



OFFICE OF THE SANGGUNIANG BAYAN

Literal Copy of **Municipal Ordinance No. 2019-18** approved by the Sangguniang Bayan of Palanan, Isabela in its Regular Session on November 11, 2019 held at the Legislative Session Hall, this Municipality.

Sponsored By: HON. MICHAEL JOHN D. BERNARDO, Sangguniang Bayan Member

MUNICIPAL ORDINANCE NO. 2019 -18

AN ORDINANCE AMENDING MUNICIPAL ORDINANCE NO. 2012 -09, PROHIBITING THE USAGE OF "SINGLE USE PLASTIC BAGS" WITHIN THE MUNICIPALITY OF PALANAN AND PRESCRIBING PENALTIES THEREFOR

WHEREAS, Republic Act 9003, also known as the " Ecological Solid Waste Management Act of 2000" state among others in its Declaration of Policies the protection of public health and the environment;

WHEREAS, Section 29 of the R.A. 9003 prohibits the use of non-environmentally acceptable products as defined therein such as plastic bags /receptacles;

WHEREAS, globally, the production and use of plastic bags has significant environmental impacts each year including the destruction of marine ecosystem, animals and human lives;

WHEREAS, plastic bags used as packing materials for goods sold in sari-sari stores, groceries, carinderias/restaurants, canteens and other similar establishments is one of the major waste materials clogging the waterways or strewn on streets and roads in the Poblacion;

WHEREAS, aside from being a problem on Solid Waste Management, the uncontrolled use and disposal of plastic bags led to the rapid deterioration of the environment;

WHEREAS, in order to cut back on pollution from land-based resources, there is a need to urge and encourage all food dispensing establishments such as carinderias / restaurants and canteens, sari-sari stores, groceries and similar establishments to switch to reusable/recyclable bags as ecological alternative and dump the plastic bag habit;

WHEREFORE, be it ordained by the Sangguniang Bayan in session assembled, that:

SECTION 1. DEFINITION OF TERMS. For the purpose of this Ordinance, the following shall mean:

- a. **Plastic bag/receptacle** – any form of disposable pouch or container made of plastic resin to include but not limited to " *Plastic Supot*" and " *Single Use Plastic Bags*";
- b. **Non-environmentally acceptable products** – the quality of being non-reusable, non-biodegradable or non-compostable, non-recyclable and toxic and hazardous to the environment;
- c. **Business establishments** – Public areas used by natural or juridical persons for trade or commercial activities regularly and duly engages as such, like market stalls, sari-sari stores, groceries, restaurants, carinderias, canteens and other similar establishments;
- d. "**Turok**" system – way of stringing things using native materials from and/or indigenous materials like rattan, banban and other similar materials.
- e. **Materials Recovery Facility** – designed to receive, sort, process and store compostable and recyclable material efficiently and in an environmentally sound manner.

SECTION 2. PROHIBITED ACTS. – The following acts are prohibited:

- (1) The usage of "Single Use Plastic Bags" by business establishments such as sari-sari stores, groceries, market stalls, carinderias, restaurants, canteens and other similar establishments;
- (2) The distribution or use of non-environmentally acceptable materials like plastic sando bags, single use plastic bags, styrofoam, aluminum foil and similar items as bagging/packaging materials in the municipality:

ANGELINA S. BERNARDO
LNB PRESIDENT

JUSTIN KERBY S. BERNARDO
SK FEDERATION PRESIDENT

GIORJA B. CAULIAN
SB MEMBER

CRISEIDA S. DELA PENA
SB MEMBER

THEO ANGELO A. GARCIA
SB MEMBER

EARL JOHN ANGELO S. BERNARDO
SB MEMBER

MICHAEL JOHN D. BERNARDO
SB MEMBER

ROBERT B. NERI
SB MEMBER

PACITA MDNA Q. ATANACIO
SB MEMBER

RONNIE ATIENZA
SB MEMBER

- (3) Importation of consumer products packaged in non-environmentally acceptable materials;
- (4) Using/giving of plastic sando bags/cellophane as packaging/bagging material of dry goods;
- (5) Using plastic and straw in serving drinks such as soft drinks, juices and the like;
- (6) Selling and buying plastic sando bags/cellophanes, styrofoam, and disposable utensils;
- (7) Using of plastic/sando bag as garbage bag to households;
- (8) Using of plastic/styrofoam in different celebrations;
- (9) Using of plastic banderitas during celebrations such as fiestas, festivals, fairs, parades and other similar assemblies;
- (10) Using plastic posters for advertisement and product promotions.

SECTION 3. REGULATORY PROVISIONS.

- (1) The "Turok" system shall be applied at the Fish and Meat Section in the Public Market;
- (2) The Vegetable and Dry Goods Section shall use recyclable bags or paper materials other than " Single Use Plastic Bags" and other non-environmentally acceptable materials;
- (3) All stalls/establishment owners shall use biodegradable materials only as bagging/packaging materials such as paper, newspaper, boxes, wax paper/carton, banana leaves and the like;
- (4) The consumer/ buyers shall bring their own baskets/reusable bags/ eco-friendly bags and other containers (for wet goods);
- (5) All tetra doy packs shall be collected by the consumer and bring it to the nearest MRF.
- (6) All restaurants, canteens, carinderias may use very thin transparent plastic or "malaba" for repacking broth/soup meals.

SECTION 4. EXEMPTIONS. The following are exempted in this Ordinance:

- (1) Putting sugar, ice candy, homemade ice, salt and other similar products into the plastic with the condition that they will not place it again in another plastic if they were to be sold.
- (2) Plastic straw used for tying/knotting goods.
- (3) All types of recyclable plastics such as net bags, sacks and other similar items.
- (4) Semi-conductor and electronic products;
- (5) Plastic used as original containers/ packaging such as those frozen products, candies, biscuits, junk foods, shampoo sachet, bread, chlorox, plastic bottle and other similar items.

SECTION 5. ENFORCEMENT. The PNP Members, Municipal Health Office and MENR Office, Barangay Officials, Barangay Tanods, are hereby ordered to ensure the implementation of this Ordinance. Barangay Officials shall also facilitate the implementation of community service within their area of jurisdiction.

SECTION 6. POSTING IN BILLBOARDS. The Municipal Engineer Office is hereby tasked to put billboards in conspicuous places in the municipality to notify the public of the restrictions, sanctions and penalties provided in this ordinance.

SECTION 7. FUNDING. An initial funding to defray the expenses necessary for or incidental to the implementation of this Ordinance shall be sourced out from the 20% Development Fund under the Environmental Law Enforcement or MOOE of the Office of the Municipal Engineer and is hereby allocated every year thereafter.

SECTION 8. PENAL PROVISIONS. Any provision/persons found violating this Ordinance shall be penalized by:

- 1st Offense** -Fine of Five Hundred (Php 500.00) Pesos or community service for five (5) days;
- 2nd Offense** -Fine of One Thousand (Php 1,000.00) Pesos or community service for ten (10) days;
- 3rd Offense** - Fine of One Thousand Five Hundred (Php 1,500.00) Pesos or community service for fifteen (15) days.

SECTION 9. TRANSITORY PROVISION. The prohibition on the usage of " Single Use Bags" and other non-environmentally acceptable materials shall be applied one (1) month after the favorable review of this Ordinance by the Sangguniang Panlalawigan;

ANGELINA A. BERNARDO
LNB PRESIDENT

JUSTIN KERBY S. BERNARDO
SK FEDERATION PRESIDENT

GLORIA D. CAULIAN
SP MEMBER

CRISELDA S. DELA PENA
SB MEMBER

THEO ANGELO A. GARCIA
SB MEMBER

EARL JOHN ANGELO S. BERNARDO
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MICHAEL JOHN D. BERNARDO
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ROBERT B. NERI
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PACITA MONA Q. ATANACIO
SB MEMBER

RONNIE ATIENZA
SB MEMBER

SECTION 10. REPEALING CLAUSE. Any provisions of an existing ordinance found inconsistent hereof is hereby repealed.

SECTION 11. EFFECTIVITY. This Ordinance shall take effect upon its approval and upon posting of this Ordinance in three (3) conspicuous places within our area of jurisdiction.

Enacted, November 11, 2019.

I hereby certify to the correctness of the foregoing ordinance.

EARL JOHN ANGELO S. BERNARDO
SB MEMBER

MICHAEL JOHN D. BERNARDO
SB MEMBER

ROBERT B. NERI
SB MEMBER

PACITA MONA Q. ATANACIO
SB MEMBER

RONNIE PATIENZA
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ANGELINA A. BERNARDO
LNB PRESIDENT

JUSTIN KERRY S. BERNARDO
SK FEDERATION PRESIDENT

GLOBIA D. CAULIAN
SB MEMBER

CRISEIDA S. DELA PENA
SB MEMBER

THEO ANGELO A. GARCIA
SB MEMBER

FLORENTE
FLORITO D. BERNARDO
Temporary Secretary

ATTESTED AND CERTIFIED
TO BE DULY ENACTED:

APPROVED:

JIMMY B. GONZALES
Municipal Vice Mayor/Presiding Officer

ELIZABETH B. OCHOA
Municipal Mayor
Date: 11-19-19