



Republic of the Philippines
Province of Oriental Mindoro
MUNICIPALITY OF ROXAS

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE 41st REGULAR SESSION OF THE SANGGUNIANG BAYAN OF ROXAS, ORIENTAL MINDORO HELD ON 14 NOVEMBER 2011, 09:30 A. M. AT THE SANGGUNIAN SESSION HALL.

Present:

Vice Mayor Violeta L. Dimapilis	- Presiding Officer
Councilor Mae Arlene M. Talens	- Member
Councilor Eduardo K. Soriano	- Member
Councilor Juanito A. Bacay, Jr.	- Member
Councilor Elsie F. Galaran	- Member
Councilor Arnel F. Fabon	- Member
Councilor Cesar T. Baticos	- Member
Councilor Lee M. Baculinao	- Member
Councilor Juan S. Advincula	- Member
Councilor Camilo G. Ferreira	- Liga President

Absent:

Councilor Mary Jennie Leigh Q. Sarmiento	- MSKF President
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MUNICIPAL ORDINANCE NO. 06
Series of 2011

AN ORDINANCE PROHIBITING THE USE OF PLASTIC BAGS ON DRY GOODS, REGULATING ITS UTILIZATION ON WET GOODS AND PROHIBITING THE USE OF STYROFOAM/STYROPHOR IN THE MUNICIPALITY OF ROXAS AND PRESCRIBING THE PENALTIES THEREOF.

- WHEREAS, Article II, Section 6 of the Philippine Constitution provides that, "the State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature";
- WHEREAS, Section 3 (i) of RA 7160 provides that, "the Local Government Units shall share with the national government the responsibility in the management and maintenance of ecological balance within their territorial jurisdiction";
- WHEREAS, Section 458 (vi) of RA 7160 also empowers, "the Sangguniang Bayan to protect the environment and impose appropriate penalties for acts which endanger the environment including such activities which result in pollution acceleration or eutrophication of rivers and lakes or ecological imbalance";
- WHEREAS, plastic bags are rampantly used as packaging materials in the Municipality of Roxas and elsewhere;
- WHEREAS, plastic bags and styrofoams/styrophor, being non-biodegradable materials clog our canals, creeks, rives and other waterways and during the rainy season end up in all seashore, causing harm to the surrounding communities;
- WHEREAS, despite serious efforts of the municipality to segregate compostable, recyclable and reusable waste materials, plastic and other similar materials remain in the waste stream and eventually become residuals;

WHEREAS, the Municipality of Roxas in its desire to reduce, if not totally eliminate the use of plastic film bags as packaging materials, encourages the utilization of alternative packaging materials such as woven bags (bayong), cloth bags (katsa), paper bags and other similar materials (e.g. banana leaves, taro leaves, etc.) and at the same time enjoying the promotion of the "BRING YOUR OWN BAG PROGRAM (BYOG);

WHEREAS, there is now a need to regulate the use of plastic bags to prevent potential serious ecological imbalance particularly in the municipality's canals, creeks, rivers and other waterways.

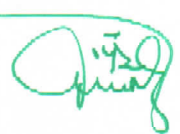
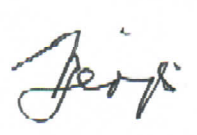
NOW THEREFORE, on motion of Councilor Camilo G. Ferreira duly seconded by all –

BE IT ORDAINED BY THE SANGGUNIANG BAYAN OF ROXAS, ORIENTAL MINDORO that:

Section 1. Title. This Ordinance shall be known as "An Ordinance Prohibiting the Use of Plastic Bags on Dry Goods, Regulating its Utilization on Wet Goods and Prohibiting the Use of Styrofoam/Styrophor in the Municipality of Roxas and Prescribing Penalties thereof".

Section 2. Definition of Terms. For the purpose of this ordinance the following terms are defined as follows:

- a) Cloth Bag (aka Katsa) – refers to a reusable packaging material made of cloth (biodegradable) used in the packaging of flour, wheat and other similar goods.
- b) Dry Goods – refers to any product that do not require refrigeration or freezing to maintain freshness such as textiles and clothing.
- c) Dry Market – generally refers to the store of products that do not require refrigeration or freezing to maintain freshness.
- d) Plastic Bags – also known as sando bags, pouch, plastic shopping bags and plastic film bags. It is a type of flexible packaging material made of thin, plastic film that is used for containing and transporting of food and other products (commercial or industrial). It shall also refer to thin-gauge packaging medium that is used as bags or wraps.
- e) Styrofoam/Styrophor – refers to a kind of packaging material used as food containers, disposable cups, plates, etc.
- f) Plastic Waste – refers to any plastic packaging material thrown as waste.
- g) Primary Packaging Materials – refers to those types of packaging for containing wet produce, snack foods, frozen foods, hardware
- h) Secondary Packaging Materials – refers to those types of packaging materials for wet goods to provide support to any primary packaging and intended for convenience of the handler, as well.
- i) Wet Foods – refers to any product that requires refrigeration or freezing to maintain freshness such as fish, meat, poultry products, fruits, vegetables, beverages and cooked foods in carinderias/eateries.



j) Wet Market – generally refers to the store of products that requires refrigeration or freezing to maintain freshness. These includes the wet section in public markets, supermarkets, minimarts, restaurants and carinderias/eateries.

k) Woven Bags (aka Bayong) – refers to biodegradable packaging material made of wooden pandan, buli leaves, water lily and other similar materials.

Section 3. Prohibition on the Use of Plastic Bags on Dry Goods. No business establishment shall utilize plastic bags packaging materials on dry goods.

Section 4. Regulating the Use of Plastic Bags on Wet Goods. No business establishments dealing with on wet goods shall use plastic bags as secondary packaging materials.

Section 5. Prohibition on the Use of Styrofoam/Styrophor. No business establishment shall use styrofoam/styrophor and other similar materials as containers for food, produce and other products.

Section 6. Prohibition on the Selling of Plastic Bags. No business establishments shall offer or sell plastic bags to be used as secondary packaging material or as primary packaging material on dry goods.

Section 7. Plastic wastes not be collected. Plastic bags discarded or other similar plastic waste materials must be cleaned and dried prior submission to their respective barangay for proper collection and disposal.

Section 8. Ordinance Monitoring. The Environment Sanitation Office (ESO) shall monitor the effective implementation of this Ordinance. The ESO shall prepare a quarterly report on the progress of the implementation of this Ordinance.

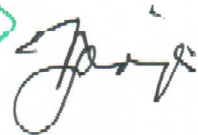
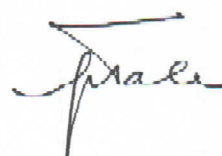
Section 9. Information, Education and Communication Campaign. Upon approval of this ordinance, the Municipality of Roxas shall conduct massive information, education and communication campaigns using quad media (print, radio, television and internet) and shall also include the promotion of alternative biodegradable packaging materials.

Section 10. Implementing Rules and Regulations (IRR). Within thirty (30) days from the approval of this ordinance, the necessary rules and regulations shall be issued by the Municipal Mayor for the proper and effective implementation of this ordinance.

Section 11. Moratorium. All business establishment and/or individuals are hereby given one (1) year moratorium to comply with this ordinance from the date of its passage.

Section 12. Before the implementation of this ordinance, the Environment Sanitation Office (ESO) is mandated to conduct study on the feasibility of providing alternative receptacles for the disposition and marketing of products, so as not to affect the flow of trade and commerce in the municipality.

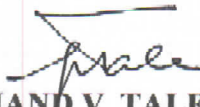
Section 13. The ESO is hereby mandated to provide a program wherein livelihood projects shall be implemented for the manufacture and distribution of eco-friendly receptacles made from water lilies and other environment-friendly materials in replacement of plastic containers and bags. This livelihood projects must be coordinated with respective offices to held the women residence of the Municipality of Roxas earn additional income.



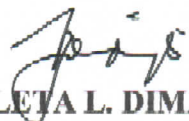
- Section 14. Implementation. This ordinance shall be implemented sixty days (60) from the date of approval and its publication in a newspaper of general circulation.
- Section 15. Prohibited Acts. Business establishments and/or individuals are prohibited from:
- Selling and providing plastic bags to consumers as secondary packaging materials on wet goods.
 - Selling and providing plastic bags to consumers as primary packaging materials on dry goods.
 - Selling and providing styrofoam/styrophor as containers.
- Section 16. Penalties. Any business establishment who violate any of the prohibited acts stated above shall be punished through the imposition of the following penalties:
- | | |
|----------------|--|
| First Offense | - Php500.00 |
| Second Offense | - Php1,000.00 |
| Third Offense | - Php2,500.00 and/or imprisonment of not more than six (6) months upon the discretion of the Court and in the case of business establishment, cancellation of their license to operate for a period of one (1) year. |
- Section 17. Separability Clause. If any part of this ordinance is declared juridically as unconstitutional or unlawful, such declaration shall not affect the other parts or sections hereof that are not declared unlawful or unconstitutional.
- Section 18. Repealing Clause. All previous ordinances inconsistent with this ordinance shall be deemed repealed or modified accordingly.

Adopted : 14 November 2011

CERTIFIED CORRECT:


FERDINAND V. TALENS, MPA
Secretary to the Sangguniang Bayan

ATTESTED:


VIOLETA L. DIMAPILIS
Municipal Vice Mayor /
Presiding Officer

APPROVED:


JACKSON CINCO DY
Municipal Mayor


Michelle Natividad - 3-28-12

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Mercy Drug Roxas
Lean J. Dimapilis 12-23-11

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