



Republic of the Philippines
PROVINCE OF ZAMBOANGA DEL SUR
Municipality of Dumingag
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OFFICE OF THE SB SECRETARY

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF DUMINGAG, ZAMBOANGA DEL SUR, HELD AT THE MUNICIPAL SESSION HALL ON NOVEMBER 18, 1996.

- C a l l -

PRESENT:

Hon. Edgardo G. Janero,	Vice Mayor, Presiding
Hon. Nacianceno Pacalioaga, Jr.,	SB MEMBER
Hon. Socarias Tangalin,	-do-
Hon. Jovencio Bano,	-do-
Hon. Felipe Nobles,	-do-
Hon. Eddie Bueno,	-do-
Hon. Edman Ambil,	-do-
Hon. Wallie Geographia,	-do-
Hon. Inocencio Faumillan,	-do-
Hon. Libertine Retes,	-do-
Hon. Allan Anggao,	-do-

ABSENT:

N O N E

ORDINANCE NO. 23, S. 1996

" AN ORDINANCE PROVIDING SYSTEM FOR THE COLLECTION, TRANSPORTATION AND DISPOSAL OF REFUSE OR GARBAGE IN THE MUNICIPALITY OF DUMINGAG, PROVINCE OF ZAMBOANGA DEL SUR AND IMPOSING PENALTIES FOR VIOLATION THEREOF. "

Be it enacted by the Sangguniang Bayan of Dumingag, Zamboanga del Sur in session assembled:

SECTION 1. TITLE - This Ordinance shall be known as the "GARBAGE COLLECTION, TRANSPORTATION AND DISPOSAL SYSTEM ORDINANCE OF DUMINGAG."

SECTION 2. PURPOSE AND DECLARATION OF INTENT - The purpose of this Ordinance is to institute within the area of the Municipality of Dumingag, an orderly and modern system or program for collection, transportation and disposal of refuse and garbage of every and all kinds in order to promote the welfare, convenience, health and safety of the community. It is hereby declared, for the public interest, that the preparation, accumulation, storage, collection, transportation and disposal of refuse and/or garbage be handled in such a manner as to prohibit the harborage and breeding of rodents and insects; reduce air pollution; prevent the spread of disease; and prevent unsightliness which result in the depreciation of property values and prevents the comfortable enjoyment of life. It is also further declared that the burden of garbage collection and disposal shall henceforth be the joint concern and responsibility of every individual or resident in the municipality and the municipal government. Violation thereof, will henceforth be dealt with accordingly in order that maximum compliance is ensured.

SECTION 3. DEFINITION OF TERMS - For purposes of this Ordinance, the following words, terms and/or phrases shall mean:

- a. Garbage - any putrescible animal, fish, fowl, fruits, or vegetable refuse resulting from the preparation, storage handling or consumption of foods except food processing waste, vegetable and fruit pecking waste, swill and offal, and shall include containers or non-putrescible materials to which particles of putrescible materials are attached.

- b. Refuse and/or Rubbish - the non-organic wastes from stores, offices and places of business, including such things as floor sweeping, broken glass, rugs, paper, dust, dried leaves, etc.
- c. Swill - those particular waste materials which are wholly edible and usable as foods for animals and fowls which are usually accumulated from luluks, hospitals, lodging houses, restaurants, boarding houses, tenement houses, and other public eating places.
- d. Waste - the useless, unused, unwanted or discarded materials and debris resulting from normal community activities or materials which by their presence may injuriously affect the health, safety and comfort of persons, and whose presence tend to depreciate the vicinal property values and includes all putrescible and non-putrescible solid or liquid wastes, whether combustible or non-combustible not otherwise defined in the various definition contained in this section.
- e. Disposal Area - the premises or site where the disposal of wastes, refuse, garbage, industrial wastes and commercial garbage is permitted.
- f. Garbage or Refuse Collector - any person collecting or transporting refuse or garbage in the municipality in accordance with this Ordinance or who provides such services pursuant to a contract.

SECTION 4. SYSTEM OF GARBAGE COLLECTION, TRANSPORTATION AND DISPOSAL

- A. RESPONSIBILITY - The ultimate responsibility of an efficient and sanitary system of garbage collection, rests directly on its resident. It must be the duty and responsibility of every resident to observe strictly at all times, the rules and regulations prescribed for the efficient garbage collection. Each homeowner (head of the household) and/or businessowner or manager shall be responsible for the cleanliness of their premises.

B. ROLE OF THE MUNICIPAL GOVERNMENT

1. The role of the municipal government through the Municipal Engineer shall oversee that the garbage collection system is working satisfactorily and efficiently.
 - (a) Maintenance workers of LGU shall conduct garbage collection everyday.
 - (b) The Municipal Engineer shall provide the garbage or dumptruck for hauling or transportation of garbage to the disposal area.
 - (c) Provide adequate trash cans with stand and cover as depository in every corner of the streets.
2. The role of the municipal government through the Municipal Health Officer (MHO) shall:
 - (a) Field sanitary inspector to different areas of the municipality in order to check, inspect, advise and/or instruct the homeowner/businessowner or manager on the correct and sanitary collection and disposal of their garbage. For the first infraction of the law, the homeowner or business owner's attention must be called for by the sanitary inspector or a written memo should be left to the homeowner/businessowner. For the second infraction, the homeowner or businessowner (manager or in-charge) must be cited to appear before the Municipal Health Officer or his/her duly authorized representative to receive a lecture on the propriety of observing the provisions of this Ordinance. For the third infraction, the concerned

party will be properly charged in court.

- (b) Instruct the sanitary inspector or any duly authorized personnel from the Municipal Health Office, to inspect regularly the garbage disposal area, in order to make recommendations to the Municipal Mayor on the continued maintenance of the optimum sanitary requirements.

C. **ROLE OF THE BARANGAY** - The cooperation and involvement of every barangay for the garbage collection and disposal shall earnestly be solicited. It shall be the duty of the barangay officials and barangay tenods to assist the sanitary inspectors, to see to it that this Ordinance shall strictly be complied with and shall likewise assist in the cleanliness campaign at all times.

D. **MECHANICS OF OPERATION**

1. Each homeowner/businessowner (manager, in-charge, etc.) must provide a sanitary garbage receptacle either metallic or plastic to be placed in their own premises while waiting for the garbage collector every morning. No such container shall be in unsanitary condition and shall be located in such a place as to be readily accessible but not a hindrance to the pathway or shall be away from the travelled portion of the street.
2. Each homeowner/businessowner (manager or in-charge) shall be responsible for the cleanliness of the area within his/her premises. Areas which shall not be reached by the garbage collectors, due to limited transportation services, workmen, etc., shall provide a trash can (properly covered) and/or dig a 4-6 hole for garbage dumping which shall regularly be burned.

Section 5. PENAL PROVISIONS - Any person and/or homeowner found guilty of violating any provision of this Ordinance shall be punished by paying a fine of not less than ONE HUNDRED PESOS (P100.00) but not more than FIVE HUNDRED PESOS (P500.00) or by imprisonment of not less than two (2) days but not more than five (5) days or both at the discretion of the court. If the violation is committed by a firm or corporation, the manager or person in-charged with the management thereof shall be criminally responsible therefore. Every violation of any provision of this Ordinance shall be construed as a separate offense, punishable by a separate penalty.

Section 6. SEPARABILITY CLAUSE - If, any section, sub-section, sentence, clause or phrase of this Ordinance is, for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 7. REPEALING CLAUSE - All previous ordinances or parts thereof which are inconsistent with any of the provisions of this Ordinance are hereby modified, repealed or superseded accordingly.

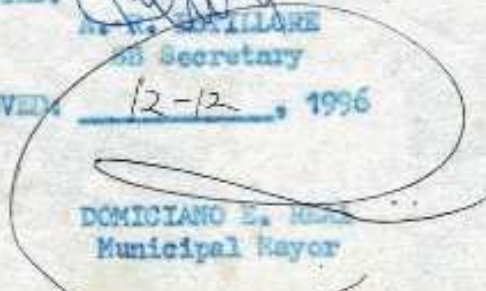
Section 8. EFFECTIVITY - This Ordinance shall take effect upon its approval.

Enacted November 18, 1996.

ATTESTED:


A. N. SALLARE
Secretary

APPROVED: 12-12, 1996


DOMICIANO E. REYES
Municipal Mayor

CERTIFIED CORRECT:


EDMUNDO G. JAVERO
Vice Mayor, Presiding