



Republic of the Philippines
Tanggapan ng Sangguniang Panlungsod
City of Naga



ORDINANCE NO. 2002-077

AN ORDINANCE INSTITUTIONALIZING MATERIALS RECOVERY AS THE PREFERRED MODE OF PROCESSING SOLID WASTE IN NAGA CITY, APPROPRIATING FUNDS THEREFOR AND AUTHORIZING THE CITY MAYOR TO NEGOTIATE A LOAN TO FULLY FINANCE THE PROJECT: -

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

SECTION 1. - STATEMENT OF POLICIES. - (a) The Naga City Government herein adopts materials recovery as the preferred mode of waste processing. Materials recovery shall refer to any process which recovers degradable and recyclable materials from solid waste bestowing them further economic value;

b. The city government herein recognizes that the materials recovery facility is both an essential governmental service and an economic activity. As such, the city government will run the facility as an economic enterprise but stands ready to subsidize its operation in the event that becomes necessary.

SECTION 2. - OBJECTIVES. - In consonance with these policies, the city government shall:

- a. Effect the closure of the Balatas dumpsite within six (6) months from the passage of this ordinance employing such measures as may be necessary to:
 - i. mitigate any offensive smell in the course of the closure;
 - ii. ensure the proper management of methane gas that may be generated;
 - iii. neutralize or lessen the adverse impact of the old garbage on the environment;
 - iv. if possible, cause the processing of the old garbage to reduce and eventually level the pile converting it either to compost or recycled materials;
- b. Cause the establishment and operation, within the same six (6) month period and in the same site and of a materials recovery facility using appropriate and cost effective technology;
- c. Ensure absorption by the said materials recovery facility of any displaced scavengers who depend on in-transit garbage and on the dumpsite itself for their livelihood; and
- d. Design the entire Balatas site in such a way to prevent further damage to the environment such as from leachate, strewn and flying debris and offensive smell. In addition, aesthetics shall be given due consideration to ensure that the Balatas site not only meets environmental and engineering standards but also contributes to the livability of its surrounding community.

SECTION 3. - IMPLEMENTATION. - In pursuance of these objectives, the following city government offices shall perform the following designated tasks:

- a. The City Environment and Natural Resource Office (City ENRO) shall:
 - i. Coordinate with the City Engineer's Office in the technical design of the materials recovery facility, including all related civil works and pollution control measures;
 - ii. Review and update the city's integrated solid waste management system as may be necessary to ensure that the materials recovery facility and all other components of the city's integrated solid waste management system complement each other;
 - iii. In coordination with the supplier of the equipment, ensure that there is a transfer of skills and technology related to the operation and maintenance of the facility to selected personnel of the city government;
 - iv. Launch an appropriate information, education and communications campaign to promote waste segregation at source once the materials recovery facility is in full operation;
 - v. Institute such measures and recommend such policies to effectively institutionalize such updated integrated solid waste management system.
- b. The City Engineer's Office shall:
 - i. In coordination with City ENRO, complete the technical design of the materials recovery facility, including all related civil works and pollution control measures;
 - ii. Supervise the implementation of all civil works and ensure their adherence to accepted government standards;
 - iii. Ensure completion of all engineering works as to allow operation of the facility within six (6) months of the passage of this ordinance.
- c. The City Agriculturist Office shall:
 - i. Formulate a program to encourage the use of compost produced by the materials recovery facility, herein referred to as the Balatas compost in the city's farmlands;
 - ii. Show, through an appropriate demonstration farm, the efficacy of the Balatas compost;
 - iii. Network with other government agencies, cooperatives and private organizations to promote their use of Balatas compost;
 - iv. Recommend such measures to improve the quality of the Balatas compost;
 - v. Undertake such other projects and activities to expand the end-users and enhance the quality of the Balatas compost.
- d. The Metro PESO shall:

- i. Formulate a sustainable credit program in support of adopters of the Balatas compost;
- ii. Assist in identifying new markets and in establishing a marketing network by the private sector for the Balatas compost;
- iii. Undertake such other measures to expand the market of the Balatas compost.

SECTION 4. - OPERATION. - The materials recovery facility may be operated by:

- i. The supplier of the equipment for a fixed number of years as set by the city government provided city government personnel are allowed to acquire the skills and know how to operate and maintain the facility right from the start of the operation of the facility;
- ii. The city government after a transition period to allow city government personnel to acquire the skills and know how to properly operate and maintain the facility;
- iii. By a private sector other than the supplier of the equipment selected through an open and competitive prequalification and bidding process.

SECTION 5. - DEADLINE OF THE SPECIAL PBAC. - The Special Pre-qualification, Bids and Awards Committee created to oversee the open and competitive selection of the supplier and operator of the equipment of the materials recovery facility shall conclude its work as to allow completion and operation of the said facility within the timetable set in Section 1 of this Ordinance.

SECTION 6. - COMPLEMENTATION WITH METRO NAGA. - The head of City ENRO shall coordinate with the project team of the Metro Naga Development Council preparing the design of the Metro Naga Solid Waste Management System to ensure that the Balatas materials recovery facility complements the other components of the said system.

SECTION 7. - FUNDING. - The amount of P10 million is herein appropriated out of any savings from the current year's appropriation to start the initial phase of this project.

SECTION 8. - GRANT OF AUTHORITY TO THE CITY MAYOR. - (a) The City Mayor is herein authorized to negotiate a loan with any financial institutions offering the most advantageous terms to the city government to cover the balance of the development cost of the facility.

- b. In the event that the materials recovery facility will not be operated by the city government, the City Mayor is herein likewise granted authority to negotiate and execute a contract with the supplier of the equipment or with such other party as may be selected through an open and competitive process for the operation and maintenance of the facility for a period as maybe agreed upon by the parties.
- c. The City Mayor is further authorized to negotiate with owners of property adjacent the Balatas dumpsite for the purpose of acquiring additional land, either by sale, lease or expropriation to meet the required area for a materials recovery facility.

SECTION 9. - REPEALING AND AMENDATORY CLAUSE. - Any provision of existing ordinances or executive issuances inconsistent with this ordinance are herein repealed or amended accordingly.

SECTION 10. - EFFECTIVITY. - This ordinance shall take effect upon its approval and publication in any local newspaper of general circulation.

ENACTED: December 11, 2002.

WE HEREBY CERTIFY to the correctness of the foregoing ordinance.

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

LILIAN O. PASCUAL
Local Legislative Staff Officer III
& SP Secretary-Designate

APPROVED:

ESTEBAN R. ABONAL
Acting City Mayor