



**PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA**



Sangguniang Panglungsod

ORDINANCE NO. 10-109

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 CITY OF MUNTINLUPA AND PRESCRIBING THE PENALTIES THEREOF.

Sponsored by: **Hon. Coun. Joselito V. Arevalo**
 Co-Sponsored: **Hon. Coun. Allan Rey A. Camilon**
Hon. Coun. Allen F. Ampaya
Hon. Coun. Ma. Luisa Babaran-Echavez, MD
Hon. Coun. Margarita Amythyst Patdu-Labios, MD
Hon. Coun. Melchor R. Teves
Hon. Coun. Atty. Icasiano M. dela Rea
Hon. Coun. Ermie S. Espeleta
Hon. Coun. Marita Deang-Calalang, DMD
Hon. Coun. Francis Ian T. Bagatsing
Hon. Coun. Luvi P. Constantino
Hon. Coun. Engr. Marissa Cole-Rongavilla
Hon. Coun. Engr. Mamerto T. Sevilla, Jr.
Hon. Coun. Vergel C. Ulanday
Hon. Coun. Robert A. Abas
Hon. Coun. Atty. Rey E. Bulay
Hon. Coun. Celso C. Dioko

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 R.A 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 R.A 7160, also empowers, ***"the Sangguniang Panlungod 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 City of Muntinlupa and elsewhere;

WHEREAS, plastic bags and Styrofoam/styrophor, being non-biodegradable materials clog our canals, creeks, rivers and other waterways and during the rainy season end up in Laguna de Bay, causing harm to the lake and the surrounding communities;

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WHEREAS, despite serious efforts of the City to segregate compostable, recyclable, and reusable waste materials, plastic and other similar materials remain in the waste stream and eventually become residuals;

WHEREAS, the City of Muntinlupa 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 City's canal, creeks, rivers, lake, and other waterways;

NOW THEREFORE, BE IT ORDAINED, AS IT IS HEREBY ORDAINED, by the 5th Sangguniang Panglungsod of Muntinlupa in session assembled 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 City of Muntinlupa 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 (a.k.a. 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 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 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.

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- 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 include the wet section in public markets, supermarkets, mini marts, restaurants and carinderias/eateries.
- k) **Woven Bags** – (a.k.a. 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 as 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 material.

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 to be collected. Plastic bags discarded or other similar plastic waste materials must be cleaned and dried prior submission to their respective barangays for proper collection and disposal.

SECTION 8. Ordinance Monitoring. The Environmental Sanitation Center (ESC) shall monitor the effective implementation of this Ordinance. The ESC 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 **City** 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.

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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 City Mayor for the proper and effective implementation of this ordinance.

SECTION 11. Moratorium – All Business establishments and/or individuals are hereby given **one (1) year moratorium** to comply with this ordinance from the date its passage.

SECTION 12. Before the implementation of this ordinance, the Environment Sanitation Center (ESC) is mandated to conduct a study on the feasibility of providing alternative receptacles for the disposition and marketing of products, so as not to effect the flow of trade and commerce in the City.

SECTION 13. The ESC 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 office to help the women residents of Muntinlupa earn additional income.

SECTION 14. Implementation – This ordinance shall be implemented after one year 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:

- a) Selling and providing plastic bags to consumers as secondary packaging materials on wet goods;
- b) Selling and providing plastic bags to consumers as **primary** packaging material on dry goods;
- c) Selling and providing Styrofoam/styrophor as containers;

SECTION 16. Penalties. Any business establishment who shall violate any of the prohibited acts stated above shall be punished through the imposition of the following penalties:

First Offense	-	Php500.00 fine
Second Offense	-	Php1,000.00 fine
Third Offense	-	Php2,500.00 fine 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.

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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.

ENACTED, by the 5th *Sangguniang Panlungsod of Muntinlupa* this 18th day of **January 2010**, on its 105th *Regular Session*.

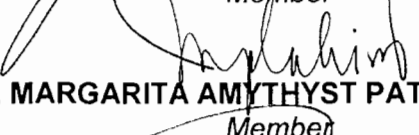
CONCURRED:

DISTRICT I:

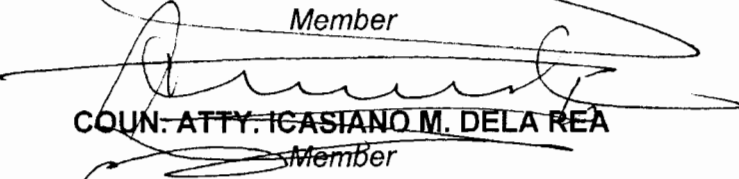

COUN. ALLEN F. AMPAYA
Member


COUN. ALLAN REY A. CAMILON
Member


COUN. MA. LUISA BABARAN-ECHAVEZ, MD.
Member

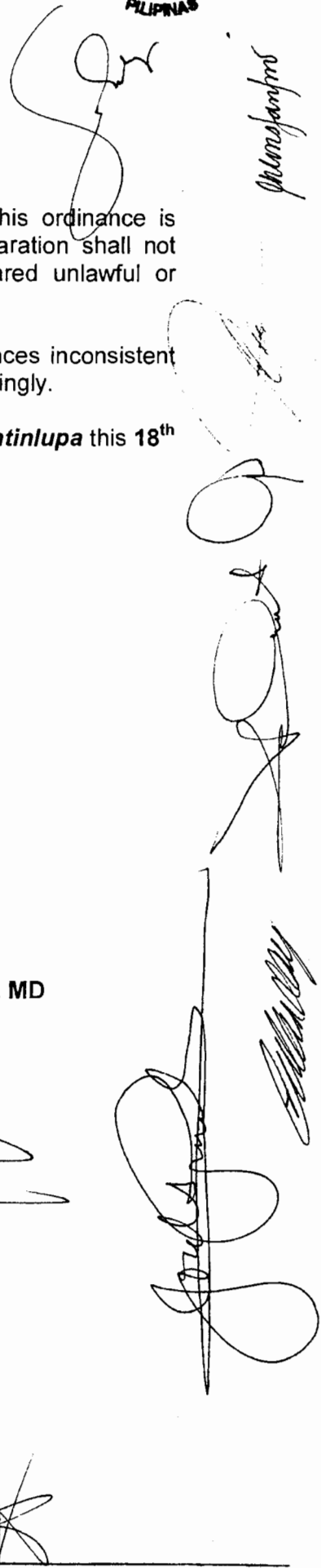

COUN. MARGARITA AMYTHYST PATDU-LABIOS, MD
Member


COUN. MELCHOR R. TEVES
Member


COUN. ATTY. ICASIANO M. DELA REA
Member

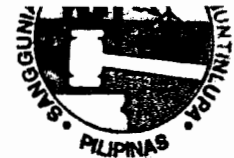

COUN. ERMIE S. ESPELETA
Member


COUN. MARITA DEANG-CALALANG, MD
Member





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DISTRICT II:

[Signature]
COUN. FRANCIS IAN T. BAGATSING
Member

[Signature]
COUN. JOSELITO V. AREVALO
Member

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COUN. LUVI P. CONSTANTINO
Member

[Signature]
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Member

[Signature]
COUN. ENGR. MAMERTO T. SEVILLA, JR.
Member

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COUN. VERGEL C. ULANDAY
Member

[Signature]
COUN. ROBERT A. ABAS
Member

[Signature]
COUN. ATTY. REY E. BULAY
Member

[Signature]
COUN. CELSO C. DIOKO
Sectoral Representative
President
Association of Barangay Captains

ABSENT:

COUN. DANN HENRY G. TEVES
Sectoral Representative
President
Federation of Sangguniang Kabataan

I HEREBY CERTIFY, as to the correctness of the foregoing Ordinance.

[Signature]
LEONORA M. MARCELO
Legislative Staff Officer IV

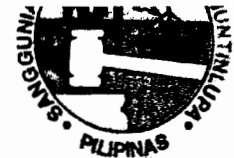
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Legislative Staff Officer IV

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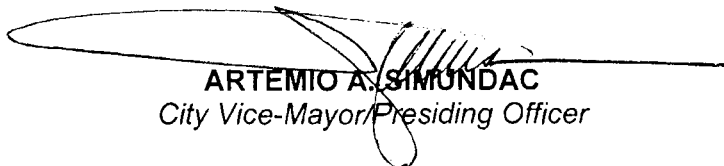
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ATTESTED:


ARTEMIO A. SIMUNDAC
City Vice-Mayor/Presiding Officer

APPROVED:


ALDRIN L. SAN PEDRO
City Mayor
Date: _____

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