



PAMAHALAANG BAYAN NG TAYTAY

TANGGAPAN NG SANGGUNIANG BAYAN

**EXCERPT FROM THE MINUTES OF THE REGULAR
SESSION OF THE SANGGUNIANG BAYAN, TAYTAY, RIZAL,
HELD ON OCTOBER 9, 2008, AT THE SESSION HALL
OF THE MUNICIPAL BUILDING, TAYTAY, RIZAL**

PRESENT:

Hon. Janet DL. Mercado	- Vice Mayor/Presiding Officer
Hon. Sharon DL. Macabebe	- Councilor
Hon. Arturo R. Valle	- "
Hon. Reggie Lynn G. Mascardo	- "
Hon. Anastacio V. Alcantara	- "
Hon. Dianne Eliza G. Esguerra	- "
Hon. Glenviano G. Valera	- "
Hon. Jean Antonette M. Bermillo	- SK President

ABSENT:

Hon. Joselito T. Calderon	- Councilor (O.B.)
Hon. Trece S. Cayton	- " (O.B.)
Hon. Chito J. Esguerra	- ABC President (O.B.)

INTRODUCED BY : Coun. Dianne Eliza G. Esguerra
SPONSORED BY : COMMITTEE ON ENVIRONMENTAL PROTECTION
CHAIRMAN : Coun. Arturo R. Valle
VICE-CHAIRMAN : ABC Pres. Chito J. Esguerra
MEMBERS : Coun. Glenviano G. Valera
Coun. Trece "D.I." S. Cayton
CO- SPONSORED BY: Vice-Mayor Janet DL. Mercado
Coun. Sharon DL. Macabebe
Coun. Reggie Lynn G. Mascardo
Coun. Anastacio V. Alcantara
SK Pres. Jean Antonette M. Bermillo

ORDINANCE NO. 15

AN ORDINANCE ADOPTING THE TAYTAY MUNICIPALITY'S SOLID WASTE MANAGEMENT CODE OF 2008.

WHEREAS, the accumulation of waste from industrial, commercial, and residential sources has become one of the nation's leading environmental concerns;

WHEREAS, the magnitude of the problem of waste disposal generate the grim image that Taytay Municipality in future time may be drowning in its

garbage. Although overstated in this term, the problem of waste disposal has reached a critical level;

WHEREAS, although solid waste is perhaps less of a threat than hazardous waste to the human health and the environment, the average person is familiar with the increasing problems associated with the accumulation of solid waste in the municipality;

WHEREAS, every citizen can do more to reduce the generation of solid waste and move to repair environmental degradation resulting from solid waste accumulation in the municipality and at source;

WHEREAS, Section 7 (6) of RA 8508, the Municipality of Taytay, provides:

SECTION 7. Basic Services and Facilities. The Municipality shall provide the basic services and facilities under Section 17 of the Local Government Code of 1991, x x x x which shall include but are not limited to the following:

x x x x x

(6) Environmental management system and services or facilities related to general hygiene and sanitation:

WHEREAS, it is the policy of the Municipality of Taytay to adopt an ecological and environment friendly principle of managing the Municipality's Solid Waste through an integrated approach of reducing waste generation and segregation/sorting at source for efficient system of collection, and disposing the residuals in an environmentally sound manner;

WHEREAS, in pursuant of Republic Act 7160 otherwise known as The New Local Government Code of 1991, it is hereby declared the policy of the Municipality of Taytay to protect and safeguard the environment for the health and welfare, safety and well being of its people. Toward this end, the Municipality Government shall establish "sustainable mechanisms to maintain ecologically sound and healthy environment, ecotourism promotion strategy thus, enhanced local investment";

WHEREAS, on the Operative Principles of Decentralization, the same Code states that:

The basic services and facilities that the municipality shall provide is the solid waste disposal system or environmental management system and services and facilities related to general hygiene and sanitation (Section 17 (4)). It also provides that the participation of the private sector in local governance particularly in the delivery of basic services shall be encouraged to ensure the viability of local autonomy as alternative strategy for sustainable development (Section 3).

NOW THEREFORE ,

BE IT ORDAINED AS IT IS HEREBY ORDAINED BY THE SANGGUNIANG BAYAN IN SESSION DULY ASSEMBLED , THAT:

SECTION 1. TITLE



This Code shall be known and cited as the "**Taytay Municipality's Solid Waste Management Code of 2008**".

SECTION 2. SCOPE

- a. This Code shall govern the basic elements of Solid Waste Management System which includes 1) waste generation, 2) storage and handling, 3) waste collection, 4) transfer and transport, 5) recycling, 6) processing and recovery, and 7) final disposal and other environmental sanitation services, 8) Permitting and Solid Waste Management Fee System.
- b. The Municipal Government shall assist the Barangay either financially, technically or in any other manner deemed necessary in order to achieve the waste diversion goal as provided in RA 9003.

SECTION 3. DEFINITION OF TERMS

As use in this Code, the following terms shall mean:

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.

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.

COLLECTION shall refer to the act of gathering of stored waste, setting it out and hauling them to transfer stations or other recycling and disposal facilities.

COLLECTION EQUIPMENT shall refer to authorized vehicles used in the gathering of stored waste set for collection.

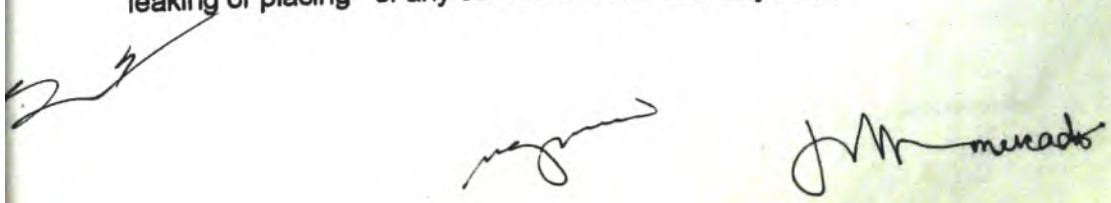
COMPOSTING shall refer to the controlled decomposition of organic matter by micro-organisms, mainly bacteria and fungi, into a humus-like product.

CONSUMER ELECTRONICS shall refer to special wastes that include worn-out, broken, and other discarded items such as radios, stereos, and TV sets.

CONTROLLED DUMP shall refer to a disposal site at which solid waste is deposited in accordance with the minimum prescribed standards of site operation.

COVERAGE PLAN shall refer to the pre-agreed route of the truck with specific schedule as to area, day and time.

DISPOSAL shall refer to the discharge, deposit, dumping, spilling, leaking or placing of any solid waste into or in any land.



DISPOSAL SITE shall refer to a site where solid waste is finally discharged and deposited

DISPOSAL AREA refers to any size or location of tract of land or structures for use, or intended to be used for refuse disposal.

ECOLOGICAL SOLID WASTE MANAGEMENT shall refer to the systematic administration of activities that 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.

ENVIRONMENTALLY ACCEPTABLE shall refer to the quality of being re-usable, biodegradable or compostable, recyclable and not toxic or hazardous to the environment.

ENVIRONMENTALLY PREFERABLE shall refer to products or services that have a lesser or reduced effect on human health and the environment when compared with competing products or services that serve the same purpose. This comparison may consider raw materials acquisition, production, manufacturing, packaging, distribution, reuse, operation, maintenance or disposal of the product or service.

GARBAGE shall refer to the waste rejected food constituents that have been produced during the preparation, cooking and storage meat, fruit, vegetables and other food materials.

GENERATION shall refer to the act or process of producing solid waste.

GENERATOR shall refer to a person, natural or juridical, who last uses a material and makes it available for disposal or recycling.

HAZARDOUS WASTE shall refer to solid waste or combination of solid wastes which because of its quantity, concentration, or physical, chemical or infectious characteristics may; cause, or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness; or pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of, or otherwise managed.

IMMEDIATE SURROUNDINGS shall refer to the frontage, including up to the themed-span of the roads, street, alley or avenue (excluding highways and major thoroughfares) from the edge of the street gutter, sidewalks of the residential houses, dwelling unit's business/commercial establishments of offices whether private or public.

JUNK VEHICLES AND APPLIANCES those abandoned vehicles and metal products, such as refrigerators, air conditioners, televisions, etc.

LEACHATE shall refer to the liquid produced when waste undergo decomposition, and when water percolate through solid waste undergoing decomposition. It is a contaminated liquid that contains dissolved and suspended materials.



LIFE CYCLE ASSESSMENT shall refer to the compilation and evaluation of the inputs, outputs and the potential environmental impacts of a product system.

LITTER any kind of waste or kind of waste load on any part of the street, road or avenue, hanging on fences, trees or other public places in the municipality.

MATERIALS RECOVERY FACILITY shall include solid waste transfer station or sorting station, drop-off center, a composting facility, and a recycling facility.

DOMESTIC WASTE shall refer to waste produced from activities which include a combination of domestic, commercial, institutional and industrial wastes and street litters.

NON-ENVIRONMENTALLY ACCEPTABLE PRODUCTS OR PACKAGING shall refer to products or packaging that are unsafe in production, use, post-consumer use, or that produce or release harmful products.

OPEN BURNING shall refer to the thermal destruction of wastes by means of direct exposure to fire.

OPEN DUMP shall refer to a disposal area wherein the solid wastes are indiscriminately thrown or disposed of without due planning and consideration for environmental and health standards.

PRIVATE CONTRACTOR OR THIRD PARTY SERVICE PROVIDER shall refer to qualified private entities/contractors that were contracted by the Municipal Government to provide facilities and services in line with the solid waste management requirement of the Municipality of Taytay.

RECEPTACLES shall refer to individual containers used for the source separation and the collection of waste materials.

RECOVERED MATERIAL shall refer to material and by-products that have been recovered or diverted from solid waste for the purpose of being collected, processed and used as a raw material in the manufacture of a recycled product.

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, plastics and other materials as may be determined by the National Solid Waste Management Commission.

RECYCLED MATERIAL shall refer to a post-consumer material that has been used to manufacture a new product.

RECYCLING shall refer to the act of using 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 manner that original products may

lose their identity, and which may be used as raw materials for the production of other goods or services.

RESOURCE CONSERVATION shall refer to the reduction of the amount of solid waste that are generated or the reduction of overall resource consumption, and utilization of recovered resources.

RESOURCE 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.

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.

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.

SANITATION SERVICES shall refer to the cleaning and clearing of litters in municipal streets, the campaign for indiscriminate dumping of garbage, the beautification and greening projects with ornamental plants and trees planted in appropriate places especially along thoroughfares, plazas and eco-parks and the cleaning of creeks and waterways.

SCHEDULE OF COMPLIANCE shall refer to an enforceable sequence of actions or operations to be accomplished within a stipulated time frame leading to compliance with a limitation, prohibition, or standard set forth in the act of any rule or regulation issued pursuant thereto.

SEGREGATION shall refer to sorting and segregation of 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.

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.

SOLID WASTE shall refer to all discarded household, commercial waste, non-hazardous institutional, ports/harbor and industrial waste, street sweeping, construction debris, agriculture waste, and other non-hazardous/non-toxic solid waste. Unless specifically noted otherwise, the term solid waste as used in the act shall not include:

- a. waste identified or listed 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 reversible illness, or acute/chronic effect on the health of persons and other organisms;
- b. infectious waste from hospitals such as equipment, instruments, utensils, and contagious 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 disposable fomites that may harbor or transmit pathogenic organisms, and surgical operating room pathologic specimens and similar disposable materials from outpatient areas and emergency rooms; and waste resulting from mining activities, including contaminated soil and debris.

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.

SOLID WASTE MANAGEMENT FACILITY shall refer to any resource recovery system or component thereof; any system, program, or facility for resource conservation; any facility for the collection, source separation, storage, transportation, transfer, processing, treatment, or disposal of solid waste.

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.

SOURCE SEPARATION shall refer to the sorting of solid waste into some or all of its component parts at the point of generation.

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, and white goods, yard wastes that are collected separately, batteries, oil and tires. These wastes are usually handled separately from other residential and commercial wastes.

STORAGE shall refer to the interim containment of solid waste after generation and prior to collection for ultimate recovery or disposal.

STREET AND SIDEWALKS OBSTRUCTION shall refer to any form of waste which is immovable and bulky in nature because of its size and weight and may obstruct and impede the free flow of traffic and pedestrian.

TRANSFER STATION shall refer to those facilities utilized to receive solid wastes, temporarily store, separate, convert, or otherwise process the materials in the solid wastes, or to transfer the solid wastes directly from smaller to larger vehicles for transport. This term does not include any of the following:

- a. A facility whose principal function is to receive, store, separate, convert, or otherwise process in accordance with national minimum standards.

- b. a facility, whose principal function is to receive, store, convert, or otherwise process wastes which have already been separated for re-use and are not intended for disposal; and
- c. The operations premises of a duly licensed solid waste handling operator who receives, stores, transfer, or otherwise processes wastes as an activity incidental to the conduct of a refuse collection and disposal business.

WASTE DIVERSION shall refer to activities which reduce or eliminates the amount of solid wastes from waste disposal facilities.

WASTE REFUSE solid waste of organic, inorganic, non-liquid and non-gaseous portion of the total waste materials.

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.).

YARD WASTE shall refer to wood, small or chipped branches, leaves, grass clippings, garden debris, vegetables residue that is recognizable as part of a plant or vegetable and other materials.

SECTION 4. BASIC CONCEPTS

Ecological Solid Waste Management Act of 2000 otherwise known as RA 9003 gives the local government units the primary responsibility in carrying out the mandate of implementing the Ecological Solid Waste Management Program within their respective areas of jurisdiction. This law also emphasizes the vital role of the Barangay in the successful implementation of the program particularly in the segregation; collection and recycling of waste at source to substantively reduce the generation of wastes.

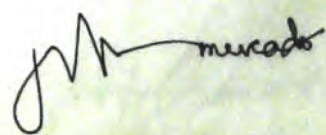
All establishments government or private and academic institution shall ensure information, education and actual implementing of waste reduction programs at the workplaces and work premises, including the pursuit of environment-friendly measures and policies for the effective implementation of this Act.

SECTION 5. REGULATED ACTS.

No person, natural or juridical shall dispose of any solid waste, filth, or other waste matters in any public place in this Municipality except in places duly designated by the Sangguniang Bayan as a public waste disposal area.

SECTION 6. RULES AND REGULATIONS

A. WASTE GENERATION AT SOURCE



- (i) The segregation of solid waste at source or where solid waste is generated is hereby required and recycling and composting shall be promoted.
- (ii) Segregation of waste shall primarily be conducted at source to include household, institutional, industrial, commercial, and agricultural sources.
- (iii) Every household or business/establishment and other institutions are hereby required to provide their own respective areas properly color coded garbage container or receptacle to be kept inside its premises and not on the sidewalk except during scheduled collection time.
- (iv) Whichever applicable, all garbage, filth and other waste materials shall be placed in a proper color coded receptacle for on site collection to identify its contents as follows:

GREEN	-	BIODEGRADABLE
YELLOW	-	NON-BIODEGRADABLE
BLUE	-	FOR TOXIC AND HAZARDOUS WASTE
RED	-	FOR INFECTIOUS AND PATHOLOGICAL WASTE

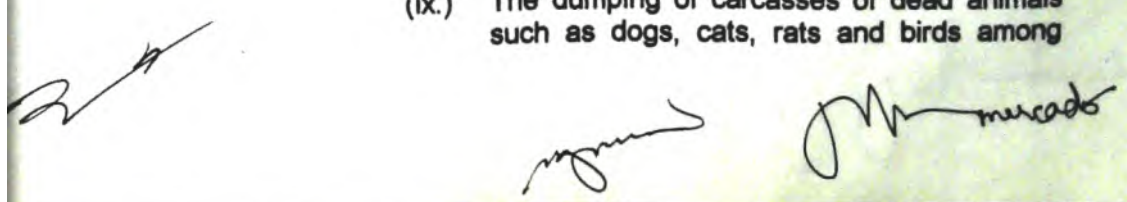
- (v) Failure to comply with this requirement shall be considered a sufficient ground for the garbage collector in refusing the collection of waste refuse, unless it has been properly sorted or segregated, without prejudice to the issuance of citation/violation tickets or the filing of the appropriate charge in the proper court.
- (vi) The Color-Coded Container shall be brought out on the property line upon the arrival of hauling trucks within the respective scheduled collection time and day provided hereinafter except in cases as maybe determined by the General Services Office.
- (vii) For toxic, hazardous, nuclear and health care waste, the commercial and industrial and agro-industrial owners and operators must comply with the requirements for transport, storage and disposal in accordance with the Procedural Manual (DAO 2004-36) of RA 6969 (Toxic Substances and Hazardous and Nuclear Waste control Act of 1990).
- (viii) Compliance with the requirements established in this Code will be monitored in coordination with the DENR through review of reports and registration information submitted as required and non-site inspection by authorized personnel of the DENR and General Services Office. Only duly registered and accredited hazardous waste transporter and/or treater shall be allowed to operate in the Municipality.

B. STORAGE & HANDLING

- (i.) 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 within the premises of the generator.

- (ii.) Waste shall be stored and set out for collection in a closed plastic bag or any appropriate container to avoid the entry of insect, pest and vermin, escape of bad odor and spillage of leach ate. Unpacked, improperly packed and spilled garbage shall not be collected.
- (iii.) All owners, operators, drivers or conductors of public utility and service whether public or private vehicles are hereby required to maintain the cleanliness of their respective vehicles at all time and to provide properly labeled trash receptacle inside their vehicles.
- (iv.) It shall be unlawful for any person to dump, place, throw, or scatter waste refuse garbage, biodegradable objects and other waste materials in any public place such as parks, streets, roads and public offices and public utility vehicles and other places not designated as waste disposal area.
- (v.) All educational institutions whether public or private, commercial and industrial establishments such as hotels, restaurants, cinemas, or movie houses, groceries, sari-sari stores, mini-marts, and all other similar establishments shall undertake the cleaning of their own estate yards and immediate premises.
- (vi.) It shall be unlawful for any person to place, store, dump construction waste or debris, junked vehicles dilapidated appliances and other similar objects in any part of the roads, streets, avenues or in any sidewalks and other public places.
- (vii.) It shall unlawful for the owners, operators, proprietors of public conveyance trucks, tankers, delivery vans and other commercial and transportation facilities to spill, scatter or litter any kind of waste or any kind of their loads on any part of the street, road or avenue or other public places in the municipality.
- (viii.) The burning of garbage, trash, solid waste or any other refuse material in any public place within the municipality is strictly prohibited.
- (ix.) The dumping of carcasses of dead animals such as dogs, cats, rats and birds among

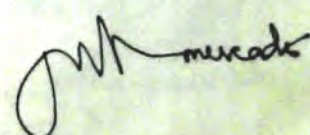
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other in any public place including drainage, canals and other waterways is strictly prohibited.

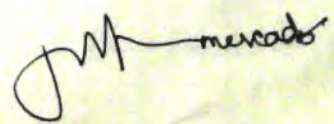
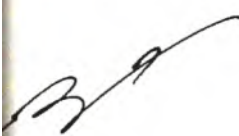
- (x.) All bulky, industrial, and construction debris generated by establishments, household owners, contractors and persons responsible for its operations shall have prior coordination with the General Services Office for proper collection and disposal thereof.
- (xi.) Passage of six- wheeler, ten-wheeler and fourteen- wheeler trucks as well as trailers and heavy equipment whose tires area stuck with mud and other filthy substance in the asphalted/cemented streets and highways within the territorial jurisdiction of Taytay Municipality are strictly prohibited.

C. WASTE COLLECTION SYSTEM

- (i.) The municipality of Taytay and/or through any qualified private entity or agency shall be responsible for the collection and disposal of the solid waste on the specified BASURA DAY and BASURA TIME WITHOUT FAIL. The Municipality of Taytay shall collectively discharge this responsibility with the component Barangays in accordance with the provisions of the Local Government Code of 1991, and this Code.
- (ii.) The municipality through the Solid Waste Management Council in every Barangay shall formulate and adopt a BASURA MAP that shall incorporate and embody the collection schedules, collection areas and collection routes in the component Barangays of the municipality.
- (iii.) No person shall bring out of his residence, solid waste for collection and disposal except within the scheduled collection time and day as may be determined by the Municipal general Services Office in consultation with the Barangay concerned. On collection day, the waste may be placed immediately beside the fence of the owner. The waste shall be packed and tied to prevent scattering and spillage.
- (iv.) Bulky waste shall be collected separately on scheduled date and time for separate collection.



- (v.) Only authorized garbage collectors shall be allowed to handle the collection and disposal of Solid Waste.
- (vi.) All trips during collection shall be required to have a trip ticket indicating the Barangay as well as the route the trip will cover as provided by the BASURA MAP to be adopted hereinafter.
- (vii.) Selling, scavenging, and sorting or "pagbubulasi", by the collection crew or other person shall not be allowed at all times.
- (viii.) Junk dealers are not allowed to collect recyclable materials during the scheduled time of collection and within the disposal facility.
- (ix.) Scrap buying and selling shall not be allowed during the time of collection
- (x.) All collection crew drivers and helpers and all those involve in the waste collection and transport shall be required to wear proper uniforms and PPE and identification cards to be prescribed by the Municipality. They must secure Working Permit from the Municipal Health Officer every six months.
- (xi.) During waste collection, the collectors shall empty and return all containers to the designated collection area with care. Paper and other temporary containers shall be collected.
- (xii.) The collection crew shall only transport and dump the solid waste directly into the prescribed Facility either the Transfer Station or Material Recovery Facility.
- (xiii.) Waste collected shall not be denied, bent or otherwise or alter the condition of the container.
- (xiv.) Waste collected shall only be transported directly and exclusively to the municipality designated controlled dumpsite.
- (xv.) Collection crew shall not park their garbage collection truck and other equipment along any of the streets and major thoroughfares within the Municipality limits, nor shall it use any property within the Municipality of Taytay, whether public or private as transfer station for garbage hauled by them without written authority from the Municipality.



(xvi.) Reckless driving, irresponsible driver, crew under the influence of liquor, regulated and prohibited drugs shall not be allowed.

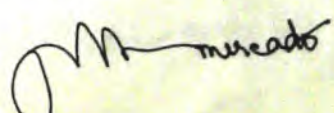
(xvii.) Owners and operators of trucks shall sanitize, disinfect and deodorize the collection trucks before leaving the dispatching area and after its disposal.

D. COLLECTION EQUIPMENTS STANDARDS

- (i.) All collection equipments shall be registered with the municipality of Taytay to ensure the proper markings, safety and sanitation of the vehicle.
- (ii.) All collection equipment shall be provided with visible and proper markings of plate and body number on sides, names and telephone number of the contractors, markings shall have a minimum of twenty (20) centimeters in height.
- (iii.) All collection trucks shall be in good condition and equipped with tools and spare tires. Neither sack nor any eyesore must be seen hanging in the truck.
- (iv.) All collection trucks shall pass emission standards set by the DENR including smoke belching standards.
- (v.) Collection trucks and all equipment shall be kept clean and properly maintained and shall be washed after each disposal.
- (vi.) All trucks shall be properly covered to prevent spillage of garbage and escape of odor during transport.
- (vii.) All trucks shall have complete taillights, flasher, side mirror, plate number, tailgate, wiper and horn, public address system.
- (viii.) All trucks shall be equipped with proper cleaning tools, e.g. brooms, dust pan spade, shovel, etc. for cleaning and collecting spilled garbage caused by the collector's improper handling.

E. TRANSFER AND TRANSPORT

- (i.) To effectively implement the Solid Waste Management System, the Municipality of Taytay/Qualified Contractor may provide transfer

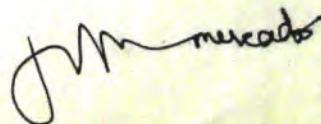
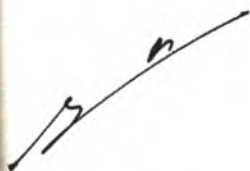


stations to transfer residual solid wastes directly from smaller to larger vehicles for transport to final disposal area.

- (ii.) Transfer stations shall be complemented with the Material Recycling Facility established in strategic location where only segregated waste will be accepted in these facilities. It shall be the venue for recycling and composting of solid waste.
- (iii.) It shall serve as the ecological learning center and redemption centers that shall encourage the segregation of solid waste at home, industries, farms site, commercial establishments, or wherever waste is generated.
- (iv.) To effect all the foregoing, the Municipality of Taytay and Barangay officials shall formulate and implement a continuous information dissemination strategy as part of Solid Waste Management Program.
- (v.) No person, natural or juridical, shall establish or cause the establishment of any kind of junkshop business, whether backyard or commercial scale within the prescribed Zoning Code of the Municipality.
- (vi.) Every junkshop owner in Municipality of Taytay is hereby directed to assign areas for the following purposes:
 - 1. Area for the proper storage of metals, papers, bottles and plastic;
 - 2. Area for segregation of materials or items;
 - 3. Processing areas for the cleaning, cutting and baling/compacting of items;
 - 4. Area for receiving and weighing of items;
 - 5. Area for loading and unloading of items.

F. MATERIAL RECOVERY FACILITY

- (i.) The Municipality of Taytay or qualified contractor may provide a Central Material Recovery Facility strategically located to serve as secondary sorting area in order to further reduce volume of waste transported to the disposal area.
- (ii.) Material Recovery Facility shall be required as part of the amenities/facilities of the proposed subdivision plan, having a particular area especially allocated for that purpose.
- (iii.) Developer applying for permits to develop subdivision shall not be granted the same unless they provide a space for Material Recovery Facility as part



of the subdivision amenities/facilities in their proposed plans.

- (iv.) The Material Recovery Facility (MRF) shall be operated and managed by the following as the case may be:

Developer – for subdivisions exclusively managed by developers;

Homeowners Association – for subdivisions abandoned by a developer or duly turned over to the Homeowners Association;

Barangay – if the developer or homeowners association is not interested and if the Barangay is interested to operate the Eco-center, Qualified private contractors or NGO may be considered but with a legal contract between two parties with conditions not contradicting any existing law of the land.

- (v.) Non-compliance of Section 6 (f) (iii) by the developer's homeowners associations after having been duly notified and warned of the offense shall result in the discontinuance of the garbage collection by their respective collection service provider.
- (vi.) Incentives shall be granted to subdivisions successfully complying all the requirements, in the form of projects or equipment related with the program.
- (vii.) The General Services Office (GSO) shall be the implementing agencies and shall formulate the criteria for the selection of beneficiaries thereof which shall be done yearly.

G . DISPOSAL

- (i.) The Municipality of Taytay through the General Services Office or Qualified contractor shall be primarily responsible for the management and maintenance of the dumpsite conformably with the standards set by the Department of Environment and Natural Resources (DENR) as well as the Laguna Lake Development Authority (LLDA).
- (ii.) The said subdivision or contractor shall also be responsible for enforcing sanitation and disinfection of vehicles and heavy equipments carrying solid waste using dumpsite.
- (iii.) Exclusively only government and authorized privately owned vehicle carrying solid waste collected within the Municipality of Taytay shall

be allowed to dump at the Municipality Designated Controlled Disposal/Landfill Facility.

- (vii.) Violation of preceding sections by a government official or personnel shall be penalized administratively with suspension from public office not exceeding six (6) months.

SECTION 7. CLEAN AND GREEN PROGRAM

- (a) The Clean and Green Division or its qualified contractor shall be primarily responsible for the cleaning and clearing of litters in municipal streets, the campaign for indiscriminate dumping of garbage, the beautification and greening projects with ornamental plants and trees planted in appropriate places especially along thoroughfares, plazas and eco-parks and the cleaning of creeks and waterways.

SECTION 8. ROLE OF THE BARANGAY

- (a) Every Barangay shall strengthen the Barangay Solid Waste Management Committee to enable them to perform effectively the following functions and responsibilities:
- 1) Formulate Solid Waste Management Program consistent with municipal waste management plan;
 - 2) Environmental Awareness and education program particularly on household waste segregation, composting, reduction of waste for disposal and recycling;
 - 3) Provision of support mechanisms for segregated collection (i.e. push cart, Pedi cabs, mini trucks) and composting or pretreatment of biodegradable wastes;
 - 4) Enactment of Barangay ordinances supporting the implementation of this Code;
 - 5) Segregation and collection of biodegradable , compostable, reusable wastes;
 - 6) Establish materials recovery facility;
 - 7) Allocate Barangay funds; look for sources of funds;
 - 8) Organize core coordinators;
 - 9) Monitor the implementation of the Solid Waste Management Plans in their respective area of jurisdiction.

SECTION 9. PUBLIC EDUCATION AND AWARENESS

- (a) The Environmental Education and Awareness Unit in coordination with the Public Information Office and cooperation with the Barangays shall conduct a massive public awareness campaign to inform, instruct and communicate with the people and all stakeholders on matters relative to the implementation of this Code.
- (b) All owners and operators of business and commercial establishments in the Municipality of Taytay are hereby required to attend the pollution control and Solid Waste Management seminar. A certificate of attendance issued to the attendees shall serve as proof of participation in the seminar, and as a

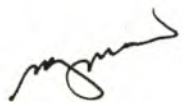
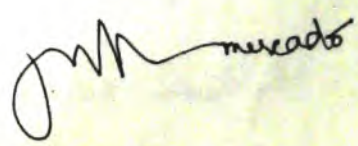
prerequisite to the issuance of the business permit and license to operate.

- (c) It shall be unlawful for any person to deface, destroy, tamper with or otherwise remove posted environmental billboards and notices.

SECTION 10. POLLUTION CONTROL AND ENFORCEMENT

- (a) No person, firm, corporation or entity shall operate any industries, services and facilities without an Environmental Permit to operate from the General Services Office of Taytay Municipality.
- (b) The Environmental Pollution Control and Enforcement Division (EPCED) is tasked to conduct the inspection, control, enforce and monitor as may be appropriate of the installation, use and application of appropriate anti-pollution and mitigating measures.
- (c) In addition to these requirements, all sewerage disposal shall comply with the pertinent rules and regulations promulgated by the Laguna Lake Development Authority.
- (d) The EPCED authorized Officer and/or inspector may conduct environmental inspection for compliance and monitoring purposes for palliative business industries and services operating in the Municipality.
- (e) Failure to secure Environmental Permit to Operate and refusal to entry of duly authorized Environment and Sanitary Officer and/or inspector shall be penalized in accordance with Penal Provision (Section 13) of this code.
- (f) All business establishments and industries shall be charged "polluters fee" based on the volume of waste generated on top of the garbage fee paid during issuance or renewal of business permit.
- (g) Industrial plant wastes shall be disposed of only in manner, which will not create any nuisance or anger to adjoining properties or to the community in general.
- (h) No sewerage dangerous to the public health, safety and general welfare shall be discharged into any public sewer system, natural waterways or drainage channel.

SECTION 11. MUNICIPALITY INTEGRATED SOLID WASTE MANAGEMENT FUND

- (a) There is hereby established and maintained an Annual Integrated Solid Waste Management Fund which may be charged against the General Fund or the 20% Development Fund of the Municipality.
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- (b) Funds necessary for the efficient and effective implementation of this Code shall be allocated from the Municipality Integrated Solid Waste Management Fund.

SECTION 12. ADMINISTRATIVE AND IMPOSABLE FINES

- (a) Issuance of Citations Tickets – Any individual, whether natural or juridical caught violating any provisions of this ordinance shall be issued citation ticket by the municipal environment and sanitary officers and inspector informing them the nature of infraction and their corresponding fines or penalties.
- (b) If the violator is a juridical person its manager, president, proprietor, owner or other responsible officer shall be held liable. The head or owner of mall, condominiums, tenement house and household shall be held liable in case of violation of any provision of this ordinance.
- (c) Voluntary Fines. Upon receipt of the copy of the citation tickets, the violator may elect in lieu of the prosecution of the offense, to voluntarily pay the corresponding fine provided herein as follows:

FIRST OFFENSE - P500.00 Pesos or Community Service of not less than eight (8) hours.

SECOND OFFENSE - P700.00 Pesos or Community Service of not less than sixteen (16) hours.

THIRD OFFENSE - P1, 200.00 Pesos or Community Service of not less than twenty four (24) hours and outright cancellation of Mayor's Permit if the violator is a business/commercial establishment.

FOURTH OFFENSE – No fine. The case shall be automatically filed with the proper court.

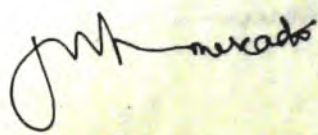
SECTION 13. PENAL PROVISION

- (a) Any individual, natural or juridical, who shall violate, disobey, refuse or neglected to comply with the immediately preceding section shall be charged and prosecuted in the proper court of justice, and if found guilty shall be punished by an imprisonment of not more than one (1) year or a fine of not less than Two Thousand (P2, 000.00) Pesos but not more than Two Thousand Five Hundred (P2, 500.00) Pesos, or both at the discretion of the court.

SECTION 14. COLLECTION AND DISPOSITION OF FINES

- (a) The payment of fines imposed for the violation of this Code shall be made at the Municipal Treasury of Taytay or any of its authorized or deputized representatives.
- (b) The fines collected shall accrue in favor of the following:





1. 60% to the Municipal Waste Management Fund to be utilized in the implementation of this Code;
2. 25% to the respective waste management fund of the component Barangay where the violation was committed to be utilized for the implementation of this Code;
3. 15% to be given as an incentive to the apprehending officer implementing this Code.

SECTION 15. IMPLEMENTING RULES AND REGULATIONS

Implementing rules and regulations of this Code shall be formulated by the General Services Office within ninety (90) days from receipt of a copy hereof for proper dissemination and execution. The Municipal Mayor may issue subsequent rules and regulations, policies and systems procedures.

SECTION 16. IMPLEMENTING AGENCY

- (a) The General Services Office shall provide technical assistance, lectures, trainings and seminars and deputize trained Environmental and Sanitary Police Officers to ensure the strict implementation of this Code.
- (b) It shall also coordinate with the barangays in the implementation of the municipality's cleanliness and beautification projects.
- (c) The Public Information Office (PIO) shall provide informative materials for the effective and efficient information dissemination of this Code.
- (d) The Taytay PNP shall provide assistance in the implementation of this Code.
- (e) Other Municipality and Barangay Officials may be designated by the Municipal Mayor and shall perform such other functions as may be provided by law or an ordinance.

SECTION 17. INCENTIVES

- (a) The General Services Office thru the Municipal Mayor is hereby authorized to conduct a search for the cleanest and most beautiful Barangay in Taytay Municipality in accordance with the policy herein stated thru a program he may deem suitable to attain the objectives of this Code.
- (b) The sum of ONE MILLION (Php1, 000,000.00) is hereby appropriated to fund the implementation of Section 11 (a) from any funds available in local treasury.
- (c) Rewards shall be provided to Barangay, individuals, private organizations and entities, including non-government organizations that have undertaken outstanding and innovative projects, technologies, processes and techniques or activities in re-use, recycling and reduction. The reward shall be appropriately sourced from the Fund.

- (i.) For Barangay using methodologies which substantively reduce the generation of wastes and which thereby exceed the 25% waste diversion goal.
- (ii) For Barangay with comprehensive Solid Waste Management prototypes which have undergone professional evaluation as matured models on Solid Waste Management with complete coverage on the sustainable development requisites like the social, economic, cultural, political, technological, institutional and ecological dimensions.
- (iii) For Barangay using alternative indigenous processes, materials, technologies and approaches which have been exhaustively screened for social acceptability, efficiency and effectively.
- (iv) For Barangay hosting Solid Waste Management facilities, upon affectivity of this code, the Municipal Mayor through the General Services Office shall promulgate specific guidelines providing incentives aside from giving grants and other financial assistance packages to Barangay offering to host Solid Waste Management facilities.

SECTION 18. COST RECOVERY MECHANISMS

The Municipality shall impose fees to all manufacturing industries, services and facilities before they dispose of the waste generated by these establishments corresponding to the volume of residual waste generated as attested and verified by the authorized representatives of the municipality of Taytay.

SECTION 19. WASTE MANAGEMENT FEES

The Sangguniang Bayan shall impose fees on the Solid Waste Management services provided for by the General Services Office and/or any authorized organization or unit.

In the determining the amounts of the fees, it shall include only those costs directly related to the adoption and implementation of the Solid Waste Management Plan and the setting and collection of the local fees.

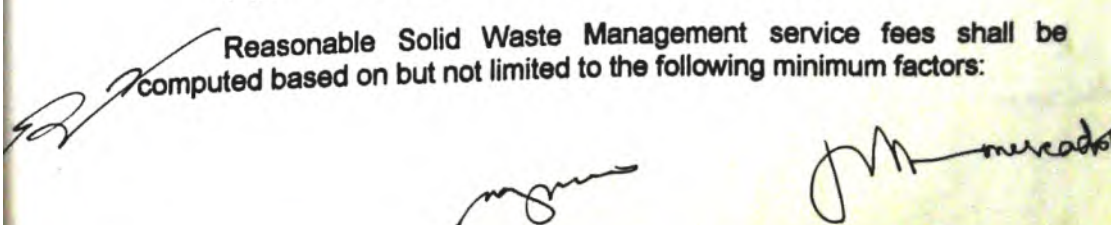
This power to impose fees may be exercised by the private sector and/or civil society groups providing Solid Waste Management services and which the Municipal Government has duly accredited.

Provided, the Solid Waste Management Fees shall be covered by a Contract or Memorandum of Agreement between the respective council and the private sector or civil society group.

The fees shall pay for the costs of implementing a Solid Waste Management Plan prepared pursuant to the Code. Further, the fees shall also be used to pay the actual costs incurred and for project sustainability.

(a) Basis of Solid Waste Management Services Fees

Reasonable Solid Waste Management service fees shall be computed based on but not limited to the following minimum factors:



1. Types of solid waste to include special waste
2. Amount/volume of waste
3. Distance of the transfer station to the waste management facility
4. Capacity or type of agency/constituency
5. Cost of construction
6. Cost of Management
7. Type of technology

(b) Collection of Fees

Fees may be collected corresponding to the following levels:

- a. Barangay - the Barangay may impose fees for collection and segregation of biodegradable, compost able and reusable wastes from households, commerce, other sources of domestic wastes, and for the use of Barangay Material Recovery Facilities. The respective Solid Waste Management council shall establish the computation of the fees. The manner of collection of the fees shall be dependent on the style of administration of respective Barangay Councils. However, all transactions shall follow the Commission on Audit rules on collection of fees.
- b. Municipality- the Sangguniang Bayan may impose fees on the Barangay MRF's for the collection and transport of non-recyclable and special wastes and for the disposal of these into the designated controlled dumpsite/ sanitary landfill. The level and procedure for exacting fees shall be defined by the Sangguniang Bayan and supported by Municipal Ordinances; however, payments shall be consistent with the accounting system of government.

SECTION 20. APPLICABILITY CLAUSE

All other matters not specifically provided in this Code shall be governed by pertinent provisions of existing and applicable laws and ordinances.

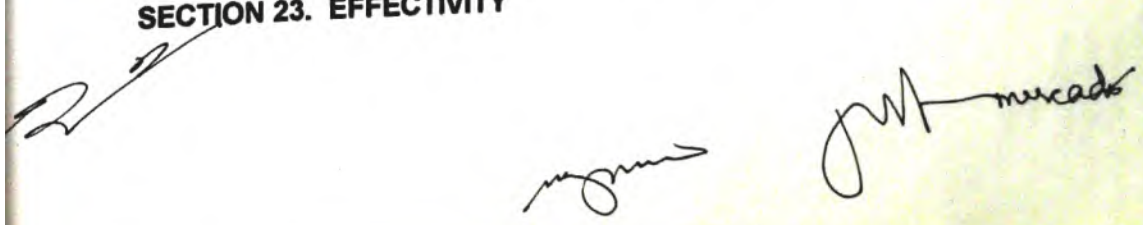
SECTION 21. SEPARABILITY CLAUSE

If , for any other reason, any provision, section or part of this code is declared invalid by a court of competent jurisdiction or suspended or revoked by the authorities concerned, such judgments shall not affect or impair the remaining provisions of this ordinance and shall continue to be in full force and effect.

SECTION 22. REPEALING CLAUSE

All ordinances, rules and regulations, or parts thereof, whose provisions are in conflict with, or contrary to, the provisions of this ordinance are hereby repealed, modified and amended accordingly.

SECTION 23. EFFECTIVITY



This CODE shall take effect fifteen (15) days from the date of its publication in the local newspapers. The Sangguniang Bayan Secretary is hereby directed to furnish copies of this Code to the Presidents of all accredited homeowners/community associations, through the Public Information Office, the Municipal General Services Office and all Barangay Councils of Taytay Municipality.

ENACTED, this 9th day of October 2008 at the Session Hall of the Municipal Building Taytay, Rizal.

I HEREBY CERTIFY, to the correctness of the foregoing Resolution which was duly enacted by the Sangguniang Bayan of Taytay during Regular Session held on the 9th day of October 2008;


NOLI G. DEL ROSARIO
SB Secretary

ATTESTED AND CERTIFIED TO BE DULY
ENACTED BY HER HONOR


HON. JANET DE LEON MERCADO
Vice Mayor/Presiding Officer

APPROVED BY HIS HONOR
THE MUNICIPAL MAYOR


HON. GEORGE RICARDO R. GACULA II
Municipal Mayor *u*