

Program. The use or disbursement of said fund shall be pursuant to a program of work duly approved by the Sangguniang Bayan.

There shall be a mandatory integration of environmental conservation, protection and regeneration topics in the pre-school, elementary, high school and college curricula and non formal education in all schools and training centers within the Municipality. As such, the Municipality shall coordinate with the administration of all educational institutions in the Municipality and the appropriate government agencies for the purpose.

SECTION 3. Institutionalization of Annual Public Update and Consultation.

Annual public update and consultation shall be undertaken as follows:

- a. At least once every year, preferably at least two months before the start of the budget process, the Municipal ENRO and the Sangguniang Bayan, through its Committee on Environmental Protection, shall conduct a consultative meeting, assembly or workshop for the purpose of assessing the progress and direction of the environmental program of the Municipality, as well as to recommend new measures.
- b. The inputs of the consultation shall be integrated into a consolidated and systematized Environment Plan for the Municipality, to be submitted to the Office of the Municipal Mayor and the Sangguniang Bayan for appropriate action.
- c. An annual budget of at least P50,000.00, separate from the Public Information Education Program Fund shall be set aside for purposes of funding the consultative assembly mentioned herein.

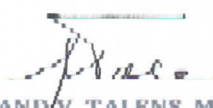
SECTION 4. Environmental Monitoring and Evaluation System. In order to measure achievement of goals and objectives, the Municipality shall establish an Environmental Monitoring and Evaluation System which shall ensure a systematic and reliable means of data generation for the various environment concerns. It shall measure changes in environmental status, identify adverse environmental trends and crisis areas, recommend solutions, assess the implementation of the environment programs and suggest measures to make the programs relevant.

SECTION 5. Municipal Environment Information Management System

The Municipality shall establish and maintain a Municipal Environment Information Management System (MEIMS) to support all environment-related activities of the Municipality, civil society and private organizations. The MEIMS shall be formulated and approved by the Sangguniang Bayan, within one year from the effectivity of this Code. The system shall adopt the latest appropriate technologies, including, but not limited to, Global Positioning System (GPS) and Geographic Information System (GIS), in gathering, storing, analyzing, and displaying information on the environment. While primarily funded by the Municipality, the system can tap the resources and expertise of other organizations through partnerships and other collaborative mechanisms. The Municipality shall tap technical


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assistance from the Province in developing and enhancing its environment information system.

Within two (2) years from the effectivity of this Code, MEIMS shall have established a baseline data complying with other provisions of this Code on the state of the environment. Every three years thereafter, an annual assessment and a three-year audit shall be conducted and a comparative report prepared using advanced technologies to present the state of the environment to the people of Municipality of Roxas.

ARTICLE XV PENAL PROVISIONS

SECTION 1. General Provisions

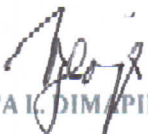
Punishable acts or omissions relating to the environment shall be punished according to the order of preference outlined herein:

- a) If an act or omission is defined and punished by a particular ordinance governing a specific area or aspect of the environment enacted prior to this Code, and by this Code at the same time, that which imposes the lighter penalty shall be applied, except in cases where a repeal by this Code of said earlier ordinance is clear or is necessarily implied, in which case, the provisions of this Code shall be applied;
- b) In case the act or omission is defined and punished by an ordinance subsequent to this Code, and a repeal is expressed or is necessarily implied, the penal provisions of the subsequent or latter ordinance shall prevail; however, in case a repeal is not clear, that which imposes the lighter penalty shall be applied; and
- c) In case the violating party is a juridical personality, the imposition of pertinent or applicable penalties on the officers thereof shall conform to the principles laid down in this Code.

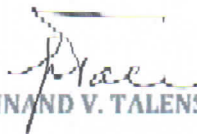
SECTION 2. Forest Resources (Art. III)

This Code punishes the following prohibited acts:

- a) Cutting, harvesting or transporting of trees in any public or private land without a permit issued by the proper agency;
- b) Excessive, wanton and indiscriminate cutting of trees in any public or private land even though equipped with a permit issued by the proper agency;
- c) Trafficking, including trade and transportation, of flora and fauna unless expressly issued the necessary permit by the DENR, Province and the Municipality including the hunting and/or gathering of endangered species or unless allowed by existing laws;
- d) Collecting, impairing, hunting or possessing any plant, animal or other forest product, living or non-living, considered threatened,


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vulnerable, critically-endangered or extinct, pursuant to existing laws;

- e) Using of unregistered or unlicensed power saws/ chainsaws and similar tree-felling equipment;
- f) Use of any unregistered or unlicensed hunting equipment or paraphernalia such as, but not limited to, air guns, shotguns and the like;
- g) Igniting, causing to ignite or maintaining any open fires especially in forested areas except as expressly allowed by law;
- h) Using of motorized transportation, either gratuitously or for a fee of any forest product without the proper documents required by law, the liability for which shall be imposed on the registered owner and driver of the motor vehicle;
- i) All other acts and omissions expressly prohibited by existing laws, rules and regulations or constituting violations thereof; and
- j) The imposable fines and penalties of the foregoing prohibited acts and omissions shall be governed by existing laws, regulations and ordinance applicable or related to forest and its resources. For prohibited acts and omissions not covered and/or penalized by existing laws, the penalty shall be a fine not less than Php 1,000.00 but not more than Php 2,500.00 or an imprisonment of not less than one (1) month but not more than six (6) months or both at the discretion of the court.

SECTION 3. **Mineral and Quarry Resources.** Prohibited and punishable acts under the Provincial Revenue Code and Provincial Environmental Code are hereby adopted as integral provisions of this Code.

SECTION 4. **Fishery Resources and Coastal Zone Management.** Specific provisions covered by the existing Municipal Fishery Ordinance and all other ordinances related thereto, which are not incorporated herein, shall be governed by the said ordinance.

SECTION 5. **Water Resources (Art. VI)**

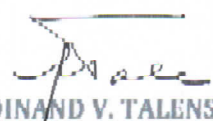
Any act, activity or form of endeavor without appropriate permit or ECC considered detrimental, hazardous, toxic, pollutive or debasive to water qualities including those that reduce or cause to reduce, stop, hamper, deviate or monopolize water supply or quantity inconsistent with the provisions on Water Resources of this Code shall be prohibited unless expressly allowed by law.

Except for those drilling wells for domestic or municipal use, no person, whether juridical or natural, shall drill a well without securing a favorable endorsement from the Sangguniang Bayan, after submission of proof of public hearing as to its social acceptability through a barangay resolution and pursuant to Sec. 26 and 27 of the Local Government Code in relation to Section 17 thereof. A violation of this provision shall be penalized with a fine of P2,500.00 or imprisonment of six months or both at the discretion of the court.

The penal provisions of P.D. No. 1067, R.A. No. 8550 and R.A. No. 9275 are hereby adopted and form an integral part of this Code. For prohibited acts and omissions not covered and/or penalized by existing


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laws, the penalty shall be a fine not less than Php1,000.00 but not more than Php2,500.00 or an imprisonment of not less than one (1) month but not more than six (6) months or both fine and imprisonment at the discretion of the court.

SECTION 6. Comprehensive Solid Waste Management Ordinance

SECTION 7. Hazardous and Toxic Materials (Art. VIII)

Any unjust refusal or failure to comply with the Municipality's full disclosure requirements on the handling of toxic substances, or any violation hereof, shall be penalized by a fine of P2,500.00 or imprisonment of six (6) months or both at the discretion of the Court, without prejudice to other appropriate action that any violation of any national or local law that said inspection or production of records may reveal.

SECTION 8. Air and Noise Pollution Management (Art. IX)

1. Precautionary Measures on Fugitive Particulates

A violation or non-observance of precautionary measures under Section 5, Article IX of this Code shall be punishable by a maximum fine of P2,500 or Imprisonment of six months or both, at the discretion of the court.

The foregoing notwithstanding, upon apprehension, an administrative, regulatory fine shall be imposed as follows:

First offense	-	P 500.00
Second Offense	-	P1,000.00
Third Offense	-	P2,000.00

2. Administrative Fines for Smoke Belching

The following administrative fines and penalties shall be imposed:

- a. Whenever a motorized vehicle does not pass the emission test according to the standards of the national government, which the Municipality hereby adopts, the failure to pass said test shall be, as it is hereby, denominated as a direct offense also to the environmental welfare and integrity of the Municipality and its people or territory. As such, an administrative fine is hereby imposed, based on the "Hartridge Smoke Unit" (HSU) standard of measurement, as follows:

Smoke reading:	1 st offense	2 nd offense	3 rd offense
68 to 80% HSU	P200.00	P500.00	P800.00
81 to 90% HSU	P300.00	P800.00	P1,500.00
91 to 100% HSU	P500.00	P1,000.00	P2,000.00

- b. If he fails to pay the fine within three (3) days, the owner or operator shall be punished by imprisonment of a minimum of three (3) days to a maximum of five days at the discretion of the court.
- c. In case of a fourth and succeeding offenses, a fine of a maximum of P2,500.00 shall be imposed, and the violation reported to the

Land Transportation Office for possible suspension or cancellation of Certificate of Motor Vehicle Registration until such time the owner/operator shall have complied with the pertinent provisions hereof, and/or imprisonment of up to five (5) days, or both, upon the discretion of the court. In case of public utility vehicles, a Citation Ticket shall be issued for the confiscation of the "Municipal Sticker" (the annual business permit for the operation of public utility vehicles in the Municipality of Roxas), which Citation Ticket shall be brought to the Office of the Municipal Treasurer upon payment of the proper administrative fines, and the return of the "Municipal Sticker".

- d. The provisions of a and b notwithstanding, the municipal or administrative fines mentioned in 1 hereof shall be collectible immediately by the Municipal Treasurer upon application of the test which the motorized vehicle fails, and the Municipal Treasurer shall issue the necessary receipt therefor.

Violation of any provision of Article IX of this Code shall carry the penalties and fines provided in existing laws.

For violation of any provision of Article IX which no specific penalty is imposed, the penalty shall be a fine not less than PhP1,000.00 but not more than PhP 2,500.00 or an imprisonment of not less than one (1) month but not more than six (6) months or both fine and imprisonment at the discretion of the court.

SECTION 9. Land Resources (Art. X). In as much as pertinent and applicable laws are existent and operational, the same governing laws apply and form an integral component of this provision. For violation of any provision of Article X of which no specific penalty is imposed, the penalty shall be a fine not less than PhP1,000.00 but not more than PhP 2,500.00 or an imprisonment of not less than one (1) month but not more than six (6) months or both fine and imprisonment at the discretion of the court.

SECTION 10. Any other violation of the provisions of this Code and for prohibited acts not covered by existing laws, the penalty shall be a fine of not less than PhP 1,000.00 but not more than PhP2,500.00 or an imprisonment of not less than one (1) month but not more than six (6) months or both fine and imprisonment at the discretion of the court.

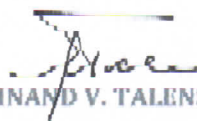
ARTICLE XVI MISCELLANEOUS PROVISIONS

SECTION 1. Implementing Rules and Regulations. The Sangguniang Bayan in cooperation with the Office of the Municipal Mayor and in coordination with PEMO, DENR, Barangays Councils, NGOs and other concerned agencies shall promulgate the IRR of this code within one (1) year after its enactment.

SECTION 2. Transitory Provision. Pending establishment of the framework and relative ordinances cited in the different sections of this Code including the promulgation of the IRR, existing laws, rules, ordinances, circulars,


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orders and regulations pertaining to environment shall be enforced; provided that, for specific undertaking, the same may be revised in the interim in accordance with the intentions of this Code.

SECTION 3. **Applicability Clause.** Matters not covered by this Code shall be governed by pertinent laws, rules and regulations.

SECTION 4. **Conflicting Provisions of Sections.** If the provisions of the different section in this Code are in conflict with one another, the provision which is last in the ordinal sequence, shall govern.

SECTION 5. **Separability Clause.** If any provision of this Code or the application of such provision is declared unconstitutional or invalid, other provisions hereof which are not affected thereby shall continue to be in full force and effect.

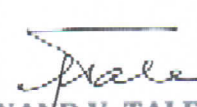
SECTION 6. **Repealing Clause.** All ordinances, rules and regulations or parts thereof, in conflict with or inconsistent with any provision of this Code are hereby repealed or modified accordingly.

SECTION 7. **Appropriation.** An Annual Budget of at least 10% of the Municipal Development Fund shall be appropriated for the implementation of this Code.

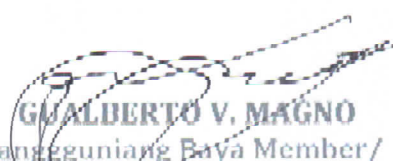
SECTION 8. **Effectivity Clause.** The Code shall take effect thirty (30) days after its approval.

On motion of Councilor David D. De La Cruz duly seconded by Councilor John-John S. Yason.

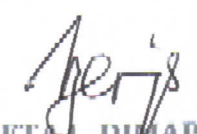
I HEREBY CERTIFY to the correctness of the foregoing Municipal Ordinance No. 01 otherwise known as the Municipality of Roxas Environment Code of 2018 which was duly enacted by the Sangguniang Bayan during its regular session held at the Sangguniang Bayan Session Hall on 18 June 2018.

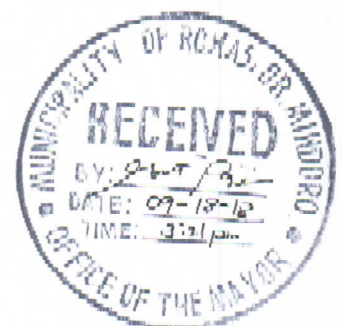

FERDINAND V. TALENS, MPA
Secretary to the Sangguniang Bayan

ATTESTED:


GUALBERTO V. MAGNO
Sangguniang Bayan Member/
Presiding Officer Pro-Tempore

APPROVED:


VIOLETA L. DINAPILIS
Municipal Mayor
Date Signed: 07.13.2018



junu/marz

