to all who attend the Seminar. Such attendance shall be mandatory to all heads of households, business and commercial establishments or institutions regardless of whether he/she has already attended a previous seminar of this kind somewhere else.

7.2.3. The household head or head of establishment or institution may be represented by a member of the household or establishment or institution concerned especially the one who actually attends to the garbage at

home or in the establishments or institutions.

- 7.2.4. After the stipulated three (3) months period, a household or head of establishment or institution who fails to attend the Seminar-Demonstration Workshop or cannot show evidence of attendance thereat shall be subject to the penalty provided for in this ordinance.
- 7.2.5. Households heads and heads of establishments and institutions, however, who can prove to the Accrediting Team created for this purpose that they already know and practice the process of segregation and disposal of waste, can be given an Accreditation Certificate which can take the place of the Certificate of Attendance referred to hereinabove.
- 7.2.6. All those who registered and attended the Public on the Ordinance proposed on August 6, 2001 where such demonstrations on the Process are discussed are now considered Accredited for this purpose.
- 7.2.7. To enable Barangay-based Monitors to check the fact of attendance or accreditation, each household, establishment or institution shall frame their Certificates of Attendance or Accreditation and hang or display the same at a convenient place in their home or establishment for viewing and inspection.
- 7.2.8. To assure adequate dissemination of information on these processes, the ENRO shall use the media and TV to teach the household and institutional heads thru spots announcements and TV slides on this subject at the expense of the City or those sponsorships.

SECTION 8. - PENALTIES. - All penalties provided in City Ordinance No. 96-049 are amended to read as follows:

SECTION 8.A. - Penalties as provided for in Section 6 of City Ordinance No. 96-049 are as follows:

SECTION 6. - PENALTIES. -

- a. This ordinance hereby adopts en-toto the provisions of Section 10 of City Ordinance No. 95-080 as are applicable penalties herein directly related to the provisions of the present ordinance.

SECTION 10 of City Ordinance No. 95-080 provides that:

“SECTION 10. - PENALTIES.-

- a. Refusal of any owner of stalls of market, business or industrial establishment or institutions and later on household owners covered by the refuse resource management project particularly in the Central Business District, to comply with the standards of segregation and classification of refuse into biodegradable and non-biodegradable in accordance with the instructions set forth in the brochure by the management staff shall be punished by fines, thus:

For the first offense	P500.00
For the second offense	1,000.00
For the third offense	1,500.00
For the fourth offense	Cancellation of license and a fine of P2,500.00 or an imprisonment of not less than ten (10) days or both depending upon the decision of the court.

- b. Persons who throw their waste resources at place other than those designated particularly at riverbanks or canals shall likewise be fined accordingly to Sec. 10.a (1-3) above.
- c. Any person apprehended for taking, stealing or destroying the container provided for by the market stall owners and owners of business, and industrial establishments or households for this purpose, shall be punished at the instance by a fine of P500.00 or an imprisonment of not less than two (2) days or both at the discretion of the court.”
- d. All other violations or non-compliance of provisions of herein ordinance are provided built-in penalties in the form of deprivation on the violators thereof.

8.B. NEW PROVISIONS:

8.B.1. Any household head or heads of commercial and business establishments or institutions any member or their families or househelp who throw his garbage or waste in any form at any other place other than designated Pick Up Point shall be imposed a fine of Three Hundred Pesos (P300.00) for the first apprehension and Five Hundred Pesos (P500.00) for every subsequent apprehension plus imprisonment of not less than three (3) days for every apprehension thereof.

8.B.1.1. In case the member of the family other than the head or a subordinate helper of the establishment or institution is apprehended, the responsibility for the penalty herein shall devolve upon the head of the family or owner-proprietor or operator of the establishment or institution.

8.B.2. Any head of a household or establishment or institution in the City of Naga who fails to attend the Seminar-Demonstration on Proper Waste Segregation and Disposal held near his/her residence or establishment conducted by the Local Government of Naga thru the ENRO within the period of three (3) months after the approval of this ordinance shall be imposed a fine of Five Hundred Pesos (P500.00) or in case of insolvency shall suffer imprisonment of not less than five (5) days at the discretion of court .

8.B.2.1. A household head or head of establishment who has paid a fine after apprehension shall be made to comply with this requirement of attendance to a Seminar-Workshop even after the payment otherwise the same penalty shall be imposed on him/her until after he has complied with the same.

8.B.2.2. A household head or head of establishment or institution is deemed to have attended said Seminar-Demonstration if he possesses a

Certificate of Attendance and Completion duly signed by authorities concerned. The absence of such Certificate in his name or that of his/her representative or failure to display the Certificate of Attendance as provided in Section 7.2.5 above is *prima facie* evidence that he has failed to attend the same and subject to the penalty as provided herein.

8.B.2.3. The Barangay Council through their Barangay Tanods and with the assistance of the Philippine National Police (PNP) as are designated by the Chief of Police, Naga City PNP Station are deputized under this ordinance to apprehend violators of this ordinance and issue Citation Tickets prepared by the ENRO for this purpose.

8.B.2.4. All fines collected for violation of Section 4, Step No. 6; Section 8.1 and Section 8.2 in this ordinance shall accrue as follows:

8.B.2.4.1. Fifty percent (50%) of all collection shall be credited to the Special Trust Fund of the barangay concerned where the fines are collected specifically to be expended for their Solid Waste Management and Clean and Green projects of such barangay.

8.B.2.4.2. Fifty percent (50%) shall accrue to a Special Trust Fund of the City to be credited to ENRO and for use of such office for environmental programs and activities especially on Solid Waste Management and the purchase of waste disposal receptacles.

SECTION 9. - SEPARABILITY CLAUSE. - Should any provision of this ordinance or the application thereof to any person or entity be declared invalid or unconstitutional, the remainder of the ordinance not otherwise declared so shall valid and effective.

SECTION 10. - 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 11. - EFFECTIVITY. - This ordinance shall take effect upon its approval and publication at least once in any newspaper of local circulation and the posting thereof at City Hall and at every Barangay Hall in the City of Naga.

ENACTED: August 8, 2001.

WE HEREBY CERTIFY to the correctness of the foregoing ordinance.

JOSE C. RAÑOLA, M.D.
City Councilor/Acting City Vice Mayor
& Presiding Officer

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

APPROVED:

JESSE M. ROBREDO
City Mayor