



PAMAHALAANG BAYAN NG TAYTAY

TANGGAPAN NG SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE 12th REGULAR SESSION OF THE 9TH SANGGUNIANG BAYAN, TAYTAY, RIZAL, HELD ON SEPTEMBER 23, 2013 AT THE SESSION HALL OF THE MUNICIPAL BUILDING, TAYTAY, RIZAL

PRESENT:

Hon. Carlito G. Gonzaga	-	Vice Mayor/Presiding Officer
Hon. Jan Victor B. Cabitac	-	Councilor
Hon. Michell B. Bermundo	-	"
Hon. Sophia Priscilla L. Cabral	-	"
Hon. Ceferino R. Resurreccion, Jr.	-	"
Hon. Kristofer Charls S. Esguerra	-	"
Hon. Aniel C. Cruz,	-	ABC President

ABSENT:

Hon. Archie L. Calderon	-	Councilor
Hon. Allan Martine S. de Leon	-	"
Hon. Sharon DL. Macabebe	-	"
Hon. Ma. Jeca B. Villanueva	-	SK President

Authorized/Sponsored by: Coun. Kristofer Charls S. Esguerra

ORDINANCE NO. 4

AN ORDINANCE AMENDING ORDINANCE NO. 12 SERIES OF 2012 PRESCRIBING ENVIRONMENTAL INSPECTION FEES FOR ALL INDUSTRIAL, COMMERCIAL, ESTABLISHMENTS AND PRIVATE ENTITIES WHOSE ACTIVITIES ARE POTENTIAL SOURCES OF LAND, AIR AND WATER POLLUTION AND FOR PURPOSES

WHEREAS, Under Section No. 6, Article 99 Local Government Code, "xxx the Sangguniang Bayan shall protect the environment and impose appropriate penalties for acts which endanger the environment xxx such as activities which result in pollution destruction of rivers and lakes, or of ecological imbalance;

WHEREAS, the Local Government Code states that xxx cities may impose and collect such reasonable fees and charges on business and occupation xxx.

WHEREAS, protection and safeguarding of the environmental is a primary concern of the Municipality of Taytay to ensure the rights of Taytay constituents to a balances and healthful ecology and the freedom of its constituents to all risks, dangers and hazards of pollution which development and progress imminently generate;

WHEREAS, the Municipal Environment and Natural Resources Office is created pursuant to Section 7 (b), R.A. 7829 and Article 122 (n) of R.A. 7160 and Ordinance No. 04-2010 as a primary arm of the Municipality of Taytay in preserving the ecological balance of environmental and its sustainable development as well as preventing and abating pollution in municipality;

WHEREAS, the Municipal Government of Taytay through the Municipal Environmental and Natural Resources Office (MENRO) deems it necessary and proper to impose environmental inspection fees for all industrial, commercial, manufacturing establishments, and private entities, whose activities are potential and actual sources of water, air and land pollution;

NOW THEREFORE BE IT ORDAINED, by the Sangguniang Bayan of Taytay in a Session duly assembled that;

SECTION 1. Environmental Inspection Fee – Every owner/operator of business, industrial, commercial, or agricultural establishment, buildings shall be charged an environmental fee for inspection and compliance monitoring. Said fee will be incurred to supplemental other sources of revenues for the operations and maintenance of the Municipal Environmental and Natural Resources Office and other environmental projects.

An **ENVIRONMENTAL PERMIT TO OPERATE** - will be issued which has the validity of **ONE (1) YEAR** from the date of issuance. Other environmental requirements from respective agencies should also be complied in accordance with the law.

All owners/operators of business, industrial, commercial, or agricultural establishment should appoint/designate a **POLLUTION CONTROL OFFICER (PCO)** duly accredit by **MENRO** for purposes of supervision and enforcement of existing rules and regulations for the protection of the environment and to promote general welfare.

Payment to the Municipal Treasurer of the Annual Environmental Fee is in accordance with the following payment schedule:

I. All High Risk Industries and Establishments		
1. Fuel Depot and Fuel Storage Facilities	-	800.00
2. Gasoline service and LPG filling station	-	400.00
3. All Big Scale Manufacturing Industries	-	800.00
4. Garbage Contractor/Terminal of Garbage Trucks		
Garbage Transfer Station	-	600.00
5. Sanitary Waste Landfills and other waste	-	1,000.00
Treatment or disposal Site of Toxic Wastes		
6. Private Hospitals	-	600.00
7. Shopping Centers/Malls/Markets/Talipapa	-	600.00
8. Substation/Cell Site	-	300.00
9. Junkshop	-	200.00
10. Retailer of LPG (10 tanks and above)	-	200.00
II. All Industries/Establishments with Potential Source of Pollution (Water, Air, Odor, Noise, Smoke, and Land Pollution)		
1. Small-Scale Manufacturing Industries	-	300.00
2. Housing Development Projects such as Residential		
Subdivision, Parks (Memorial Park Included,) Condominiums	-	600.00
3. High-Rise Buildings	-	600.00
4. Fast Food Chains/Restaurants	-	400.00
5. Terminal/Garbage of Transport/Trucking Services	-	200.00
6. Medical Clinics with Lying-In Clinic	-	200.00
7. Hotel, Motels, Appartels, Inns	-	800.00
8. Welding Shop/Auto Repair w/Repainting Shop		
Refrigerator w/Repainting Shop/Furniture Shop/Sash Factory	-	300.00
9. Car Wash, Laundry Services, Funeral Services	-	300.00



10. Animal Farms/Piggery Exceeding 25 heads	-	200.00
11. Manufacturing Procedures, Foundry Shops, Laboratories and ware house	-	400.00
12. Amusement places such as KTV/Videoke Bar, Golf Course other Similar Establishment	-	400.00
13. Such other activities, projects as may be determined by MENRO or has been the subject of compliant/inspection	-	200.00

III. EPO-ENVIRONMENTAL PERMIT TO OPERATE

In case where a single person, partnership or corporation conducts or operates two or more business on one place or establishment, the environmental inspection permit fee shall be impose on the business with the highest rate. No business establishment shall operate without securing an **ENVIRONMENTAL PERMIT TO OPERATE**.

SECTION 2. Voluntary emission Testing Fee – Every owner/operator of vehicle shall pay an amount of **Two Hundred Fifty Pesos (250.00)** for the conduct of voluntary emission testing by the **MENRO**. Guidelines in the payment of voluntary testing fee shall be as follows:

1. Voluntary testing shall be Optional in Nature.
2. It shall apply to those who want to determine whether their vehicle's emission is within or below the emission standard so that vehicle owners can immediately undergo vehicle maintenance/overhauling and to prevent apprehension in the future.
3. Said fee shall not be equivalent to the fee which should be paid for the private emission testing centers before registration.

SECTION 3. Penalties – Any violation of this Ordinance shall be subject to the following Penalties.

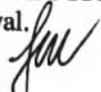
1) Failure to secure Environmental Permit to Operate and Issuance of Stop Operation Order	Php 2,500.00
2) Refusal of Entry of Taytay Environmental Police	Php 2,500.00
3) Failure to Install Anti-Pollution Devices as determined by MENRO:	
A. High-Risk Industries/Activities and Issuance of Stop Operation Order	Php 2,500.00
B. Industries/Activities with Potential Pollution and Issuance of Stop Operation Order	Pho 2,500.00

If the violation is committed by a firm, partnership, corporation or other entity the manager, managing partner, trustee, director or person-in-charge with the management of such firm, partnership, corporation or other juridical entity shall be held liable.

SECTION 4. Repealing Clause. – All Ordinances and Resolution or parts thereof which are inconsistent with the provisions hereof are hereby repealed or modified accordingly.

SECTION 5. Separability Clause – If for any reason, any provision/s of this Ordinance shall be held unconstitutional by competent authority, such judgment or action shall not affect of impair the other provision.

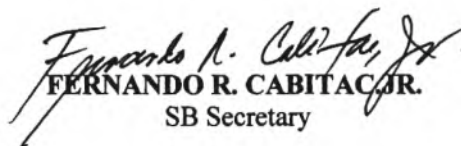
SECTION 6. Effectivity – This Ordinance shall take effect immediately after its approval.



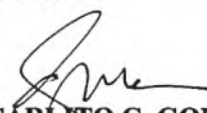


ENACTED, this 23rd day of September, 2013 at the Session Hall of the Sangguniang Bayan, Barangay San Juan, Taytay Rizal.

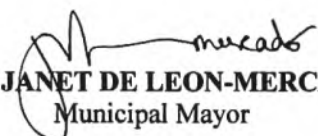
I HEREBY CERTIFY, to the correctness of the foregoing Ordinance which was duly enacted by the Sangguniang Bayan of Taytay during Regular Session held on the 23rd day of September, 2013.


FERNANDO R. CABITAC, JR.
SB Secretary

ATTESTED AND CERTIFIED TO BE DULY
ENACTED BY HIS HONOR


HON. CARLITO G. GONZAGA
Vice Mayor/Presiding Officer

APPROVED BY HER HONOR
THE MUNICIPAL MAYOR


HON. JANET DE LEON-MERCADO
Municipal Mayor