Republic of the Philippines
Province of Oriental Mindoro
MUNICIPALITY OF ROXAS

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE JOURNAL OF THE 94th REGULAR SESSION OF THE 9TH SANGGUNIANG BAYAN OF ROXAS, ORIENTAL MINDORO HELD ON 18 JUNE 2018, 12:00 P. M. AT THE SANGGUNIAN SESSION HALL.

Present:

Councilor Gualberto V. Magno	- Presiding Officer Pro-Tempore
Councilor David D. De La Cruz	- Member
Councilor Juanito A. Bacay, Jr.	- Member
Councilor John John S. Yason	- Member
Councilor Agustin L. Cusi	- Member
Councilor Ruel S. Taytay	- Member
Councilor Eduardo K. Soriano	- Member
Councilor Joseph M. Galicia	President, Liga ng mga Barangay

Absent: Vice Mayor Cesar T. Baticos

MUNICIPAL ORDINANCE NO. 01
Series of 2018

AN ORDINANCE ENACTING THE ENVIRONMENT CODE OF MUNICIPALITY OF ROXAS, ORIENTAL MINDORO.

Author:
Hon. **DAVID D. DE LA CRUZ**

Co-Authors:
Hon. **JUANITO A. BACAY, JR.** Hon. **JOHN-JOHN S. YASON**
Hon. **AGUSTIN L. CUSI** Hon. **RUEL S. TAYTAY**
Hon. **EDUARDO K. SORIANO** Hon. **GUALBERTO V. MAGNO**
Hon. **JOSEPH M. GALICIA**

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

CHAPTER I – GENERAL PROVISIONS

ARTICLE I
TITLE, POLICY, SCOPE, PRINCIPLES AND TERMINOLOGIES

SECTION 1. **TITLE OF THE CODE.** This Code shall be known as the "Municipality of Roxas Environment Code of 2018" and shall hereinafter referred to as the Code.

SECTION 2. **DECLARATION OF POLICY**
Pursuant to the powers granted by the 1987 Constitution, and in conjunction with the General Welfare clause of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, it is hereby declared the policy of the Municipality of Roxas to fully exercise genuine and meaningful local autonomy as an effective partner of the

VIOLETA L. DIMAPILIS GUALBERTO V. MAGNO FERDINAND V. TALENS, MPA

national government, its people and the civil society in the enhancement of the rights of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature.

SECTION 3. **SCOPE**

a. This Code is a statement of the fundamental policy positions of the local government of Roxas on the vital aspects of the environment, namely: forest, minerals , land, air, water, coastal resources, eco-tourism, solid waste management, disaster risk reduction and other related areas of concern;

b. It adopts by reference national laws, rules and regulations pertaining to the environment, as well as local ordinances enacted by the Province of Oriental Mindoro and the Municipality of Roxas; and

c. It provides policy direction for future legislative enactment to cover every aspect of the environment as much as possible.

SECTION 4. **STATEMENT OF GENERAL PRINCIPLES**. The environmental programs and policies of the Municipality shall be guided by the following principles:

Community-Based Management. Environmental protection recognizes effective traditional practices in environment management as well as the right and duty of local communities to conserve and protect the environment and natural heritage. Important in this is the notion of the right to development as an essential component of our basic human rights.

Conservation. Environment conservation shall be promoted including the enactment and enforcement of laws just and consistent with the laws of nature. Related activities shall always respect indigenous culture and practices consistent with ecological principles including gender and population concerns.

Economic Rent Policy. The Municipality shall institute measures that would ensure application and enforcement of the principle and policy enshrined in Art. 18 of RA 7160 which provides among others that "local government units shall have the power and authority to have an equitable share in the proceeds from the utilization and development of the national wealth and resources within their respective territorial jurisdictions including sharing the same with the inhabitants by way of direct benefits". As such, development or "progress" shall be allowed and promoted but without undue danger to the environment or natural resources, and which facilitates for some form of just and equitable sharing of the proceeds from the use and development thereof.

Integration. Environmental protection is characterized by comprehensive scope, coherent and consistent strategies and cost-effectiveness of results of the policy making and implementation processes to be undertaken.

Interdisciplinary Approach. Environmental protection recognizes the need for a diverse field of knowledge to include natural, social, and engineering sciences and technologies aside from available traditional knowledge.

VIOLETA C. DIMAPILIS GUALBERTO V. MAGNO FERDINAND V. TALENS, MPA

Prevention, Regulation and Protection. The war against environmental abuse shall always be the primary concern of the Municipality. Sustainable development can attain its highest sense of success not by the progress alone it ensures but by the balance and symbiosis it maintains with the environment including responsible regulation and protection of the remaining ecosystem.

Polluter Pay Principle. Polluters assume the external costs of pollution upon the community and environment, such as, but not limited to negotiated compensation for damages caused to the physical environment.

Shared Responsibility. The key towards the attainment of a balanced ecosystem rests on the social responsibility of every Roxaseño in government, civil society, and business.

Stewardship. Environmental protection recognizes that the natural resources are among the most precious gifts of Divine Providence to humanity. Everyone is a steward thereof, with a duty to turn it over to the next generation, if not in a better condition, at least in a state not worse than when inherited from the previous generation.

Sustainable Development. The primary foundation of a healthy and progressive environment calls for the usage of appropriate and environment-friendly technologies. Healthy environment and development must go hand in hand with judicious use of our natural resources and equal access to all under existing laws to sustain economic development.

Transparency. Information, education and participation of all Roxaseño in undertakings relative to the use, conservation, regulation and protection of the environment must always be upheld and recognized.

SECTION 5. **DEFINITION OF TERMS.** As used in this Code, the following words and phrases shall mean:

Agricultural Land - land devoted principally to the planting of fruit trees, growing of crops, livestock and poultry, inland fishing, and similar agricultural activities.

Agro-forestry - farm management practice of combining production of agricultural and tree crops, forest plants and animals, simultaneously or sequentially.

Air Pollutant - any matter found in the atmosphere other than oxygen, nitrogen, carbon dioxide, water vapor, and the inert gases in their natural or normal concentrations, and includes smoke, dust, soot, cinders, fly ash, solid particle of any kind, gases, fumes, mists, odors and radioactive substances.

Air Pollution - any alteration of the physical, chemical and biological properties of the atmospheric air, or any discharge thereto of any liquid, gaseous or solid substances that will likely create or render the air resources of the country harmful, detrimental or injurious to public health, safety or welfare, or which will 3 adversely affect their use for domestic, commercial, industrial, agricultural, recreational or other legitimate purposes.

Alienable and Disposable (A & D) Lands - those lands of the public domain that have been declared by law as not needed for forest purposes.

Ambient Air Quality - the atmosphere's average purity in a broad area as distinguished from discharge measurements taken at the

source of pollution or the present characteristic or nature of the surrounding atmosphere.

Annual Allowable Cut - volume of materials, whether of wood or the forest products, which is authorized for cutting yearly from a forest.

Biological Diversity (Biodiversity) - variability among living organisms from all sources including terrestrial, marine and other aquatic ecosystem and the ecological complexes of which they are part; this includes diversity within species, between species and ecosystems.

Bio-medical Waste - pathological, pharmaceutical, chemical wastes and sharps defined as follows:

Pathological waste includes all human tissues such as limbs, organs, fetuses and body fluids; and animal carcasses and tissues, together with all related swabs and dressings.

Pharmaceutical Waste includes pharmaceutical products; drugs and chemicals that have been returned from wards; have been spilled or soiled; those expired or contaminated; or have been discarded for any reasons.

Chemical Waste includes discarded solid, liquid or gaseous chemical from laboratory or other sources such as diagnostic work, environmental works, cleaning, housekeeping, construction, fabrication, processing and disinfecting procedures.

Sharps include needles, syringes, scalpel, blades and any other items that could cut or puncture; and

Buffer Zones - areas identified outside the boundaries of and immediately adjacent to the designated protected areas and need special development control in order to avoid or minimize harm to the protected area.

Clean and Green Campaign - massive cleaning of the city, planting and maintenance of trees as well as intensive beautification drive in consonance with the national government's goals and objectives.

Coastal Resource Management - development process that involves participative action, and sound decision-making through monitoring to achieve sustainable use of economically and ecologically valuable resources in the coastal areas.

Commercial Fishing - taking of fishery species by passive or active gear for trade, business or profit beyond subsistence or sports fishing, to be further classified as:

Large-Scale Commercial Fishing shall refer to fishing utilizing active gears and vessels of more than one hundred fifty (150) GT.

Medium-Scale Commercial Fishing shall refer to fishing utilizing active gears and vessels of 20.1 GT up to one hundred fifty (150) GT; and,

Small-Scale Commercial Fishing shall refer to fishing with passive of active gear utilizing fishing vessels of 3.1 gross tons (GT) up to (20) GT;

Communal Forest- a tract of forest land set aside by law or through a valid proclamation or order for the use of the residents of the area from which said residents may establish forest plantations or tree farm; cut, collect and remove forest product for their personal use in accordance with existing laws and regulations.

Composting - controlled decomposition of organic matter by micro-organisms, mainly bacteria and fungi, into a humus-like product.

VIOLETA D. DIMAPILIS GUALBERTO V. MAGNO FERDINAND V. TALENS, MPA

Contract Reforestation - the implementation of reforestation activities that include the establishment, maintenance and protection of forest plantation and nursery preparation through written agreements with the local government units, communities, individual, civil societies and other government agencies. It includes contract for surveying mapping, comprehensive site development, planning, monitoring and evaluation, and other activities.

Controlled Dump - a disposal site at which solid waste is deposited in accordance with the minimum prescribed standard of site operation.

Critical watershed - drainage area of the river system supporting the existing and proposed hydroelectric power, irrigation works or domestic water facilities needing immediate protection or rehabilitation.

Disposal - discharge, deposit, dumping, spilling, leaking or placing of any solid or liquid waste into or in any land

Disaster - a serious disruption of the functioning of a community or a society involving widespread human, material, economic or environmental losses and impacts, which exceeds the ability of the affected community or society to cope using its own resources. Disasters are often described as a result of the combination of: the exposure to a hazard, the conditions of vulnerability that are present and insufficient capacity or measures to reduce or cope with the potential negative consequences

Disposal Site - a site where solid waste is discharged and deposited.

Ecological Solid Waste Management - systematic administration of activities that provide for segregation at source, segregated transportation, storage, transfer, processing, treatment and disposal of solid waste, and other waste management activities not harmful to the environment.

Eco-Tourism - a nature-based activity managed by the local community with government support whose primary goals are conservation and enhancement of natural resources while providing economic benefits to the local community without endangering the socio-cultural practices of its people.

Effluent - the general term denoting any wastewater, partially or completely treated, or in its natural state, flowing out of a manufacturing plant, industrial plant or treatment.

Effluent Standards - restrictions established to limit levels of concentration of physical, chemical and biological constituents, which are discharged from point sources.

Emission - any measurable air contaminants, pollutants, gas streams or unwanted sound from known source which is passed into the atmosphere.

Endangered Species - species or sub-species that is not only critically endangered but whose survival in the wild is unlikely if causal factors continue operating.

Environment - quantity, quality, diversity and sustainability of renewable natural resources, including the ambient air environment such as the atmosphere, climate, sound and odors that are critical determinants of the quality of life. It shall include the total environment of man such as economic, social cultural and political factors.

VIOLETA L. DIMAPILIS GUALBERTO V. MAGNO FERDINAND V. TALENS, MPA