



Republic of the Philippines
PROVINCE OF LEYTE
 Provincial Capitol
 Tacloban City

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PROVINCIAL LEGAL OFFICE

Item No.: 06
 Date: 27 2024 AUG



2nd INDORSEMENT
 August 19, 2024

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through SP Secretary, the attached Ordinance No. 08, S. 2024 of the Sangguniang Bayan of Abuyog, Leyte.

Issues/concerns for review/recommendation/legal opinion is/are as follows:

- Ordinance No. 08, S. 2024 entitled: **“An Ordinance Regulating the Use, Sale, Distribution, and Advertisement of Cigarettes and Other Tobacco Products, Electronic Nicotine and Non-Nicotine Delivery Systems, Heated Tobacco Products and Other Novel Tobacco Products, in Certain Places, Imposing Penalties for Violations Thereof and Providing Funds Thereof, to Instill Health Consciousness and for Other Purposes.**

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the Subject Ordinance is in accordance to its power under Section 16¹ – General Welfare Clause and Section 447(1)(iii)² of the Local Government Code of 1991(R.A 7160).

In addition, this Ordinance is in consonance with Republic Act No. 9211 (Tobacco Regulation Act of 2003) which is an Act Regulating the Packaging, Use, Sale, Distribution and Advertisements of Tobacco Products and for Other Purposes. Hence, recommending for the declaration of its validity.

We hope to have assisted you with this request. Please note that the opinion rendered by this Office are based on facts available and may vary or change when additional facts and documents are presented or changed. This opinion is likewise without prejudice to the opinions rendered by higher and competent authorities and/or the courts.

ATTY. JOSE RAYMUND A. ACOL
Asst. Provincial Legal Officer

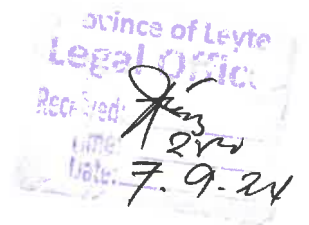
¹ Section 16 – Every local government units shall exercise the powers expressly granted, those necessarily implied therefrom, as well as the powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare. Within their respective territorial jurisdiction, local government units shall ensure and support, among other things xxx promote health and safety xxx

² Section 447(1)(iii) Approve ordinance imposing a fine not exceeding Two Thousand Five Hundred Pesos (P 2,500.00)xxx


Republic of the Philippines
PROVINCE OF LEYTE
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OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
05 July 2024



Respectfully indorsed to the **PROVINCIAL LEGAL OFFICE** the herein **ORDINANCE NO. 08 s. 2024** embodied in Resolution No. 209 s 2024 of the **MUNICIPALITY OF ABUYOG, LEYTE**, for review and recommendations.


FLORINDA JILL S. UYVICO
Secretary to the Sanggunian

SP Records
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Republic of the Philippines
MUNICIPALITY OF ABUYOG
 Province of Leyte

SANGGUNIANG BAYAN LALAWIGAN



Office of the Sangguniang Bayan

EXCERPT FROM THE MINUTES OF THE 19TH REGULAR SESSION OF THE 19TH HONORABLE SANGGUNIANG BAYAN OF ABUYOG, LEYTE HELD AT ITS SESSION HALL, LEGISLATIVE BUILDING MUNICIPAL COMPOUND, ABUYOG, LEYTE ON MAY 14, 2024

PRESENT:

Hon. James L. Bohol	Municipal Vice-Mayor, Prsdg. Officer
Hon. Jeannette A. Valida	SB Member, Prsdg. Pro-tempore
Hon. Antonio C. Almendra, Jr.	SB Member
Hon. Arnold R. Allera	SB Member
Hon. Patrocinio A. Risos, Jr.	SB Member
Hon. Editha C. Deloy	SB Member
Hon. Edmundo P. Saño	SB Member
Hon. Francisco B. Landia	SB Member, Floor Leader
Hon. Erwin V. Belleza	SB Member
Hon. Dario P. Llave	SB Member, ABC President
Hon. Melliza Jane C. Traya	SB Member, SK Ped. Pres.

ABSENT:

None

RESOLUTION NO. 209, S. 2024

A RESOLUTION APPROVING ORDINANCE NO. 08 "AN ORDINANCE REGULATING THE USE, SALE, DISTRIBUTION, AND ADVERTISEMENT OF CIGARETTES AND OTHER TOBACCO PRODUCTS, ELECTRONIC NICOTINE AND NON-NICOTINE DELIVERY SYSTEMS, HEATED TOBACCO PRODUCTS AND OTHER NOVEL TOBACCO PRODUCTS, IN CERTAIN PLACES, IMPOSING PENALTIES FOR VIOLATIONS THEREOF AND PROVIDING FUNDS THEREOF, TO INSTILL HEALTH CONSCIOUSNESS AND FOR OTHER PURPOSES"

WHEREAS, the 1987 Constitution of the Republic of the Philippines declares that the State shall protect and promote the right to health of the people and in still health consciousness among them;

WHEREAS, the Republic of the Philippines as a party to the World Health Organization Framework Convention on Tobacco Control (FCTC) gives priority to the right to protect public health and to promote measures of tobacco control based on current and relevant scientific, technical and economic considerations, and agreed to implement all the measures provided in the treaty;

WHEREAS, the Local Government Code of 1991 (Republic Act No. 7160) accords every local government unit the power and authority to promote general welfare within its territorial jurisdiction, including the promotion of health and safety of its constituents;



Republic of the Philippines
MUNICIPALITY OF ABUYOG
Province of Leyte

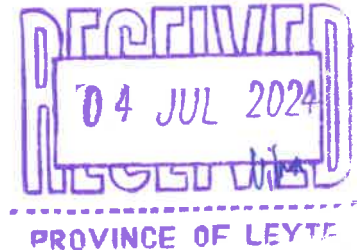


Office of the Sangguniang Bayan Secretary

July 03, 2024

FLORINDA JILL S. UYVICO
Secretary to the Sanggunian
Sangguniang Panlalawigan of Leyte
Legislative Building
Capitol Grounds
Tacloban City

SANGGUNIANG PANLALAWIGAN



Ma'am:

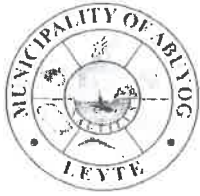
Respectfully transmitting herewith as attached Ordinances of the Sangguniang Bayan of Abuyog, Leyte for the review of the Honorable Sangguniang Panlalawigan, Province of Leyte, to wit:

1. **ORDINANCE NO. 06, S. 2024**
"An Ordinance Regulating the Use of Plastic Cellophane and Sando Bags as Packaging Materials and Utilization of Polystyrene, Commonly Known as Styrofoam, for Food and Beverages Containers in the Municipality of Abuyog and Prescribing Penalties Thereof"
2. **ORDINANCE NO. 08, S. 2024**
"An Ordinance Regulating the Use, Sale, Distribution, and Advertisement of Cigarettes and Other Tobacco Products, Electronic Nicotine and Non-Nicotine Delivery Systems, Heated Tobacco Products and Other Novel Tobacco Products, in Certain Places, Imposing Penalties for Violations Thereof and Providing Funds Thereof, to Instill Health Consciousness and for Other Purposes"

Thank you and more power.

Very respectfully yours,


ARSENIO Y. VILLOTE
Sangguniang Bayan Secretary



Republic of the Philippines
MUNICIPALITY OF ABUYOG
 Province of Leyte



Office of the Sangguniang Bayan

EXCERPT FROM THE MINUTES OF THE 19TH REGULAR SESSION OF THE 19TH HONORABLE SANGGUNIANG BAYAN OF ABUYOG, LEYTE HELD AT ITS SESSION HALL, LEGISLATIVE BUILDING MUNICIPAL COMPOUND, ABUYOG, LEYTE ON MAY 14, 2024

PRESENT:

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Hon. Erwin V. Belleza	SB Member
Hon. Dario P. Lleve	SB Member, ABC President
Hon. Melliza Jane C. Traya	SB Member, SK Ped. Pres.

ABSENT:

None

RESOLUTION NO. 209, S. 2024

A RESOLUTION APPROVING ORDINANCE NO. 08 "AN ORDINANCE REGULATING THE USE, SALE, DISTRIBUTION, AND ADVERTISEMENT OF CIGARETTES AND OTHER TOBACCO PRODUCTS, ELECTRONIC NICOTINE AND NON-NICOTINE DELIVERY SYSTEMS, HEATED TOBACCO PRODUCTS AND OTHER NOVEL TOBACCO PRODUCTS, IN CERTAIN PLACES, IMPOSING PENALTIES FOR VIOLATIONS THEREOF AND PROVIDING FUNDS THEREOF, TO INSTILL HEALTH CONSCIOUSNESS AND FOR OTHER PURPOSES"

WHEREAS, the 1987 Constitution of the Republic of the Philippines declares that the State shall protect and promote the right to health of the people and in still health consciousness among them;

WHEREAS, the Republic of the Philippines as a party to the World Health Organization Framework Convention on Tobacco Control (FCTC) gives priority to the right to protect public health and to promote measures of tobacco control based on current and relevant scientific, technical and economic considerations, and agreed to implement all the measures provided in the treaty;

WHEREAS, the Local Government Code of 1991 (Republic Act No. 7160) accords every local government unit the power and authority to promote general welfare within its territorial jurisdiction, including the promotion of health and safety of its constituents;

WHEREAS, the **Philippine Clean Air Act of 1999 (Republic Act No. 8749)** declares the right of every citizen to breathe clean air, prohibits smoking inside enclosed public places including public vehicles and other means of transport, and directs local government units to implement this provision;

WHEREAS, the **Tobacco Regulation Act of 2003 (Republic Act No. 9211)** prohibits smoking in certain public places whether enclosed or outdoors in certain places; prohibits the purchase and sale of cigarettes and other tobacco products to and by minors and in certain places frequented by minors; imposes bans and restrictions on advertising, promotion, and sponsorship activities of tobacco companies; and directs local government units to implement these provisions;

WHEREAS, the **Civil Service Commission Memorandum (CSC) Circular No. 17 series of 2009** prohibits smoking in premises, buildings, and grounds of government agencies providing health, education or social welfare and development services such as hospitals, health centers, schools and universities, and colleges; provides for specific requirements for designated smoking areas;

WHEREAS, the **Land Transportation Franchising and Regulatory Board (LTFRB) Memorandum Circular 2009-036** provides that drivers and operators of public utility vehicles are responsible for preventing smoking in public conveyances and posting specified "No Smoking" signs in their vehicles;

WHEREAS, the **Civil Service Commission - Department of Health Joint Memorandum Circular No. 2010 - 01** prohibits government officials and personnel from interacting with the tobacco industry and those representing their interests unless strictly necessary to effectively regulate, control, or supervise them;

WHEREAS, the **Universal Health Care Act of 2019 (Republic Act No. 11223)** directs local government units to enact stricter ordinances that strengthen and broaden existing health policies and implement effective programs that promote health literacy and healthy lifestyle among their constituencies to advance population health and individual wellbeing, reduce the prevalence of non-communicable diseases and their risk factors, particularly tobacco and alcohol use;

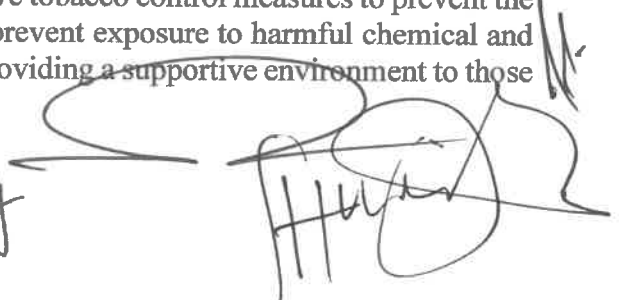
WHEREAS, the **National Internal Revenue Code of 1997 as amended in 2020 (Republic Act No. 11467)** directs the Food and Drug Administration (FDA) to periodically determine and regulate, consistent with evolving medical and scientific studies, the manufacture, importation, sale, packaging, advertising, and distribution of vapour and heated tobacco products, including banning sale to non-smokers or persons below age twenty-one (21), and banning of flavors. Local government units, in the pursuit of common health goals, must then act to ensure effective enforcement of these measures within their jurisdictions.



WHEREAS, the **Executive Order No. 106 series of 2020** directs local government units to adopt and implement the nationwide smoking and vaping ban and to strengthen existing measures on access restriction, including the regulation on sales, distribution, and availability of cigarettes and other tobacco products, electronic nicotine and non-nicotine delivery systems (ENDS/ENNDS), heated tobacco products (HTPs) and other novel tobacco products;



WHEREAS, the Municipality of Abuyog, Leyte recognizes that local government must act with urgency to denormalize the culture of tobacco consumption, smoking and vaping through comprehensive and proven effective tobacco control measures to prevent the initiation of non-users and the youth and prevent exposure to harmful chemical and emissions that pose risks to health while providing a supportive environment to those attempting to quit smoking and vaping;



NOW, THEREFORE, BE IT ENACTED, AS IT IS HEREBY ENACTED, BY THE SANGGUNIANG BAYAN, IN SESSION ASSEMBLED, BY VIRTUE OF THE POWERS VESTED IN IT BY LAW, THAT:

ORDINANCE NO. 08, SERIES 2024

AN ORDINANCE REGULATING THE USE, SALE, DISTRIBUTION, AND ADVERTISEMENT OF CIGARETTES AND OTHER TOBACCO PRODUCTS, ELECTRONIC NICOTINE AND NON-NICOTINE DELIVERY SYSTEMS, HEATED TOBACCO PRODUCTS AND OTHER NOVEL TOBACCO PRODUCTS, IN CERTAIN PLACES, IMPOSING PENALTIES FOR VIOLATIONS THEREOF AND PROVIDING FUNDS THEREOF, TO INSTILL HEALTH CONSCIOUSNESS AND FOR OTHER PURPOSES

Sponsor: Hon. Jeannette A. Valida
Co-Sponsors: Hon. Arnold R. Allera
Hon. Editha C. Deloy
Hon. Dario P. Llave
Hon. Antonio C. Almendra, Jr.
Hon. Melliza Jane C. Traya
Hon. Erwin V. Belleza
Hon. Francisco B. Landia

SECTION 1. *Short Title.* – This Ordinance shall be known as the “*Comprehensive Smoke-Free Ordinance of the Municipality of Abuyog, Leyte*”.

SECTION 2. *Purpose.* – It is the purpose of this Ordinance to safeguard public health and ensure the well-being of all its constituents from the harmful effects of smoking, tobacco consumption, and vaping by decreasing exposure to its marketing and advertising, regulating its use, sale, distribution, and accessibility, and providing a supportive and conducive environment for users to quit.

SECTION 3. *Coverage.* – This Ordinance shall apply to all persons, natural or juridical, resident or non-resident, and in all places, found within the territorial jurisdiction of the Municipality of Abuyog, Leyte.

SECTION 4. *Definition of Terms.* – As used in this Ordinance, the terms below shall have the meanings ascribed to them in this section. Any words or terms not defined shall be given their plain and customary meanings, unless the context requires otherwise, and shall be interpreted in a manner consistent with the purpose and spirit of the Ordinance.

a. ***Advertising and promotion*** – As used in this Ordinance, the terms below shall have the meanings ascribed to them in this section. Any words or terms not defined shall be given their plain and customary meanings, unless the context requires otherwise, and shall be interpreted in a manner consistent with the purpose and spirit of this Ordinance.

b. ***Civil Society Organization (CSO)*** – refers to a legally constituted voluntary civic and social organization or institution created with no participation of government, including but not limited to, charities, development non-governmental organizations (NGOs), community groups, women’s organizations, faith-based organizations, professional associations, coalitions and advocacy groups duly recognized by the Office of the Mayor; provided such organization, institution or association is not directly or indirectly related to,

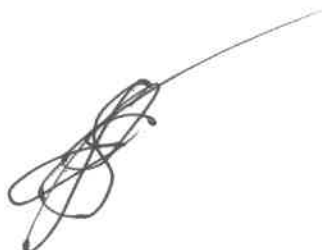
connected and/or associated with, recipients or conduits of, or act as front groups of the tobacco and/or electronic cigarette industry.

c. **Designated Smoking/Vaping Area (DSVA)** – refers to an outdoor space, duly approved by the Municipal Health Officer where smoking and/or vaping may be allowed without violating this ordinance, subject to specific requirements:

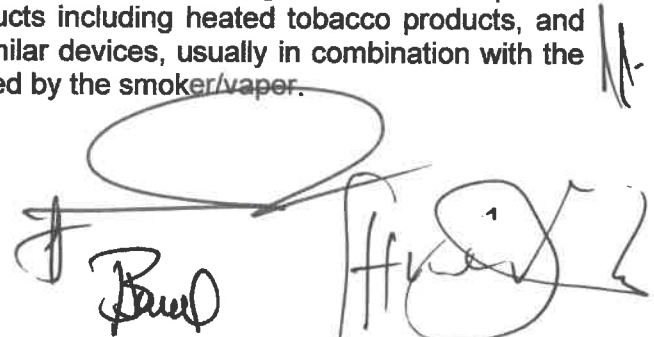
- 1) It shall be located in an open space outside the building with no permanent or temporary roof or walls.
- 2) It is not located in or within ten (10) meters from entrances, exits, or any place where people pass or congregate, or in front of air intake ducts.
- 3) It shall not have an area larger than 10 square meters.
- 4) Food or drinks are not served.
- 5) No building shall have more than one designated smoking/vaping area;
- 6) The entry of persons below the age of 21 shall not be allowed.
- 7) Highly visible signages with the following messages should be prominently displayed:
 - a) "Smoking/Vaping Area" signage with a message showing "Persons below 21 not allowed within these premises"
 - b) Graphic health warnings on the effects/harms of tobacco, electronic cigarette and heated tobacco use or exposure
 - c) Information on cessation hotline and/or cessation clinic/services
- 8) It shall not be located in places where absolute smoking/vaping bans are in effect, such as, but not limited to: centers of youth activity such as playschools, preparatory schools, elementary schools, high schools, colleges and universities, youth hostels and recreational facilities for persons under twenty-one (21) years old; elevators and stairwells; locations in which fire hazards are present, including gas stations and storage areas for flammable liquids, gas, explosives or combustible materials; within the buildings and premises of public and private hospitals, medical, dental, and optical clinics, health centers, nursing homes, dispensaries and laboratories; food preparation areas; public conveyances and in enclosed, partially enclosed and outdoor areas of transport terminals that are near entrances and exits or where people pass or congregate; within the buildings of all government facilities and premises of all offices of the Department of Health, Department of Education, Commission on Higher Education, Department of Social Welfare and Development and the Civil Service Commission, and shall likewise include parks, plazas, playgrounds, sports, and recreational facilities, and other facilities where an absolute smoking/vaping ban is imposed under special laws, ordinances, administrative and executive orders, memorandum circulars and related policies.
- 9) It shall have a receptacle for proper disposal of refuse from tobacco products or disposable components of electronic devices.

d. **Electronic Nicotine and Non-Nicotine Delivery Systems (ENDS/ENNDS)** – refers to a battery-operated device that heat e-liquids or refills which may or may not contain nicotine to produce aerosol, mist or vapour that users inhale by mimicking the act of smoking. They are also commonly known as **electronic cigarettes (e-cigarettes), vapor products, vapes, vape pens, electronic shisha (e-shisha), mods and other similar or related devices.**

- e. **Enclosed or partially enclosed** – means being covered by a roof or enclosed by one or more walls or sides, regardless of the type of material used for the roof, wall or sides, and regardless of whether the structure is permanent or temporary.
- f. **Heated Tobacco Products (HTPs)** – refers to tobacco products that contain highly-addictive substance that contain highly-addictive substance nicotine and/or non-tobacco additives and flavorings that produce aerosols, which are inhaled by users through the mouth. HTPs mimic the behaviour of smoking conventional cigarettes, and some make use of specifically designed cigarettes to contain tobacco for heating.
- g. **Minimum Legal Age (MLA)** – refers to twenty-one (21) as the minimum age at which a person is legally allowed to use, sell or purchase tobacco or electronic cigarette products within the territorial jurisdiction of the Municipality of Abuyog, Leyte.
- h. **Novel Tobacco Products** – refers to all substances, devices and innovations entirely or partly made of tobacco leaf as raw material, already existing or to be developed in the future, intended to be used as substitutes for cigarettes, conventional tobacco products, ENDS/ENNDS or HTPs.
- i. **Outdoor advertisement** - refers to any sign, model, placard, board, billboard, banner, bunting, poster, streamer, paint-on, light display, video/digital display, apparel, device, structure or representation, used outdoors and wholly or partially visible from the outside to advertise or promote a tobacco product ENDS/ENNDS/HTPs or their components, or the use thereof, either directly or indirectly to the public.
- j. **Person-in-charge** – refers to the president/manager in case of a company, corporation, partnership or association, the owner/proprietor/operator in case of a single proprietorship or the administrator in case of government property, facility, office or building; the owner, driver, operator, conductor/captain in case of public conveyances; and the municipal schools superintendent, school president, dean or principal in case of schools or universities.
- k. **Point-of-sale** – refers to a physical area where tobacco/electronic cigarette and heated tobacco products or their components are sold and bought.
- l. **Public conveyance** - refers to modes of transportation servicing the general population, such as, but not limited to, elevators, airplanes, ships, boats, jeepneys, buses, taxicabs, rideshare service vehicles/Transport Network Vehicle Services, trains, light rail transits, tricycles and other means of public transport.
- m. **Public places** - means all places, fixed or mobile, that are accessible or open to the public or places for collective use, regardless of ownership or right to access, including but not limited to, schools, workplaces, government facilities, establishments that provide food and drinks, accommodation, merchandise, professional services, entertainment or other services. It also includes outdoor spaces where facilities are available for the public or where a crowd of people would gather, such as, but not limited to, playgrounds, sports grounds or centers, church grounds, health/hospital compounds, transportation terminals, markets, parks, resorts, walkways/sidewalks, entrance ways, waiting areas, and the like.
- n. **Second-hand smoke (SHS)/Second-hand vaping aerosol (SHVA)** – means the smoke, aerosol or emission coming from the burning end/heated component of a cigarette/other tobacco products including heated tobacco products, and electronic cigarettes and other similar devices, usually in combination with the smoke, aerosol or emission exhaled by the smoker/vaper.



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- o. **Smoke-free air** – refers to the air that is 100% free from tobacco smoke, but is not limited to, the air in which tobacco smoke cannot be seen, smelled, sensed or measured. Similarly, **vape aerosol-free air** refers to the air that is 100% free from vaping (e-cigarette) aerosol.
- p. **Smoking** – means being in possession or control of a lit tobacco product regardless of whether or not the smoke or emission is being actively inhaled or exhaled, or the act of inhaling and exhaling the smoke or aerosol produced by a heated tobacco product (HTPs) or other similar devices.
- q. **Sponsorship** – means any form of a contribution to any event, activity or individual with the aim, effect, or likely effect of promoting tobacco products, ENDS/ENNDS, HTPs, or their components, or the use thereof, either directly or indirectly.
- r. **Tobacco Product** – means products entirely or partly made of the leaf tobacco as raw material which is manufactured to be used for smoking, sucking, chewing or snuffing, such as but not limited to cigarette, cigar, pipe, shisha/hookah and chew tobacco. This likewise applies to heated and smokeless tobacco products, traditional and novel tobacco products, and related consumer products.
- s. **Tobacco Industry** – refers to organizations, entities, associations, and individuals that work for on in behalf of the tobacco industry, such as, but not limited to, tobacco manufactures, wholesale distributors, importers of tobacco products, tobacco retailers front groups and any other individuals or organizations, including, but not limited to, lawyers, scientists and lobbyists, that work to further the interests of the tobacco industry that compete with those of tobacco control. In a similar context, those that belong to or work to further the interests of those involved in electronic cigarette products are referred to as the **Electronic Cigarette (E-Cigarette) Industry**.
- t. **Tobacco Industry Interference** – refers to a broad array of tactics and strategies used by the tobacco industry to interfere with the setting and implementation of tobacco control measures. In this light, interference by the electronic Cigarette (E-Cigarette) Industry can be referred to as **Electronic Cigarette (E-Cigarette) Industry Interference**.
- u. **Vaping** – refers to being in possession or control of a powered ENDS/ENNDS or HTP regardless of whether the emission in the form of smoke, vapour or aerosol is being actively inhaled or exhaled.
- v. **Workplace** – means any place used by people during their employment or works, whether done for compensation or voluntarily, including all attached or associated places commonly used by the workers in the course of their work (for example, corridors, elevators, stairwells, toilets, lobbies, lounges). Vehicles used in the course of work are considered workplaces.

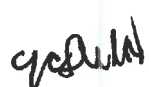
Section 5. Prohibited Acts. – The following acts are declared unlawful and prohibited by this Ordinance:

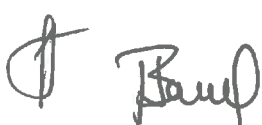
USE, SALE, DISTRIBUTION, ADVERTISING AND PROMOTION

- a. Smoking and/or vaping in enclosed or partially enclosed public places, workplaces, public conveyances (whether mobile or stationary), or other public places, such as those enumerated under Section 4 (1), except in Designated Smoking/Vaping Areas duly approved and fully compliant with the requirements under Section 4 (c);
- b. For persons-in-charge to allow, abet or tolerate smoking and/or vaping in places enumerated in the preceding paragraph, outside of the duly approved Designated Smoking/Vaping Area under Section 4 (c);









- c. Selling, distributing or purchasing tobacco, electronic cigarette, and heated tobacco products and/or its component to or from persons below age twenty-one (21). (Proof of Age Verification – In case of doubt as to the age of the buyer, retailers shall verify by means if a valid form of photographic identification and proof of age card containing the date of birth of the bearer (i.e. driver's license, passport, voter's ID) that no individual purchasing tobacco, electronic cigarette or heated tobacco product is below the age of 21 as per this ordinance);
- d. Use, sale or purchase of tobacco, electronic cigarette, and heated tobacco products and/or its components by persons below age 21;
- e. Ordering, instructing or compelling a person below age 21 to use, light up, buy sell, distribute, deliver, advertise or promote tobacco, electronic cigarette, and heated tobacco products;
- f. Selling or distributing tobacco, electronic cigarette, and heated tobacco products and/or its components in a school, public playground or other facility frequented by persons below age 21, offices of the Department of Health (DOH) and its attached agencies, hospitals and health facilities or within 100 meters from any point in the perimeter of these places, within premises of a government facility, establishments that serve food and drinks or provide accommodation and entertainment;
- g. Selling tobacco, electronic cigarette and heated tobacco products and/or its components without a valid municipality business permit and/or barangay business permit and license to sell;
- h. Manufacturing, distributing, marketing or selling of registered or adulterated electronic cigarettes and components thereof in the form of devices, e-liquids, solutions or refills whether physically part of or intended to be used with electronic cigarettes, heated tobacco products and other novel tobacco products;
- i. Selling of e-liquids, solutions or refills forming components of electronic cigarettes or heated tobacco products, without prejudice to the registration requirements that may be set forth by the Food and Drug Administration in accordance with R.A. Nos. 9711 and 11467;
- j. Selling of devices forming components of electronic cigarettes or heated tobacco products not compliant with product standards that may be imposed by the Department of Trade and Industry and the Food and Drug Administration in accordance with R.A. Nos. 7394 and 11467;
- k. Manufacturing, distributing, importing, marketing and selling of electronic cigarettes, heated tobacco products or their components, without prejudice to the licensing requirements that may be set forth by the Food and Drug Administration;
- l. Importing unregistered or adulterated electronic cigarettes, heated tobacco products or components thereof;
- m. Selling of tobacco, electronic cigarette, and heated tobacco products and/or its components removed from its original product packaging or sold as individual pieces or per stick, or in packs containing less than 20 sticks/pieces in case of tobacco products and heated tobacco product refills/heat sticks;
- n. Selling tobacco, electronic cigarette, and heated tobacco products and/or its components without the appropriate government-issued health warning;

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- o. Selling tobacco, electronic cigarette, and heated tobacco products and/or its components knowingly or inadvertently to persons who have never smoked or vaped;
- p. Selling or distributing of sweets, snacks, toys, accessories, apparel or any other objects in the form of or bearing resemblance to the logo, insignia, packaging or distinguishable design elements of tobacco, electronic cigarette, heated tobacco products and/or its their components, including imitations thereof, which may appeal to persons below age 21;
- q. Placing cinema or outdoor advertisements of tobacco, electronic cigarette and heated tobacco products and/or its components;
- r. Placing, posting, displaying, wearing or distributing advertisement and promotional materials of tobacco, electronic cigarette and heated tobacco products and/or their components, such as but not limited to leaflets, posters, display structures, video/digital displays, accessories, apparel and other materials within an establishment when such establishment, or its location, is prohibited or not licensed to sell and distribute tobacco, electronic cigarette, heated tobacco products, and/or their components, and are not adult-only establishments;
- s. Conducting promotional activities, campaigns, events, product sampling, and other similar activities where the establishment or its location prohibits selling, distributing and purchasing of tobacco, electronic cigarette, heated tobacco products, and its components, and where persons below age 21 are allowed entry;
- t. Displaying and placing tobacco, electronic cigarette and heated tobacco products and/or its components in open store shelves/racks, except in enclosed, opaque and single-colored storages/containments;

ONLINE SALE, DISTRIBUTION, ADVERTISING AND PROMOTION

- u. Selling, distribution, advertising and promotion of tobacco, electronic cigarette, heated tobacco products and/or related components/products in online platforms/e-commerce subject to pertinent regulation/guidelines of the Food and Drug Administration (FDA) and other concerned agencies.

ENGAGEMENT AND SPONSORSHIP INVOLVING THE TOBACCO/E-CIGARETTE INDUSTRY

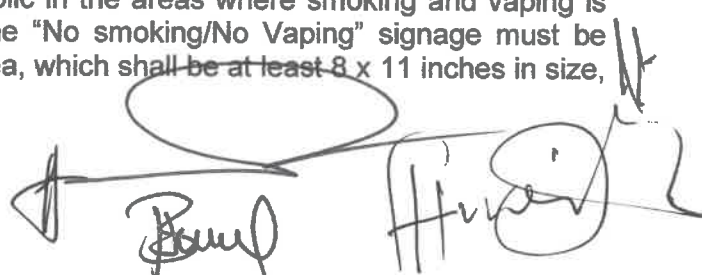
- v. Facilitation, participation or partnership involving any government official or personnel of the Local Government Unit regardless of employment status (permanent, casual, contractual, job order, consultant or special appointment) in any form of contribution, favor, sponsorship or corporate social responsibility (CSR) activity, event, program or project by a tobacco/electronic cigarettes company, tobacco/electronic cigarette industry front groups, or any representation working to protect or promote tobacco/electronic cigarette industry interests, executed for and in behalf of and within the territorial jurisdiction of the municipality of Abuyog, Leyte, with the aim, effect or likely effect of promoting a tobacco/electronic cigarette product, its use either directly or indirectly.

Section 6. Duties and Obligations of Persons-in-Charge. – Persons-in-charge shall:

- a. Prominently post and display the “No Smoking/No Vaping” symbol, in the locations most visible to the public in the areas where smoking and vaping is prohibited. At the very least, the “No smoking/No Vaping” signage must be posted at the entrance to the area, which shall be at least 8 x 11 inches in size,



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where the symbol/s shall occupy no less that 60% of the signage. The remaining 40% of the signage shall show the pertinent information/precautionary statement, as follows:

STRICTLY NO SMOKING AND NO VAPING
As per ORDINANCE NO. 08, s. 2024
Violators can be fined up to ₱ 2,500.00 or
imprisonment for a period not exceeding six (6) months
Report violations to [HOTLINE Number/Online Contact Info]

As for the Designated Smoking/Vaping Area (DSVA), after complying with the specifications in *Section 4 (c)*, prominently display the following elements in the signage.

“DESIGNATED SMOKING/VAPING AREA” or “SMOKING/VAPING AREA”

“Persons below 21 not allowed within these premises”

Place Graphic /Picture-Based Health Warning on the effects or health risks of tobacco, electronic cigarette and heated tobacco product use within the signage.

- b. Prominently post and display the “No Smoking/No Vaping” signage in the most conspicuous location within the public conveyance. At the very least, a three and a half (3.5) square inch “No Smoking/No Vaping” signage shall be placed on the windshield and a ten (10) square inch “No Smoking/No Vaping” sign at the driver’s back seat;

Remove from all places where smoking and/or vaping is prohibited all ashtrays and any other receptacles for disposing of cigarette, electronic cigarette, and heated tobacco refuse;

- c. For persons-in-charge of government property, facility, office or building, secure a certification/permit from the duly authorized officer or representative of the Civil Service Commission after inspection and approval prior to establishing a Designated Smoking/Vaping Area (DSVA).
- d. For person-in-charge of commercial establishments/buildings or other non-government facilities intending to establish a DSVA, secure a certification/permit from the Municipal Building/Engineering and Health Officers after complying with the requirements for a DSVA, as stated in *Section 4 (c)*;
- e. For persons-in-charge of schools, public playgrounds or other facilities frequented by persons below age 21, offices of the DOH and attached agencies, hospitals and health facilities, post the following statement in a clear and conspicuous manner:

SELLING, ADVERTISING AND PROMOTING CIGARETTES, ELECTRONIC CIGARETTES, HEATED TOBACCO, OTHER TOBACCO PRODUCTS, AND/OR ITS COMPONENTS NOT ALLOWED WITHIN 100 METERS FROM ANY POINT IN THE PERIMETER OF [name of SCHOOL / PLAYGROUND / FACILITY FOR PERSONS BELOW 21 / HEALTH FACILITY / ETC.

- f. For persons-in-charge of schools, public playgrounds or other facilities frequented by persons below age 21, offices of the DOH and attached agencies, hospitals and health facilities, report to the Smoke/Vape-Free Task Force any sale, advertisement or promotion of tobacco, electronic cigarette, heated tobacco products, and/or any of its components located within 100 meters from its perimeter.
- g. For persons-in-charge of establishments intending to sell tobacco/electronic cigarette, heated tobacco products, and/or any of its components secure a valid

Mayor's Business Permit or Barangay Business Permit and license to sell in retail or wholesale from the municipality's Business Permits and Licensing Office, and shall comply with all essential requirements as directed by other regulatory agencies, if applicable;

- h. For persons-in-charge of approved point-of-sale establishments, post the following notice, together with a graphic/picture-based health warning on the health consequences of tobacco, electronic cigarette, and heated tobacco use and exposure, as prescribed by the Municipal Health Office, in a clear and conspicuous manner;

SALE/DISTRIBUTION OF TOBACCO, ELETRONIC CIGARETTES, HEATED TOBACCO PRODUCTS, AND/OR ANY OF ITS COMPONENTS, TO PERSONS BELOW AGE 21 IS UNLAWFUL

- i. For persons-in-charge of approved point-of-sale establishments, remove all forms of tobacco, electronic cigarette and heated tobacco product, and/or any of its components' advertisement/promotions paraphernalia prohibited by this Ordinance;
- j. For persons-in-charge of approved point-of-sale establishments, secure approval from the Municipal Health Office for storages or containments of tobacco/electronic cigarette/heated tobacco product, and/or any of its components. Only a listing of the available product's/component's brands/variants sold at the point-of-sale establishment is allowed to appear outside of the storage or containment, where such listing shall only be written/printed in any plain font, and without any recognizable product or brand typefaces, logo, indicia or markings. Such list shall not occupy more than (25%) of the exposed side of the storage or containment;
- k. For persons-in-charge of approved point-of-sale establishments, ensure that storages or containments of tobacco/electronic cigarette/heated tobacco product and/or its components are opened only by the store personnel/manager at the counter during actual purchase, or when being replenished, cleaned or inspected;
- l. Establish internal procedures and measures through which this ordinance shall be implemented and enforced within the area of which he or she is in charge. This includes compliance with smoking and/or vaping sales, distribution, advertising and promotions restrictions (i.e. warning smoking/vaping violators in banned areas and requesting them to stop smoking/vaping, and if they refuse to comply, asking them to leave the premises, and if they still refuse to comply, reporting the incident to the Municipal Health Office, the nearest peace officer, or to any member of the Smoke/Vape-Free Task force through its hotline or by other means);
- m. Ensure that all the employees in the establishment and government offices are aware of this ordinance and the procedure and measures for implementing and enforcing it;
- n. Allow inspectors acting under Sections 14 and 15 hereof, which may include other members of the task Force and the designated civil society organization under Section 16, entry into the establishment, public conveyance and government offices and facilities during regular business hours for the purpose of inspecting its compliance with this ordinance;
- o. For all signage required to be posted under (a), (b), (e), and (h) above, provide for versions of them in the local language/dialect or in English;

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Section 7. Persons Liable – the following persons shall be liable under this Ordinance:

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- a. Any person or entity who commits any of the prohibited acts stated in Section 5 hereof; provided, if the violator is a minor, the apprehending officer from the task Force shall report the incident to the school principal/dean exercising jurisdiction over the violator where he shall be required to comply with disciplinary measures imposed by the school/university where he/she is enrolled, or endorse to the Municipal Social Welfare and Development Office for appropriate action or intervention pursuant to Republic Act 9344 of the Juvenile Justice and Welfare Act. Should the school/university have no policy for offenses committed by their students outside school premises or if the violator is an out-of-school youth, the enforcer shall endorse the violator to the Municipal Social Welfare and Development Office, which may involve the parents or guardians and/or a barangay Official where the violator is a resident, in carrying out disciplinary measures.
- b. Persons-in-charge who knowingly allow, abet, authorize or tolerate the prohibited acts enumerated in Section 5, or who otherwise fails to fulfill the duties and obligations enumerated in Section 6 hereof;

Section 8. Penalties – The following penalties shall be imposed on violators of this Ordinance:

a. Violation of Section 5 (a) & (b) Smoking/Vaping or Allowing Smoking/Vaping and Section 6 (a) to (o) Duties and Obligations of Persons-In-Charge

- i. First Offense P 1,000.00
- ii. Second Offense P 1,500.00
- iii. Third and Subsequent Offenses P 2,000.00, or imprisonment for a period not exceeding six (6) months, or both at the discretion of the court.

Suspension or revocation of business license or permit may be prescribed (in case of a business entity or establishment), if applicable

b. Violation of Section 5 (c) to (u) Sales/Access Restriction and Advertising and Promotions Ban

- i. First Offense P 1,500.00
- ii. Second Offense P 2,000.00
- iii. Third and Subsequent Offenses P 2,500.00, or imprisonment for a period not exceeding six (6) months, or both at the discretion of the court.

Suspension or revocation of business license or permit may be prescribed (in case of a business entity or establishment), if applicable.

c. Violation of Section 5 (v) Sponsorship/Contribution/Partnership with the Tobacco Industry Involving Government Officials/Personnel

Apply Rules and Sanctions as prescribed in the CSC-DOH Joint Memorandum Circular 2010-01, RA 3019, RA 6713, and/or the Revised Penal Code (1932)

d. Revocation or Suspension of Business Permits and License to Sell. The business permit and license to sell tobacco, electronic cigarette, and heated

tobacco products or Certificate of Public Convenience of any public conveyance shall be suspended for at least one (1) week but not more than one (1) month, or revoked when the necessary action has not been performed within ten (10) working days upon receipt of the Citation Ticket or when penalties have not been settled within five (5) working days. Should the establishment or public conveyance found to be in violation of this Ordinance fall outside of the jurisdiction of this local government unit, the recommendation for revocation or suspension of business permit and license to sell or Certificate of public Conveyance shall be forwarded to the appropriate local government unit, agency or governing body. The suspension or revocation shall only be lifted once all the requirements set forth upon re-inspection and evaluation of the Municipal Health Office, Building/Engineering Office, Business Permits and Licensing Office and/or the appropriate agency or governing body has been fully complied with. Any Task Force member may recommend the revocation or suspension of license or permit of an erring establishment to the appropriate office.

- e. **Community Service.** If a violator is unable to pay the penalties imposed, he or she may choose to render community service within the municipality. For every hour of community service rendered, his/her outstanding fine shall be reduced by an amount equivalent to (option 1) triple the hourly minimum wage, or (option 2) other computations/fixed amount per hour in the municipality.
- f. **No Contest Provision.** Persons who violate any provision of this Ordinance except for Section 5 (p) who do not wish to contest the violation and are willing to pay voluntarily the penalty imposed upon him/her for the first and second offenses enumerated in Section 8 a. and b. prior to the filing of a formal complaint with the proper court, shall be allowed to pay the penalty with the Municipal Treasurer's Office within five (5) working days from the day of apprehension. If after the lapse of five (5) working days, the violator has failed to present the Official Receipt of the payment of the penalties, the task force shall have the case filed with the Prosecutor's Office, attaching an Affidavit or Certification from the Municipal Treasurer's Office that the violator failed or did not avail of the No Contest Provision. The No Contest Provision cannot be availed for third and subsequent offenses.
- g. **Subsidiary Imprisonment Provision.** Subsidiary imprisonment may be imposed by the court in the event that the violator is unable to pay the fine which he is sentenced to pay.
- h. **Proper Identification.** Persons found in violation of this ordinance must present valid proof of identification. In the absence of such proof, the violator shall be brought to the nearest police station for proper identification, then to the task Force for the payment of penalty or rendition of community service.
- i. **Confiscation or Removal.** Tobacco, electronic cigarette, heated tobacco products, related products or components, and their advertising/promotions paraphernalia found violating any of the prohibited acts in this ordinance shall be subject to confiscation and/or removal.
- j. **Evidence.** The evidence of the violation of this Ordinance may be obtained by means of photograph or video. In case of confiscated items, signed sworn statements/affidavits shall be made by the apprehending officer with specific details of the violation, details of the confiscated items, including the procedures taken in order to preserve its integrity and evidentiary value. Upon confiscation, the items should be appropriately marked by the apprehending officer with his initials and signature, and subsequently photographed and recorded in the inventory of the Task Force.

Section 9. Citation Ticket System. – Violators of this Ordinance shall be informed of their violation and its corresponding penalty by means of a Citation Ticket System with the following guidelines:

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- a. Official booklets of Citation Tickets shall be issued by the Municipal Treasurer to duly authorized enforcers within ninety (90) calendar days of the effectivity of this Ordinance.
- b. A Citation Ticket shall be issued by duly authorized enforcers to person/s liable for any violation of this Ordinance.
- c. A Citation Ticket shall contain the following information:
 - 1) Checklist of the violations under this Ordinance;
 - 2) The fines associated with each violation;
 - 3) Option to render community service in case violator is unable to pay fine;
 - 4) The due date for compliance with the obligations imposed by the ticket
- d. When a Citation ticket is issued to a violator, he/she shall report to the Municipal Treasurer's Office or its duly authorized collecting agent within five (5) working days after such issuance, where he or she shall either pay the fine imposed or render community service under Section 8 (e) hereof.
- e. The Municipal Treasurer's Office shall keep a duplicate of all Citation Tickets issued to violators as well as all other records of violations of this Ordinance.

Section 10. Smoking Cessation and Livelihood Assistance Programs. – The Municipal Health Officer, with the assistance of the Health Education and Promotion Officer or other members of the Task Force, shall develop, promote and implement a Smoking/Vaping Cessation Program and encourage the participation therein of public and private facilities which may be able to provide for its requirements. Smokers/vapers who may have developed dependence but who are willing to quit, including those who may be dual users of tobacco and electronic devices (ENDS/ENNDS/HTPs), and those found violating the smoking/vaping prohibitions of this Ordinance, may be referred to the municipalities Smoking Cessation service provider or to other facilities.

Persons involved in selling tobacco/ENDS/ENNDS/HTPs prior to the effectivity of this ordinance, such as, but not limited to, ambulant vendors, whose economic activity shall be affected or displaced by the restrictions on sales, may be referred for enrollment and given assistance in the livelihood programs of the municipality or by other appropriate agencies.

ENFORCEMENT

Section 11. Smoke/Vape-Free Task Force. – A Task Force shall be created to aid in the implementation, enforcement, and monitoring of this Ordinance, and to protect the same from tobacco/electronic cigarette industry interference at all times as well as to conduct educational awareness campaigns, information dissemination programs, and capacity building programs that will inform the constituents and train enforcement officers.

The Task Force chaired by the Mayor shall have the following as members:

- Chairman - Municipal Mayor
- Vice Chairman - Municipal Administrator
- Members - Municipal Health Officer;
SB Member Committee Chairman on Health;
Municipal Engineer;
Business Permits and Licensing Officer;
Chief of Police, PNP - Abuyog Police Station;
Municipal Treasurer;

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Municipal Environment and Natural Resources Officer;
Representative/s from DepED, CHED and/or academic institution;
Liga ng mga Barangay President, Abuyog, Leyte Chapter;
Municipal Social Welfare and Development Officer;

The Task Force shall not include as its member any person or entity supporting or accommodating tobacco/electronic cigarette industry interests or is connected in any way to the tobacco/electronic cigarette industry in order to protect and preserve the integrity of the primary health objectives of this Ordinance. No member of the Task Force shall also receive for himself or for other individuals, beneficiaries or groups, any contribution or compensation, directly or indirectly, whether financial or otherwise, from the tobacco/electronic cigarette industry. Non-compliance of this provision governing the Task Force shall serve as grounds for the removal. If the erring Task Force member is likewise public official or government personnel, he/she shall also be subject to sanctions prescribed under the CSC-DOH Joint Memorandum Circular 2010-0011 or other applicable laws/policies.

Section 12. Duties and Responsibilities of the Task Force. – Other than (1) receiving, reviewing and processing reports and complaints, serving of citations and notices, and filing of appropriate charges for violations under this Ordinance (2) attending regular Task Force meetings, and (3) deputizing enforcers under Sections 13 to 16 hereof, and enforcing the other provisions of this Ordinance, the Task Force, headed by the Mayor, shall have the following respective duties and responsibilities:

a. The Municipal Health Officer shall:

- 1) Make tobacco control, including the implementation of this Ordinance, a part of the health program and propose funding under the annual general budget of the local government unit or the Local Health Investment Plan;
- 2) Establish baseline annual data on tobacco/e-cigarette use prevalence and other related studies, and recommend further action on the findings of such data;
- 3) Monitor, together with the Sanitary Inspector, Enforcers and/or Task Force members, the compliance of this Ordinance in public places, establishments, conveyances, point-of-sale, and including the approval/disapproval of permits in Designated Smoking/Vaping Areas (DSVAs) as well as permits/licenses for tobacco/e-cigarette point-of-sale;
- 4) Facilitate, together with the Sanitary Inspector, Enforcers and/or Task Force members, the serving of notices, citations, the imposition of fines, suspension, or revocation of permits/licenses for violations;
- 5) Assign a hotline or any other number and email address to which violations of this Ordinance may be reported by email, phone call or SMS, or other means, and a person to operate the line and record reports, while another hotline may be assigned for accepting calls or messages for Smoking Cessation counseling;
- 6) Develop, promote and implement a Smoking Cessation Program, stated in Section 10;
- 7) Assist hospitals and other health facilities including any office of the DOH within the local government unit, together with the Sanitary

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Inspector, Enforcers and/or Task Force members, in the monitoring of tobacco/e-cigarette products' sales, advertisements and promotions within 100 meters from the perimeter of schools, public playgrounds, facilities frequented by persons below 21 and health facilities.

b. The SB Member Chairman Committee on Health shall:

- 1) Develop and produce information, education and communication materials and conduct activities on Tobacco Control, such as the harms of smoking and second hand smoke/aerosol, as well as on the provisions of this Ordinance;
- 2) Encourage constituents to monitor and report violations of this Ordinance;
- 3) Assist the Health Officer in developing, promoting and implementing a Smoking Cessation Program.

c. The Municipal Engineering Officer shall:

- 1) Conduct, together with the Health Office or on its own, inspection activities as provided in this Ordinance;
- 2) Determine whether or not enclosed/partially enclosed public places, workplaces, other public places, and point-of-sale establishments, comply with this Ordinance;
- 3) Recommend the approval, suspension or revocation of licenses/permits for establishments/facilities, in compliance with this Ordinance.

d. The Business Permits and Licensing Officer shall:

- 1) Order the suspension or revocation of licenses/permits of establishments found to have violated this Ordinance, subject to the provisions of Section 8 hereof;
- 2) Deny renewal of licenses/permits of repeat violators of this Ordinance;
- 3) Establish a procedure for identifying, informing and marking establishments covered by the 100-meter ban on the sale, distribution, and advertising of tobacco/e-cigarette products.

e. The Chief of Police of PNP - Abuyog Police Station shall:

- 1) Direct the Local PNP in the orderly enforcement of this Ordinance;
- 2) Ensure apprehension of violators in accordance with the provisions of this Ordinance and other rules and procedures of engagement;
- 3) Assist Task Force members, local government unit officials and deputized civilians in apprehending violators and in filing the appropriate complaints when necessary;
- 4) Assist in promoting awareness of this Ordinance and in encouraging public support and participation in its implementation and enforcement;



- 5) Employ the assistance of other members of the Task Force and other police enforcers, such as those from other local government units, during enforcement when coordination is necessary;
- 6) Refer minors caught in violation of this Ordinance to the Social Welfare and Development Office and/or to the school authorities where the violator is enrolled;
- 7) Use the Citation Tickets during apprehensions and maintain a record or log of violations/apprehensions made within particular periods, for purposes of reporting.

f. The Municipal Treasurer shall:

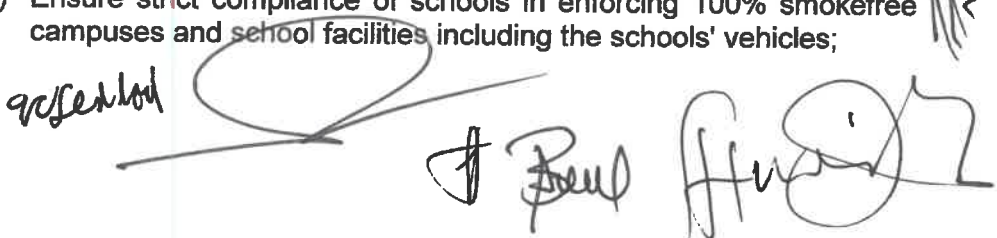
- 1) Facilitate the printing and reprinting of Citation Tickets;
- 2) Issue booklets of the Citation Tickets to the local government units' enforcers and other deputized enforcers, as appropriate;
- 3) Collect/receive fines paid by violators and submit reports on its collection;
- 4) Designate collection agents and guidelines for collections as necessary to assist in efficient collection of fines from local government units;
- 5) Facilitate the release and allocation of funds, and the remuneration of enforcers share in accordance with the provision for the sharing of proceeds, derived from the collection of fines, penalties, generated resources, and appropriated budget.

g. The Municipal Environment and Natural Resources Officer shall:

- 1) Assist in promoting awareness of this Ordinance as a component in the protection and conservation of the environment and in encouraging public support and participation in its implementation and enforcement;
- 2) Assist in inspection and monitoring violations of the Ordinance on its own or with any other member of the Task Force;
- 3) Conduct timely monitoring of air, water, soil quality and other studies pertinent to determining levels of exposure to tobacco smoke, e-cigarette aerosol, residues, by-products, and litter, among others;
- 4) Provide expertise in the application and management of appropriate technologies to avert environmental/health risks, accidents, and damage posed by tobacco smoke, e-cigarette aerosol, residues, by-products, waste generated, among others.

h. The Representative from DepED, CHED and/or Academic institution shall:

- 1) Implement the Department/Commission Orders on the integration of tobacco control education into the school curricula;
- 2) Ensure strict compliance of the Memos and Orders on the protection of the bureaucracy from industry interference as per FCTC Article 5.3;
- 3) Ensure strict compliance of schools in enforcing 100% smokefree campuses and school facilities including the schools' vehicles;



- 4) Assist in the monitoring of tobacco/electronic cigarette products' sales, advertisements, and promotions within 100 meters from the perimeter of schools, public playgrounds and facilities frequented by persons below 21;
- 5) Ensure the posting in a clear and conspicuous manner "No Smoking/Vaping" signs, and notices for the sales ban of Tobacco Products within 100 meters from the perimeter of schools, public playgrounds, facilities frequented by persons below 21 and health facilities.

i. The Liga ng mga Barangay President, Abuyog, Leyte Chapter shall:

- 1) Assist in promoting awareness of this Ordinance in encouraging public support and participation in its implementation and enforcement;
- 2) Coordinate with all Barangay Captains and the PNP, or other members of the Task Force, in monitoring violations of the Ordinance within their jurisdictions;
- 3) Provide the necessary coordination among the Barangay Health Workers, Kagawads, Sangguniang Kabataan (SKs) and Tanods and other enforcers (i.e. Coast Guards) for the implementation of activities pertinent to the Ordinance;
- 4) Assist in the facilitation of and referrals to the Smoking/Vaping Cessation Program at the Barangay Level, if applicable.

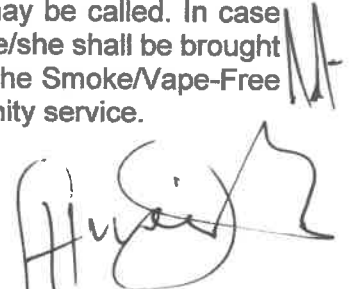
j. The Municipal Social Welfare and Development Officer shall:

- 1) Assist in the enforcement of this Ordinance when persons below 21 are involved;
- 2) Provide the necessary interventions for persons below 21 implicated in violations.

k. The Municipal Administrator Officer shall:

- 1) Assist the Mayor in overseeing the implementation and enforcement of this Ordinance, in close coordination with other members of the Task Force;
- 2) Provide regular updates to the Mayor as to the status of implementation and enforcement of the Ordinance.

Section 13. Enforcement on Individuals. – Members of the PNP and/or persons duly deputized by the Mayor/Task Force shall apprehend and issue Citation Tickets against persons found in violation or have failed to comply with any provision enumerated under Sections 5 and 6 hereof. They shall forward copies of the tickets they issue violators to the Treasurer's Office regularly or per week. If the violator is a minor, he or she must be turned over for dispensation of appropriate action to the nearest Social Welfare and Development Officer or its appointed designates, subject to RA No. 9344 (Juvenile Justice and Welfare Law), and/or to the school authorities at the school where the violator is enrolled, and/or to the Barangay Office where the violator is a resident, and where the parents or guardians may be called. In case any valid or sufficient form of identification is not presented, he/she shall be brought to the nearest police station for proper identification, then to the Smoke/Vape-Free Task Force for the payment of penalty or rendition of community service.



Section 14. Enforcement on Public Conveyances. – Members of the PNP and/or persons duly deputized by the Task Force shall inspect public conveyances during their regular hours of operation and shall issue Citation Tickets upon discovery of any violation of this Ordinance. They shall forward copies of the tickets they issue violators to the Treasurer's Office regularly or at least once a week.

Section 15. Enforcement on Establishments. – Ninety (90) calendar days after the effectivity of this Ordinance, an inspection team composed of representatives from the Health Office, Engineer's Office, Permits and Licenses Office, and other members of the Task Force, shall conduct inspections of establishments and buildings to determine their compliance with the provisions of this Ordinance.

A regular inspection shall thereafter be conducted at least once every month or simultaneously with other regular inspections done by the appropriate office or department, whichever is more frequent, during normal hours of operation of the establishment. The inspection team shall issue a Citation Ticket against the establishment upon finding of non-compliance with or of any violation of this Ordinance. A Citation Ticket may be issued for each day that the establishment is found to be non-compliant.

Re-inspection of the establishment shall be done on any day after the issuance of the Citation Ticket but in no case more than ten (10) working days after such issuance. If the establishment fails to comply with the obligations stated in the Citation Ticket upon re-inspection, the inspection team shall recommend the suspension of its license/permit consistent with Section 8 (d) hereof.


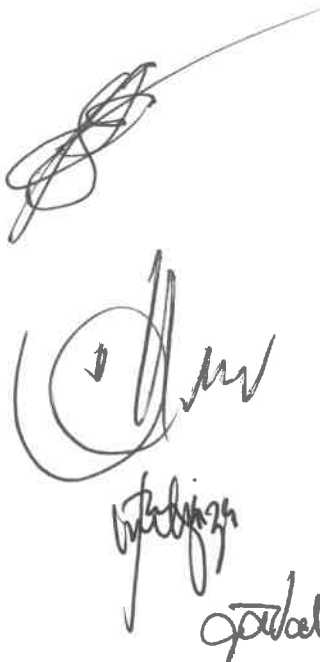
In the course of an inspection, the inspection team may apprehend individual violators and request the assistance of the PNP in doing so.

Section 16. Civilian Participation in Enforcement. – Within thirty (30) calendar days from the effectivity of this Ordinance, the Task Force/Health Office shall designate with the approval of the Office of the Mayor, one or more civil society organizations (CSO) not connected/represents interests of the tobacco/e-cigarette industry, to discharge the duties and responsibilities enumerated in Section 12 (g) hereof. The Mayor may deputize qualified civilians to also serve as enforcers of this Ordinance. Any person can file of with the Task Force a report or complaint, or present evidence for any violation of this Ordinance, or be assigned other duties pursuant to the attainment of its effective implementation.

INFORMATION CAMPAIGN

Section 17. Information Dissemination. – Within sixty (60) calendar days of the effectivity of this Ordinance, the Task Force shall:

- a. In coordination with the Office of the Mayor:
 - 1) provide at least two (2) copies of this Ordinance to every PNP station or precinct in the jurisdiction of the respective LGUs;
 - 2) provide a primer on this Ordinance for every officer of the PNP/deputized enforcers; and
 - 3) conduct lectures to brief officers of the PNP and other enforcers, the provisions of this Ordinance and of their responsibilities with respect to its enforcement.
- b. In coordination with the Permits and Licenses Office, provide a copy of this Ordinance and its primer to all existing establishments that are licensed to operate, as well as to those applying for new licenses or permits to operate, and/or permits to sell tobacco/e-cigarette products.



- c. In coordination with the Information Office, provide a copy of this Ordinance and its primer to all public utility vehicle operators plying within and through the territorial jurisdiction of [name of LGU], and for other sectors as necessary.
- d. In coordination with the Health Office, develop, disseminate and post timely health information on prevention and cessation, including the use of graphic health warnings, in information, education and communication (IEC) materials, depicting the health and other impacts of tobacco/e-cigarette use and exposure.

Section 18. Public Billboards, Notices in Barangays. – Upon effectivity of this Ordinance, the Engineer's Office shall put up billboards in conspicuous places within the LGU to notify the public of the restrictions and sanctions imposed by the ordinance. The Information Office shall also immediately issue for dissemination at the barangay level notices on obligations of persons under the ordinance.

Section 19. Conduct of Orientation Seminars and Trainings. – Within sixty (60) calendar days from the effectivity of this Ordinance and periodically thereafter, the Health Officer, with the assistance of the Health Education and Promotion Officer, and the CSO representative designated under Section 16 hereof, with other members of the Task Force, shall develop and conduct a series of orientation seminars and training for the enforcers of this Ordinance, at least one for each group, including but not limited to, deputized enforcers like barangay health workers, barangay tanods, and the local PNP.

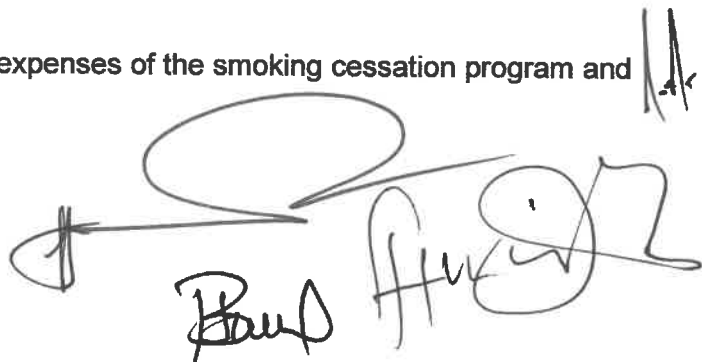
FINANCING

Section 20. Source of Fund. The amount necessary to carry out the provisions of this Ordinance shall be allocated annually in the Budget.

The proceeds from administrative penalties, shall be placed in a Trust Fund specifically intended to defray expenses and operationalize activities of this Ordinance and the municipality's Tobacco Control Program. The Task Force shall be empowered to determine how the Trust Fund is to be utilized in furtherance of this Ordinance, subject however to the usual government accounting and auditing procedures.

The above expenses may include, but are not limited to:

- a. Cost of printing copies of this Ordinance, the Citation Tickets, and information, education and communication materials pertaining to tobacco control;
- b. Cost of regular or periodic meetings of the Task Force;
- c. Cost of inspection and enforcement by the Task Force, including allowances for meals and transportation which shall be set by the Office of the Mayor;
- d. Remuneration for the apprehending enforcers share of the proceeds from penalties paid;
- e. Incentive or reward for private citizens who report violations of this Ordinance;
- f. Institutional and operating expenses of the smoking cessation program and facility;



- g. Other expenses associated with the implementation and enforcement of this Ordinance;
- h. The hiring of coordinator/staff/agents who shall be involved in the day to day operations;
- i. Conduct of prevalence and compliance monitoring and assessment activities.

Sharing of Proceeds from the Administrative Penalties. – The amount of the corresponding penalty paid by a violator to the Treasurer shall be apportioned where the equivalent of Twenty (20%) shall accrue to the apprehending officer or deputized enforcer as an incentive. The remainder of the proceeds from penalties collected as payment by violators, after deducting the amounts that shall accrue to the apprehending officers or deputized enforcers shall form part of the abovementioned Trust Fund.

Section 21. Repealing Clause. – All ordinances contrary to or inconsistent with this Ordinance are hereby repealed or modified accordingly.

Section 22. Separability Clause. – If any part or provision of this Ordinance is declared unconstitutional or invalid, the same shall not affect the validity and effectivity of the other parts or provisions hereof.


Section 23. Effectivity Clause. – This Ordinance shall take effect fifteen (15) days after its publication in a newspaper of local or general circulation or posting in at least two (2) conspicuous places within the municipality.

ENACTED this 14th day of May, 2024.

I HEREBY CERTIFY to the correctness of the foregoing ordinance.


ARSENIO Y. VILLOJE
Sangguniang Bayan Secretary

ATTESTED:


HON. JAMES L. BOHOL
Municipal Vice Mayor, Prsdg. Officer



HON. JEANNETTE A. VALIDA
SB Member, Prsdg. Pro-tempore


HON. ARNOLD R. ALLERA
SB Member


HON. EDITHA C. DELOY
SB Member


HON. ANTONIO C. ALMENDRA, JR.
SB Member

HON. PATROCINIO A. RISOS, JR.
SB Member


HON. EDMUNDO P. SAÑO
SB Member




HON. FRANCISCO B. LANDIA
SB Member, Floor Leader


HON. DARIO P. LLEVE
SB Member/ ABC Fed. President

APPROVED:


HON. LEMUEL GIN K. TRAYA
Municipal Mayor

Date: 7/03/2024


HON. ERWIN V. BELLEZA
SB Member


HON. MELLIZA JANE C. TRAYA
SB Member/ SK Ped. Pres.

lc



Republic of the Philippines
MUNICIPALITY OF ABUYOG
Province of Leyte



Office of the Sangguniang Bayan

CERTIFICATE OF POSTING

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that Ordinance No. 08, s. 2024 of the 19th Honorable Sangguniang Bayan of Abuyog, Leyte re: AN ORDINANCE REGULATING THE USE, SALE, DISTRIBUTION, AND ADVERTISEMENT OF CIGARETTES AND OTHER TOBACCO PRODUCTS, ELECTRONIC NICOTINE AND NON-NICOTINE DELIVERY SYSTEMS, HEATED TOBACCO PRODUCTS AND OTHER NOVEL TOBACCO PRODUCTS, IN CERTAIN PLACES, IMPOSING PENALTIES FOR VIOLATIONS THEREOF AND PROVIDING FUNDS THEREOF, TO INSTILL HEALTH CONSCIOUSNESS AND FOR OTHER PURPOSES has been posted on May 15, 2024 in three (3) conspicuous and publicly accessible places of the municipality and remained posted until June 05, 2024 in compliance to Section 511, par (a), R.A. 7160, the Local Government Code of 1991.


ARSENIO Y. VILLOTE
Sangguniang Bayan Secretary

ATTESTED:


HON. JAMES L. BOHOL
Municipal Vice Mayor



Republic of the Philippines
MUNICIPALITY OF ABUYOG
Province of Leyte



Office of the Sangguniang Bayan

CERTIFICATE OF PUBLIC HEARING

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that Public Hearing was jointly conducted by the Committee on Women, Family, Senior Citizens and Social Welfare Development and the Committee Public Health, Sanitation and Beautification on April 25, 2024 at Putyukan San Abuyog, Municipal Compound, Abuyog, Leyte, 9:00 o'clock in the morning in compliance to Section 187 of R.A. 7160, otherwise known as the Local Government Code of 1991.


ARSENIO T. VILLOTE
Sangguniang Bayan Secretary

ATTESTED:


HON. JAMES L. BOHOL
Municipal Vice Mayor

Enclosure:

1. Attendance Sheet
2. Minutes of Public Hearing



Republic of the Philippines
MUNICIPALITY OF ABUYOG
 Province of Leyte



Office of the Sangguniang Bayan

MINUTES OF THE PUBLIC HEARING REGARDING DRAFT ORDINANCE AN ORDINANCE REGULATING THE USE OF PLASTIC CELLOPHANE AND SANDO BAGS AS PACKAGING MATERIALS AND UTILIZATION OF POLYSTYRENE, COMMONLY KNOWN AS STYROFOAM, FOR FOOD AND BEVERAGES CONTAINERS IN THE MUNICIPALITY OF ABUYOG AND PRESCRIBING PENALTIES THEREOF BY THE JOINT COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES, FISHERIES AND AQUATIC RESOURCES AND COMMITTEE ON TRADE, COMMERCE AND INDUSTRY AND DRAFT ORDINANCE ON REGULATING THE USE, SALE, DISTRIBUTION, AND ADVERTISEMENT OF CIGARETTES AND OTHER TOBACCO PRODUCTS, ELECTRONIC NICOTINE AND NON-NICOTINE DELIVERY SYSTEMS, HEATED TOBACCO PRODUCTS AND OTHER NOVEL TOBACCO PRODUCTS, IN CERTAIN PLACES, IMPOSING PENALTIES FOR VIOLATIONS THEREOF AND PROVIDING FUNDS THEREOF, TO INSTILL HEALTH CONSCIOUSNESS AND FOR OTHER PURPOSES BY THE COMMITTEE ON PUBLIC HEALTH, SANITATION, AND BEAUTIFICATION HELD AT PUTYUKAN SAN ABUYOG, MUNICIPAL COMPOUND, ABUYOG, LEYTE ON April 25, 2024.

PRESENT:

- | | | |
|--------------------------|---|---|
| HON. FRANCISCO B. LANDIA | - | SB Member, Author |
| HON. EDMUNDO P. SAÑO | - | SB Member, Chairman Committee on Environment and Natural Resources, Fisheries and Aquatic Resources |
| HON. DARIO P. LLEVE | - | SB Member, ABC President, Vice Chairman Committee on Environment and Natural Resources, Fisheries and Aquatic Resources |
| HON. ARNOLD R. ALLERA | - | SB Member, Member Committee on Environment and Natural Resources, Fisheries and Aquatic Resources |
| | - | Vice Chairman Committee on Trade, Commerce and Industry |
| | - | Vice Chairman Committee on Public Health, Sanitation, and Beautification |
| HON. JEANNETTE A. VALIDA | - | SB Member, Chairman Committee on Public Health, Sanitation, and Beautification |
| MR. LYLE LAMOSTE | - | Solid Waste Management |

01. **SEC. VILLOTE:** Maupay nga aga sa aton nga tanan. Salamat sa
02. pagtambong adi nga public hearing. Secondly an aton an members nga anhi,

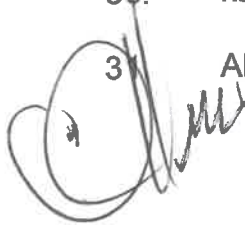
J. Valida

[Signature]

[Signature]

[Signature]

03. siyahan ngaranan ko an aton chairman committee on environment and natural
04. resources, nga ada iton sa iya komitiba ini iton proposed ordinance na aton pag
05. uro istoryahan adi. SB Member Honorable Edmundo P. Sano, ngan an iya vice
06. chair na si Honorable Dario Llave, then member na si Honorable Arnold R. Allera
07. the committee on environment then sa committee on trade, commerce and
08. industry kay joint committee nagunit sini aton proposed ordinance an chairman
09. committee on trade, commerce and industry si SB Member Antonio C. Almendra,
10. nag signify na maataras la kay may ada importante na gin lakat adi sa field. Then
11. iya Vice Chair si Honorable Arnold R. Allera, Jr., then member nira si Honorable
12. Erwin V. Belleza. Mapausa kamo na adi sa aton prente si Honorable Landia kay
13. iya ini ginkapamayamaya siya it author siton iton aton nga ordinansa nga aton pag
14. kauroistoryahan. Now an aton mga konsehaes na gin ngaranan ko kanina pag
15. lumusot ini sa plenaryo ngadto pa sit ikatulo, sa third and final reading katema sit
16. aton public hearing adi nga aga. Magiging co-author sila, author si Honorable
17. Landia, magiging sponsor si inin Honorable Edmundo P. Sano, then co-sponsors
18. an member sa committee together with the members of the committee on trade,
19. commerce and industry. Okay la? correct na? so, Ladies and gentlemen ngan
20. tinahod ko nga mga mulupyo buotan san Abuyog, inin utrohon ko maupay nga aga
21. igkasi ko nga nagtrabaho sa munisipyo inin sayod man kita nga it bug.os man kita
22. nga an Pilipinas usa nga gisagubang nga problema iton pag kolekta, no, pag
23. segregate, pag kolekta ngan pag dispatsar sit basura. Usa nga component iton
24. aton basura sa tibuok Pilipinas nga gin problema diri la sa Abuyog, diri la sa Leyte
25. kundi nga tanan na lugar sa aton nasod iton plastic ngan Styrofoam. You will notice
26. bisan ngani sa Tacloban san una nga semana, inin bisan ano nga imo paliton, adi
27. supot pero maupay na klase nga supot papel na siya. Diba? Papel na siya, so inin
28. amo iton katuyuan adi nga aga nga ini kita nagkatirok bahin siton draft ordinance
29. nga gi refer ngadto sa committee, an duha nga committee nga ako gin ngaranan
30. kanina ngan an aton author si Konsehal Landia, ngan an co-sponsor na si konsehal
31. Allera, together san ira member sa ira komitiba kay bisan an probinsya sa Leyte



32. dida san tuig 2011 mayda na nira anti Plastic Ordinance. Mayda na anti-plastic
33. ordinance an aton probinsya san Leyte nga amo it ginsunod man ngani sit iba.
34. Tacloban City, Sangguniang Panglusod mayda na anti plastic ordinance, Baybay
35. mayda na gihap anti plastic ordinance kita dapat na kita magtikang kay karuyag
36. san aton Sangguniang Bayan members makabulig, pinaagi sit iyo kooperasyon
37. pagsulbad maiban iban man la, pag regulate, dispatsar sin sakto sinin problema
38. sit plastic ngan Styrofoam. Ladies and gentlemen diri ko pahalabaon inin
39. ighahatag ko kamo ngadto Chairman sa committee environment and natural
40. resources Honorable Saño para siton pagtikang sit Public Hearing. Thank you.

41. **HON. SAÑO:** Damo nga salamat san aton Sangguniang Bayan Secretary.
42. So, adi an aton, sa Sangguniang Si honorable Landia an aton author sini na
43. ordinansa ngan aton kaupod si Honorable Allera, nagpasalamat kami san iyo
44. presensya nga iyo gitagad ini ng imbitasyon adi nga aga ngan damo an nag signify
45. nga ma-attender siguro mga busy kay mostly kaurog tag iya iton tindahan. So,
46. tikangan ta, ini nga gi authoran ni Konsehal Landia, AN ORDINANCE
47. REGULATING THE USE OF PLASTIC CELLOPHANE AND SANDO BAGS AS
48. PACKAGING MATERIALS AND UTILIZATION OF POLYSTYRENE,
49. COMMONLY KNOWN AS STYROFOAM, FOR FOOD AND BEVERAGES
50. CONTAINERS IN THE MUNICIPALITY OF ABUYOG AND PRESCRIBING
51. PENALTIES THEREOF. So, amo ini an aton paghimay himayon adi nga aga kay
52. para adton waray liwat dinhi iyo liwat masumatan kun ano it panuyo sini nga
53. ordinansa so, adi mabasa niyo ada liwat ini sa iyo tagsa tagsa nga lamesa. So,
54. ighatag ko anay kamo sa aton author pag pa esplikar sini nga draft ordinance. Si
55. Konsehal Honorable Francisco Landia.

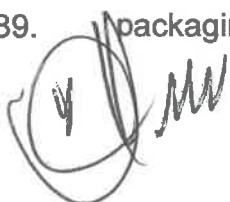
56. **HON. LANDIA:** Maupay nga aga sa aton nga tanan. San aton mga stake
57. holders nga adi, an aton MGLOO Sir Ivan.

58. **HON. ALLERA:** Before naton ihatag sa aton author, ah mu esplikar siya
59. san iya ordinansa, draft ordinance. Basahon, lg esplikaron nga tanan Section by
60. Section, nian nala an iyo mga pakutana, it mayda man niyo mga kopya i-jot down

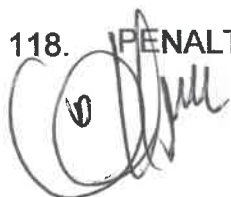
61. nala niyo an iyo pakutana, suggestion igsapong tema nala nian para durudiretso
62. kita. I-jot down, tigamni it usa nga section, kay dawaton namon tapos kun mayda
63. niyo suggestion para maupay upay ini nga aton ordinansa. Mga question niyo, nian
64. na tema siton pag esplikar sit aton author. Thank you.

65. **SEC. VILLOTE:** Okay. Klaro ano? inin ugsa kita magpadayon, aton anay
66. igpresentar an aton buotan ngan gwapo nga DILG dinhi sa Abuyog, Sir Ivan. Adi
67. an aton representate tikang san opisina sa MENRO kay an aton MENRO adto sa
68. importante nga, adi si Sir Lyle Lamoste, mag take note siya ngan mayda gihap
69. niya I contribute. Ighatag ko na kamo ngadi san aton author.

70. **HON. LANDIA:** Good morning, magpadayon kita tikangan ko anay sa aton
71. explanatory note. An purpose kung keano naghimo kita sin ordinansa. Siyahan
72. under Article II, Section 16 of the Philippine Constitution provides that the State
73. shall protect and advance the right of the people to a balanced and healthful
74. ecology in accord with the rhythm and harmony of nature; under Section 3 (i) of
75. R.A. 7160 provides that Local Government Units shall share with the national
76. government the responsibility in the management and maintenance of ecological
77. balance within their territorial jurisdiction; Section 447 (vi) of R.A. 7160 empowers
78. the Sangguniang Bayan to protect the environment and impose appropriate
79. penalties for acts which endanger the environment including such activities which
80. results in pollution acceleration or eutrophication of rivers and lakes or of ecological
81. imbalance; plastic cellophane and sando bags and expandable polystyrene (EPS)
82. Foams being non-biodegradable materials clog our canals (amo ini an nag clog sa
83. aton mga canals), creeks, rivers and other water ways causing floods (usa nga
84. reason kung keano nagkakamayada kita sin baha) during rainy season and harm
85. to the surrounding communities; plastic cellophane and sando bags and
86. expandable polystyrene (EPS) Foams are widely used for packaging of foods and
87. beverages however, the use of plastics and polystyrene in food storage can carry
88. health risks, especially when hormone disrupting chemicals from some of these
89. packaging materials leach into food and beverages; studies reveal that polystyrene



90. can disrupt normal hormone functions of women, possibly contributing thyroid
91. problems, menstrual irregularities, breast cancer and likewise prostate cancer for
92. men, and according to the US Environmental Protection Agency that styrene is a
93. suspected carcinogen and is also known as toxin that can affect kidney, gastro-
94. intestinal and respiratory systems, among others; plastic and polystyrene
95. manufacturing and incineration creates air and water pollution and exposes
96. workers to toxic chemicals; plastic cellophane, sando bags and polystyrene are
97. rampantly used as packaging material in the Municipality of Abuyog and
98. elsewhere; despite serious efforts of the Municipality to segregate biodegradable,
99. recyclable and reusable waste materials, plastics, polystyrene and other similar
100. materials remain in the municipal waste stream and eventually comprise the
101. common residual waste fraction; the Municipality of Abuyog in its desire to regulate
102. the "single use" of plastic cellophane and sando bags and eventual prohibition of
103. the use, sale and provision of polystyrene as food and beverage containers,
104. encourages the utilization of alternative packaging materials such as woven bags
105. (bayong), cloth/paper bags and other similar organic packaging materials (e.g.
106. banana leaves, taro leaves, etc.) and likewise advocates the "No Plastic Day" and
107. "Bring Your Own Bag-(BYOB)" programs of the Municipal Government; it is in the
108. best interest of the health, safety and welfare of the people of Abuyog, that efforts
109. be centered on minimizing the use of plastic cellophane and sando bags and the
110. eventual prohibition of the use, sale and provision of polystyrene as packaging
111. materials for food and beverages. Amo ini an purpose san aton paghimo sini nga
112. ordinance. So tikangan ko an aton ordinansa, an aton draft ordinance an title san
113. aton draft ordinance may mga kopya man kamo dida it is AN ORDINANCE
114. REGULATING THE USE OF PLASTIC CELLOPHANE AND SANDO BAGS AS
115. PACKAGING MATERIALS AND UTILIZATION OF POLYSTYRENE,
116. COMMONLY KNOWN AS STYROFOAM, FOR FOOD AND BEVERAGES
117. CONTAINERS IN THE MUNICIPALITY OF ABUYOG AND PRESCRIBING
118. PENALTIES THEREOF. So an sunod sini Section 1, amo gihapon an title siton



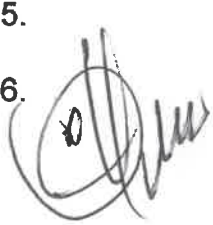
119. aton ordinansa. Sunod section 2 definition of terms, may mga definition of terms
120. kita para kita maging familiar kun ano ini nga mga terms a. Alternative
121. packaging materials, Bring Your Own Bag (BYOB) Program mayda kita BYOB
122. program sini nga ordinansa dida section 2 letter b. Bring Your Own Bag (BYOB)
123. Program – refers to the program adopted by supermarkets, convenient stores,
124. department stores and other business establishments, whereby customers are
125. enjoined to bring a reusable bag, paper bag, cloth bag or any other alternative
126. packaging material for purposes of containing, carrying, holding and transporting
127. goods or products bought, including prohibition for restaurant, fast foods, food
128. kiosk, ambulant vendors/rolling stores, catering services and the like to utilize or
129. provide plastic disposable cups and plastic drinking straws for beverages and
130. coolers to customers. Letter C san aton definition of terms, definition sa Cloth bag,
131. containers, Expanded polystyrene (EPS) foam an aton Packaging, Plastic bag,
132. Plastic wastes. We recognize the arrival of Honorable Dario Llave the ABC
133. President. Plastic cellophane, Reusable bag, Sando bags, Single-use, Styrofoam
134. and Woven bags. Section 3. **REGULATION ON THE USE, SALE OR PROVISION**
135. **OF PLASTIC BAGS.** Amo ini an importante, an regulation. The following
136. regulations shall be imposed as follows:
137. a. Business establishments, fastfood outlets, market vendors, food
138. kiosks, sari-sari stores, ambulant vendors, and the like are prohibited from using
139. plastic straws, stirrers, utensils, cellophanes and sando bags, including those
140. claimed as biodegradable plastics, as utensils and/or packaging materials for
141. customers.
142. b. Stores and other retail establishments are mandated to use any
143. alternative legally compliant packaging material for customers, such as but not
144. limited to the materials mentioned in Section 4 hereof, in lieu of single-use plastic
145. cellophanes and sando bags. The use of reusable and/or paper cups,
146. paper/bamboo straws, stainless steel straws and glass straws are encouraged and
147. promoted to be utilized for beverages and coolers for customers. c. That



148. balloons, plastic banderitas, lighted lanterns and the like are discouraged during
149. fiesta celebration and family gatherings instead the use of cloth should be made
150. an alternative. SECTION 4. ALTERNATIVE PACKAGING MATERIALS. The use
151. of recyclable, reusable and/or biodegradable alternative packaging materials
152. should be encouraged and promoted, such as reusable woven bags (bayong),
153. cloth bags, rattan baskets, shopping bags made from recycled waste paper and
154. other bags made out of biodegradable materials (e.g. banana leaves, taro leaves,
155. water lily, corn stalk, etc.) shall be utilized as alternative packaging materials. All
156. business establishments are encouraged to adopt the "Bring Your Own Bag"
157. Program. SECTION 5. INCENTIVES FOR USING REUSABLE BAGS. To promote
158. the use of reusable bags, stores are hereby encouraged to implement the BYOB
159. program and to formulate appropriate incentives to consumers, which may include:

- 160. • Green Lane – Stores may provide special counters or express lanes to be
- 161. called as Green Lane to cater customers who bring their own bags or use of
- 162. reusable bags. SECTION 6. PROHIBITION ON THE USE, SALE OR PROVISION
- 163. OF STYROFOAM. Business establishments, restaurants, fastfood outlets, food
- 164. kiosks, catering services and the like shall not utilize, sell or provide styrofoams or
- 165. expanded polystyrene foam as containers for food and beverages. SECTION 7.
- 166. ALTERNATIVE CONTAINERS FOR FOOD AND BEVERAGE. The use of
- 167. reusable and/or paper-based containers for food and/or beverage and other
- 168. alternative containers are encouraged and promoted. SECTION 8. TECHNICAL
- 169. WORKING GROUP. For the purpose of this ordinance, a Technical Working Group
- 170. shall be established with the following composition:

- | | | |
|------|---------------|--|
| 171. | Chairman | Municipal Mayor |
| 172. | Co-Chairman | Municipal Vice Mayor |
| 173. | Vice Chairman | SB Committee Chairman on Environment |
| 174. | Member | Municipal Environment and Natural Resources Office |
| 175. | | Public Information Office |
| 176. | | Municipal Treasurer's Office |



177. SB Committee Chairman on Market & Slaughterhouse

178. SB Committee Chairman on Trade & Commerce SECTION

179. 9. FUNCTIONS OF THE TECHNICAL WORKING GROUP. SECTION 10.

180. MONITORING OF ORDINANCE. The Municipal Environment and Natural

181. Resources Office (MENRO) in coordination with the Municipal Enforcement Unit

182. shall monitor the effective implementation and submit periodic progress report to

183. the Office of the Municipal Mayor and shall furnish the Sangguniang Bayan a copy

184. of the same. SECTION 11. INFORMATION, EDUCATION AND

185. COMMUNICATION CAMPAIGN. Upon approval of this Ordinance, the

186. Municipality through the Public Information Office together with the Municipal

187. Environment and Natural Resources Office (MENRO) IEC Team, in coordination

188. with the Technical Working Group, shall conduct massive information

189. (magkameada pa kita, pagka approve sini nga ordinansa, magka mayada pa kita

190. sin massive information para maging familiar sini nga ordinansa), education and

191. communication campaigns using quad media (print, radio, television and internet)

192. and shall include the promotion of alternative biodegradable packaging materials.

193. The information and education campaign shall include the production and

194. distribution of materials related and consistent with the provisions of this

195. Ordinance. SECTION 12. IMPLEMENTING RULES AND REGULATIONS. Within

196. thirty (30) days from the approval of this Ordinance, the necessary rules and

197. regulations shall be issued by the Technical Working Group for the proper and

198. effective implementation of this Ordinance. SECTION 13. FINES. Myda kita mga

199. fines ha. Take note, fines Section 13. Business establishments, sari-sari stores,

200. ambulant vendors, market vendors, food kiosks and the like who violate Section 3

201. and Section 6 shall be fined as follows:

202. First Offense: - Php 500.00

203. Second Offense: - Php 1,000.00

204. Third Offense: - Php 3,000.00 and cancellation of license to operate

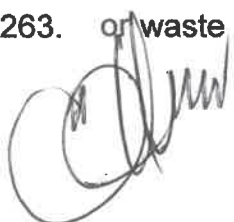
205. in the case of business establishments

206. SECTION 14. MORATORIUM AND IMPLEMENTATION. Mayda naton
207. moratorium nag pirme gihatag sa ordinansa naton. All business establishments,
208. sari-sari stores, ambulant vendors, market vendors, food kiosks and the like
209. engaged in the use and/or selling of plastic bags and styrofoam as packaging
210. materials for food and beverages shall be given six (6) months from the date of
211. effectivity of this Ordinance to dispose of their remaining inventory and for
212. consumers to adjust and conform. So, mayda kita moratorium for 6 months, dire
213. ini apurahon pag implement, mayda kita, gintagan kita sin 6 months para kita
214. maka adjust. SECTION 15. SEPARABILITY CLAUSE. Should any portion of this
215. Ordinance be declared unconstitutional or illegal by any court of competent
216. jurisdiction, the portions not so declared shall remain in full force and effect.
217. SECTION 16. REPEALING CLAUSE. All existing ordinances inconsistent with the
218. provisions of this Ordinance are hereby repealed and/or modified accordingly.
219. SECTION 17. EFFECTIVITY. This Ordinance shall take effect Fifteen (15) days
220. after publication, posting in the bulletin board at the entrance of the Municipal
221. Building and in at least two (2) conspicuous and publicly accessible places in the
222. Municipality. So, amo iton an aton draft ordinance. Kun ano man iyo ma suggest,
223. question dida, paabuta dida kay para mabaton san aton chairman. Maupay nga
224. aga ngan damo nga salamat sa inyo nga tanan.

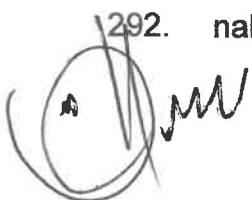
225. HON. SAÑO: NABATI niyo an gin isplekar so ihatag ko anay kamo ngadto
226. sa aton representative sa MENRO sa panlawas ni Mr. Lyle Lamoste bahin sini nga
227. aton proposed ordinance.

228. MR. LAMOSTE: Good Morning, everyone. So, the concern of plastics, labi
229. na ang single use plastic is one of the concern of the Solid Waste Management.
230. Our office of the MENRO together with the directives of DENR specifically sa Office
231. of Environmental Management Bureau (EMB) nagka may ada kita sin strict
232. implementation and awareness regarding sini nga plastic. Now, as the incharge of
233. solid waste management sini nga aton bungto, usa gud nga pinakadako nga
234. problema nga aton na-face when I the task is that the management siton nga aton

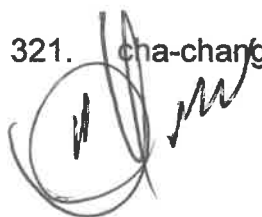
235. plastic. An amon study every day nakakakolekta kita yana everyday hin more than
236. 15 pounds of waste, much more of that an aton biodegradable dire man gud naton
237. malikayan iton na may biodegradable an merkado kay ada an aton vegetables ada
238. an aton mga spices so normal iton. Dire pa upod an aton biodegradable farm ,pero
239. iton nga 15 pounds nga nakukuha kada adlaw, kaurog gud talaga dida plastics
240. then iton nga aton mga plastic natutunaw hiton hiya 25 years, 30 years ugsa iton
241. siya matunaw an aton yana problema inin aton weather diba mapaso kaduro
242. talaga yana anhi kita, an amon liwat mga balhas nagtuturo gud, suspension of
243. classes last week, last two weeks ago. Suspended an aton mga classes tungod
244. sini nga mapaso. This is because we are burning our waste, we are practicing
245. open burning, nag e-emit kita hin gases ngadto sit aton environment nga nagca-
246. cause sini nga greenhouse effect and because of it nagtitikapaso it aton kalibutan.
247. Tungod sa kapaso sit kalibutan nagkakatunaw an mga ice didto sa north pole ngan
248. sa south pole. Ano man an resulta? An resulta, pagkikita san mapaso nga hangin
249. ngan mahagkot nga hangin...and then we are now experiencing too much heat it
250. is because of this solid waste management problem nga aton existing yana dinhi
251. sa aton. So because of that problem, an tawag naton sini sa iyo producers,
252. producers level, stakeholders and producers level. Mga tagiya hin mga tindahan,
253. mga lead person of an association nga nagpo-produce pa hin plastics didto han
254. aton establishment. So the problem of solid waste management dire la iton hiya
255. plastic, pero urog talaga it problema naton kun aanhon naton pag ma-manage an
256. aton plastic. So, sino it maaram dinhi hain nga category na belong an aton plastic?
257. Kay mayda man naton 4 nga klase sit basura, mayda naton biodegradable,
258. recyclable, residual and mayda naton gitatawag nga special waste. So an aton
259. plastic nabe-belong sa residual, as of now the town of Abuyog nakapasar na kita
260. siton aton 10 year solid waste management plan han national solid waste
261. management council. So pirmasar na kita an aton talaga didto dako nga nakikita
262. nga problema kun aanhon naton pag da-divert an aton mga plastic nga garbage
263. or waste nga nakolokolekta sa aton mga balay balay tungod kay waray pa man



264. naton mga equipment kun anhon naton iton pag diversify iton aton product nga
265. magagamitan nato. So, the awareness usa ini siya nga programa namon, that is
266. why kun mayda dinhi naton thru iton aton ABC President na ma implore talaga
267. kami, ma request kami an opisina sa MENRO for the solid waste management na
268. iimbitaron talaga kami during iton amon barangay assembly kay usa iton nga paagi
269. nga ma disseminate namon an proper information and guidance ngadto han aton
270. mulupyo. Una nga talaga ginhangyo namon is to reduce our waste nga kita usa't
271. usa labi na an iyo sector na gin rerepresent yana, nga i-encourage naton an aton
272. mga members san aton mga sectors to reduce our plastic waste usa ini siya nga
273. lakad, usa ini sya nga pitad para naton ma reduce an aton plastic waste. Mayda
274. ko gad damo of presentation of the effects of this pero maaram ako na maaram na
275. kamo kun ano it epekto sini. Diri la po ini sya problem of the solid waste
276. management this is a problem of behavior. Problema po talaga inin tao, that is why
277. an aton office of the SB naningkamot na mabuligan an aton bungto pinaagi hini
278. nga mga ordinansa, ini nga mga proposed ordinances nga makabulig liwat kita in
279. return ngadto hit aton environment na kita la liwat it nag da-daot. Actually ini nga
280. kapaso yana, man-made po ini because of us amo napo ini yana ang nahitabo sa
281. aton kalibutan and the solid waste management we are always, kita naningkamot
282. kita pag trabaho para sit aton anak, future generation, pero ano nga klase nga
283. kalibutan an aton ighatag ha ira if we will not taking impart of this how to minimize,
284. how to reduce and how to discipline ourselves in managing iton aton solid waste.
285. Labi po an aton plastic, an solid waste management gintatagan talaga namon sin
286. dako nga pagtagad iton single use plastics, usa ka talaga iton, labi na iton na
287. plastic cups na kausa la gamit inom tema labog iton mga cellophane naton nga
288. ginsusudlan sin cooking oil pag-abot sa balay gisi labog diretso, and iton nga mga
289. "unmanaged" bisan pa iton manage sometimes, iton diri na nakokolekta na basura
290. labi na iton mga plastics dagat po talaga it abutan hiton. I don't know if you believe
291. me pero talaga dagat talaga ang turning point hiton. Now pag abot siton sa dagat
292. nakakaon siton mga isda an isda liwat ginkakaon gihap naton bisan pa naton siya



293. gintatangalan iton sin tina-e nada-digest iton chemical compounds hiton nga mga
294. ka-plastican. Waray labot iton silingan nga kaplastikan. Iton nga plastic it ak
295. karuyag signgon, nada-digest hiton hiya hit mga isda, nada digest iton hiya hit
296. tuna, na it turns nahihimo iton aton tuna, iton soil nga toxic. Siring man nira, Kung
297. toxic na an relasyon ano it bubuhaton utdun, kay it's not a healthy relationship so
298. it aton gibubuhat yana, waray kita maghihimo hin better place for our children in
299. fact we are destroying the very core of our intention han paghatag hin maupay na
300. kabuwason hit aton mga future generation, yes gin se-secure naton it aton kita,
301. gin sesecure naton iton aton bank accounts para hiton education and future of our
302. children but we are not securing the land, the world where we lived in. So iton
303. amon talaga paningkamot ha solid waste management under the leadership of our
304. Mayor Honorable Lemuel Gin K. Traya naningkamot kami nga matagaan naton
305. hin pamaagi aanhon naton pag manage an aton mga garbage. An usa pa talaga
306. ini nga draft ordinance dako talaga ini siya nga maibulig sit aton programa nga
307. solid waste management there is a new update when it comes to using paper bags
308. and paper materials nga mga surudlan, tikang sa DENR. It is now found out nga
309. mas dako an iya kadaot nga mahimo hit aton environment it pag gagamit hiton nga
310. paper bags, question kun keano tungod kay kahoy iton siya nga gin uutod para
311. makahimo sin paper bags. So how long nga makapatubo kita sin dako nga kahoy
312. 50 years, 60 years maiha pagpatubo hin kahoy utdon la sin sugad kadali para
313. hiton na mga surudlan. So, kami sa solid waste management nag e-encourage
314. kami to use the eco bags iton eco-friendly bags para pagputos siton aton mga
315. products. We also encourage the office of SWM na i-encourage nato i-educate
316. naton it aton mga customers to bring their own mga surudlan pagpapalit ha iyo labi
317. na iton mga restaurants magdadara hira hin ira kaugaringon surudlan labi na an
318. may mga sabaw may liquid an amo iton amon iton gine-encourage namon sa SWM
319. office and iton mga eco bags talaga and I believe mayda na yana biodegradable
320. plastics so diri man gud talaga ma e-eliminate naton it single use plastics pero i-
321. cha-change naton hiya into biodegradable plastic from 25 years na madunot hiya



322. in 1 year to 5 years la tunaw na hiya so amo iton it aton new development from the
323. office of SWM, an update from the office of the DENR so mayda na naton mga
324. bag.o nga technology yana na ginagamit gin iimplement amo na iton na sinisiring
325. naton biodegradable plastics so hangyo namon it amon opisina na ngadto't aton
326. mga producers to give time to educate yourselves and to educate your clients of
327. this new technologies and products available in the market na amo na it gagamiton
328. instead of an kadaan nga plastics. So amo la it akon mahahatag for this time.
329. Thank you.

330. **SEC. VILLOTE:** Thank you, Sir Lyle. As said sa committee yana, ibalik ko
331. kamo ngadi siton Chairman para pag-open sit lamesa for open forum.

332. **HON. SAÑO:** Base san explanasyon sa aton representative sa MENRO si
333. Mr. Lyle Lamoste, so igkadi adi sit aton open forum may niyo pangutana,
334. suggestion or ano pa nga iyo ika-contribute sini nga aton nga proposed nga
335. ordinansa. An aton open forum tikangan ta na. Any suggestion or comments para
336. pagburuligan ta ini kay para ini sa aton bungto. Adi si Mr. Gabriel Templado sa
337. merkado.

338. **MR. GABRIEL:** Kun diri kami gumamit sini nga biodegradable plastic sugad
339. siton an amon mga utan kay pirme man iton basa, kun an sudlan iton papel la
340. mahupit. So, it hangyo la nak sini nga kung pwede nga kami sa vegetable section
341. sa market pagamita kami sin plastic amo iton amon i-hangyo dinhi. Mayda man
342. monitoring sa ordinansa sa DENR kay especially mayda monitoring sa
343. Sangguniang Bayan na iton gingamit na cellophane biodegradable.

344. **SEC. VILLOTE:** Okay Mr. Chair, Honorable members of the committee.
345. Aton hubaron an karuyag signgon ni Pareng Gabriel. Uyon siya sit ordinansa for
346. as long na matagaan kamo sin liwan na maturunaw. Igduso ta dida siton letter
347. c,d,a siton definition of terms sit ordinansa.

348. **HON. SAÑO:** Sige usa usahon ta ini ha para mabaton ini dayon iton
349. question. Mayda ika bulig si Konsehal Allera.

350. **HON. ALLERA:** Actually iton biodegradable na plastic permanente gud
351. iton diri iton matunaw kung diri sunugon kita gud siton it mag kuan. An aton
352. purpose sini nga an tanan nga cellophane gin diri na basta diri igbalik sin, parehas
353. siton mga Pepsi mga plastic pwede man iton ibalik, tirokon pwede it sugad siton
354. pero it cellophane gud amo iton it dire na kita gumamit.

355. **SEC. VILLOTE:** Konsehal an ira karuyag signgon liwan sa cellophane.

356. **HON. ALLERA:** Amo balitaw kung makahinumdon kita sanhi an isda
357. tinuhog sanhi tapos an kuan sanhi may bayong an mga basa. Tinuhog an mga
358. basa nga isda mga karne. Makahinumdon kita siton sanhi ada liwat in mga supot
359. kay kun maka implementar an iba na syudad iba na bungto ano nga diri man kita
360. maka implementar. So dida sit aton ordinansa mayda siton composition sit
361. technical working group after 15 days after the approval of Sangguniang Bayan
362. approval san Mayor sini nga ordinansa, ma publish ini. Before implementation
363. mahimo sit IRR before implementation an kaurogan sini nga nahimo pinaagi san
364. aton MENRO para pag implementar sa balaod na, hinay hinay na pag implementar
365. so, sira mag istudyo gihap sira sin mga another alternatives dida sit paghimo siton
366. implementing rules. So amo la adto nga basta cellophane gud amo ton it aton
367. purpose adi na diri na kita mugamit. Study and continuous kung sino it maghimo
368. ira na iton didto sa ira opisina MENRO ada it maghimo sa IRR sini para makabiling
369. sa makabiling alternatives kay makuri iton na ipamutang iton tanan didi. Utrohon
370. ko nga naka implementar man an iba nga bungto iba nga siyudad ano nga diri man
371. kita maka implementar sini nga ordinansa. Thank you, Mr. Chair.

372. **SEC. VILLOTE:** Thank you, Honorable Allera. Iton sa mga botika klaoro
373. iton sa iyo ano? Waray mga pangutana? Kay igkadi ko sa side sa karne. Adi anay.

374. **BUSINESS OWNER/REPRESENTATIVE:** Sir, example iton kanan feeds
375. sit anay. Ilarom sa sako, cellophane gihapon kay sinako man iton. Ano man it
376. maupay kay ig-deliver nganhi may sako ngan may cellophane sa ilarom.

377. **HON. ALLERA:** It iyo sako pwede iton gamiton pag utro diri iton, usa iton
378. na pwede. Amo baya an ak gin explain ko kanina botelya si kuan, diri ig diri kay

379. mahabalik man. An akon iton la na diri na magamitan na kay ginlabog na. Iton
380. sako iyo pa iton magamit, mayda pumalit sa iyo, waray man siton problema kay
381. gingamit bisan sa aton mga balay ginamit an aton man la gin diri.

382. **BUSINESS OWNER/REPRESENTATIVE:** An gamiton na sando bag? Ano
383. man an amon ighatag kung retail.

384. **HON. ALLERA:** Aw supot.

385. **HON. SAÑO:** Karuyag signgon san tag iya sa HOG. An sako kuno may
386. ilarom nga plastic, so iton pwede iton niyo ipadara sa iyo customer sudlan sin feeds
387. nian ig explain liwat san iyo customer na sunod kun pumalit sira sin feeds. Amo
388. iton it dad.on nira pag balik balik pag sulod para diri iton magka ada sin plastic na
389. iglabog na la bis diin so aton gud I-encourage nga iton aton tagsa tagsa nga
390. customer magdara sin ira kaugaringon container basi nakadto man kita sa
391. Tacloban, Bay Bay, Maasin bisan sa iba nga lugar St. Bernard nakompra amo it
392. nadara sin surudlan.

393. **SEC VILLOTE:** Klaro an explanation?

394. **HON. ALLERA:** An amon gisiring sako. Diri la cellophane ha, kay adto sa
395. ilarom an cellophane pero kung cellophane la hiya gindiri iton. Kay part man an
396. cellophane sa sako kay para diri madali mabasa an feeds sa ilarom kay bangin
397. kita musiring an cellophane pwede man ngean. Diri an sako an pwede may
398. cellophane la sa sulod.

399. **BUSINESS OWNER/REPRESENTATIVE:** An retail ba sir. For example 1
400. kilo, half kilo ano man it amon sudlan.

401. **HON. ALLERA:** Supot. Paper Bag. An supot nga paper bag. Kay amo man
402. it ginamit adi.

403. **BUSINESS OWNER/REPRESENTATIVE:** Kung 5 kilos na. Pwede
404. handbag na la sir.

405. **HON. ALLERA:** oo sako bag. O bayong. Bisin sa Manila, bisin mga
406. andoks once ngani imo dad.on sa gawas, an putos baligya na. Amo gihap sa mga
407. Department Store sa Robinsons. Magpalit ka didto baligyaan ka sin putos tag 10

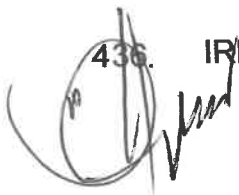
408. pero papel. So pwede gihap kamo siton, mayda mupalit pangutan. a ano man iyo
409. la bitbiton sumiring nga diri adi an amon supot baligya.

410. **HON. SAÑO:** Anay ha. Mayda ikasapong an aton ABC President,
411. Honorable Dario Lleve.

412. **HON. LLEVE:** Upay nga aga sa aton nga tanan. Mayda ko la suggestion,
413. kay kuan man gud ini national. Dinhi sa aton at least nagtikang na it aton SWM,
414. so mayda ko kung okay ini sa iyo. Pwede diri naton ini tigdaon, siyahan pag
415. discourage iton mamaralit especially dida sa market paggamit siton cellophane.
416. Discourage gud it customer paggamit diri gud maghatag sin cellophane nga sando
417. bag if ever ngani iton nga eco bag. So pagsiring nga eco bag, signga na baligya
418. ini nga eco bag. Para sa sunod nga pagkompra nira magdara na sira, kay diri kada
419. kompra, musiring na ayaw na pagpalit pagdara na kay instead na 6 pesos eco
420. bag. Diri na magpalit utro, an ira daan nga ecobag amo na an ira dad.on utro
421. ngadto sa merkado sa vegetable area ngan sa market. Amo gihap ngadto sa mga
422. feeds pagkuan kamo sin eco bag na ibaligya sa ira. Ayaaaw na siton na cellophane
423. kay pira na liwat na years ugsa matunaw. Dida sa mga pharmacy okay na iton na
424. papel, paper bag.

425. **HON. SAÑO:** Igbalik ko kamo kay Honorable Allera.

426. **HON. ALLERA:** Actually mahiara ini sira. Pagtikang la iton makuri, depende
427. iton sa mga implementing na mga agency paghimo siton IRR pananglitan adi na
428. bulan kada Domingo bawal it cellophane hinay hinay ba, pagkasunod na bulan
429. Sabado ngan Domingo igin diri an cellophane, sunod na bulan Biyernes, Sabado,
430. ngan Domingo igin diri an cellophane hantod kung sano an implementing rules
431. adto sit ikaupat nga bulan full, tikang na sa Lunes ngadto sit Domingo pahiaron
432. ta anay an mamaralit diri kita pag approve sini diretso kita dayon pag implement,
433. diri. Pero an Sangguniang Bayan pwede na... sa TWG 3 ka konsehal an miyembro.
434. Mayor, Vice Mayor, SB Committee on Environment, Committee on... so maka
435. rekomendar ngadto IRR nga sugaron kita sini kay adto naman paghimo naman sa
436. IRR para sa implementation sira naman it nahimo so adto na kita makasabot kun



437. ano an ira ig announce pag implement kun sumiring sira kada dominggo duha
438. kabulan kinahanglan...so i-monitor dayon ini sira, pagkasunod na kuan, sabado
439. dominggo, i-monitor gihap ini sira, hantod nga mag full implementation na depende
440. iton sa IRR.

441. **SEC. VILLOTE:** Konsehal Saño, nabaton na siguro adto kay katema ngadi,
442. ngadto liwat nga side.

443. **BUSINESS OWNER/REPRESENTATIVE:** My concern is how about the
444. business na milktea-han po. So, one time use lang po yung cup that's a plastic so
445. ano po an alternatives ng mga plastic cups? Kung hindi naman po, kasi lahat ng
446. milktea-han ay automatically plastic hindi naman pwede na yung customers namin
447. ay nagmilk tea magdala ng sariling baso na hindi plastic.

448. **HON. SAÑO:** May na encounter ako na milktea shop sa Cebu one time,
449. ang ginamit nilang ano instead ay paper cups sa tea. Say Iced Tea.

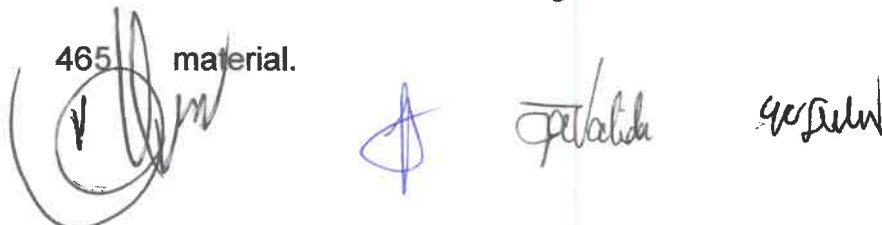
450. **BUSINESS OWNER/REPRESENTATIVE:** Yes po but the paper cup is not
451. gonna hold yung tubig ng ganon katagal so pwede siya gamitin if you drink it right
452. now. Pero pano po yung mga taong walk in sa restaurant, dadalhin po sa labas
453. anong gagawin po, tumutulo na po yung ano. Instead na makainom sila, nauuhaw
454. hindi na nila because its already done.

455. **HON. SAÑO:** So kung ganon ang mangyayari na ilalabas nila yung product
456. magdadala sila ng sarili nilang sisidlan, sa umpisa mahirap yan pero in the long
457. run na alam na ng customer tuwing bibili sila magdadala sila ng lalagyan.

458. **BUSINESS OWNER/REPRESENTATIVE:** Opo, actually ako I would
459. disagree kasi po ang business hindi naman po kasi sasabihin ng business na
460. ganyan ganyan kasi automatically sa kanila included yun eh. So, my question po
461. is ano po ang solusyon... alternatives sa mga plastic cup mga business na katulad
462. ng mga franchisee so pano po ninyo ipe-prevent ang ganitong sitwasyon?

463. **HON. SAÑO:** I-ano natin sa resource person ng MENRO.

464. **SEC. VILLOTE:** Siguro same kanina, sa discussion kanina an klase sa
465. material.



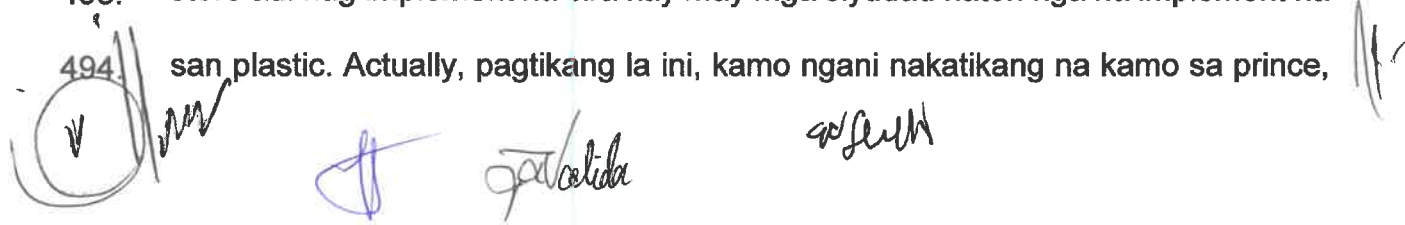
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466. **SIR LYLE:** Actually sa Extended Producers Responsibility under the DENR
467. program there are activities, there are actions that are done kasi single use plastic
468. po talaga ito, ito na mga klase na businesses ma'am amo talaga iton one of the
469. biggest problem naton sa plastic so definitely mag i-istop gud talaga iton hiya. Now
470. if you want the business to flourish and to go on an didto han seminar, didto ha sa
471. summit namon sa DENR nasiring iton na extended producers responsibility mayda
472. na kasi yana nga mga milktea houses that they are using glasses and plastic na
473. diri single plastic use yung ginbibilin ba katapos and then for those walk in na i-
474. take out nira an milktea they will bring their own containers talaga. Because it aton
475. focus kun diri man immediately na ma implementar ini we will find the best way na
476. ma control this is first avoidance then we will minimize it, reduce. So how we can
477. avoid it we will change our plastics talaga.

478. **SEC. VILLOTE:** Okay, nga tanan nga iyo pangutana noted iton dinhi. Dinhi
479. na side okay na kita. Dinhi kita sa Prince liwat.

480. **BUSINESS OWNER/REPRESENTATIVE:** Hello, good afternoon sir.
481. Actually sir this ordinance is existing po sa amin so way back 2019 po ata nung
482. nag start yung prince and then no plastic day is implemented po sa store naming
483. every Tuesday, Wednesday, Saturday and Sunday, then we use plastic po for
484. three days, Monday, Thursday and Friday so matagal napo kami nag gaganyan
485. yung question po naming is how about yung mga wholeseller kasi it came from
486. different municipalities and then gumagamit po talaga kami ng mga plastic na
487. malalaki para sa kanila po. So, bawal din po ba yun?

488. **HON. ALLERA:** Okay la iton na nag implement na kamo hinay hinay kay at
489. least. Actually igindiri na iton kay bisan iton sa mga dako na department store mga
490. karton na ngani iton an gamit dagko na karton and I believe kamo gihap nagamit
491. sin karton, pero kamo na ka implement kamo sin 4 days a week, sa hinay hinay
492. bug.os na kita nga semana pero depende iton sa IRR ha iton iba nga department
493. store adi nag implement na sira kay may mga siyudad naton nga na implement na
494. san plastic. Actually, pagtikang la ini, kamo ngani nakatikang na kamo sa prince,



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495. maaram ako kay usahay magpalit ako dida waray cellophane, usahay may adlaw
496. na waray cellophane. Tinuod iton, naka implement naman ngani kamo it aton nala
497. an mga bago nga negosyante na waray mag implement aton hangyoon na hinay
498. hinay hantod mahiara an aton mamaralit.

499. **SIR LYLE:** Sir, an iyo wholesale diba nag paplastic kamo sin wholesale,
500. pagbabalik nira an iyo ginpadara san siyahan amo gihap an ipadara pagbalik nira
501. ikaduha para amo it susudlan.

502. **BUSINESS OWNER/REPRESENTATIVE:** Okay. May instances po kasi na
503. because of the vehicle na dala nila so minsan hindi applicable talaga si karton so
504. we use plastic po talaga. Pero outside of the municipality of Abuyog naman po sila.

505. **SIR LYLE:** National Law kasi an aton gin-iimplement and then ang Prince
506. kasi nasa Abuyog kamo, producers level kamo so according to Extended
507. Producers Responsibility, 5 million above mayda gud niyo responsibility nga dako
508. sit aton bungto.

509. **BUSINESS OWNER/REPRESENTATIVE:** Okay sir noted po yan, then sir
510. would like to add din po dun sa effectivity din po diba 15 days after publication
511. hindi po ba siya magkakaroon ng conflict dun sa ano natin penalty? About dun sa
512. 6 months duration, baka mamaya bigla nalang...

513. **HON. ALLERA:** Siyahan an moratorium naton is ada sa ordinansa mismo,
514. 6 months ikaduha diri kita ka implement kay mayda dida sa ordinansa na maghimo
515. sin IRR before maka implement kita sin kuan, mayda anay IRR sit ordinansa it
516. ginhimo dida na ordinansa siring ko kanina hinay hinay hinay hantod na fully
517. implemented ini na ordinansa kung sa IRR sumiring na kada semana domingo la
518. it diri pwede mugamit sin plastic, so kung mayda madakpan siton na domingo
519. imposed na iton aton mga fine iton la pero Lunes to Sabado waray pa hantod na
520. ma fully implemented magamitan. Adi gad sa ordinansa nga ginhimo ni Honorable
521. Landia na may 6 months moratorium na mayda mag himo sin IRR ugsa mag
522. implement part iton nga tanan siton aton ordinansa diri iton after 15 days of
523. approval diri pa after 15 days of approval na publish ini nga tanan kumpleto na.

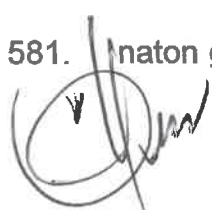
524. Diri pa gihap maka implement kun diri anay mahimo an IRR kun ano it ig
525. implement. Amo iton, Thank you.

526. **HON. SAÑO:** So klaro an explanation so tanan sa iyo mga comments ngan
527. suggestion noted namon didi. So an parte sa kung san.o it implementation may
528. allowance pa iton kay maghimo pa ngani sin IRR. So, ugsa mag implement i-una
529. una anay ang IRR so gintagan kamo nga daan sin allowance para an iyo mga
530. remaining na plastic bags, Styrofoam ngan kun ano man nga diri maturunaw ma
531. dispose anay niyo ngan hinay hinay liwat iyo ipasabaot san iyo customer nga
532. maabot kita sit panahon nga diri na kita pwede paggamit sin plastic. Adi pala na
533. waray pa an IRR hinay hinay na kamo inform sa iyo customers para pag abot sit
534. implementation an iyo mga customer diri pag kalasan. Actually didi sa aton na
535. implement it prince, naimplement na iton 7 eleven, Rose Pharmacy amo na iton,
536. ira gin ano, J and F. So, kita labi na an anhi sa merkado in numero uno nga
537. factorship sit plastic bag adi tikang sa merkado bis ano nga ira ginpapamalit plastic
538. bag, nag obserbar kita sit customer nga nakada sa merkado paggawas sa
539. merkado lima, unom nga plastic it bitbit. Tama ba? Kay kada gindaupan plastic
540. bag, pagabot didto labog. So pagburuglig kita kay para ini kaupayan sit aton
541. bungto. Siring pa naka obserbar kita kun ano it nahitabo san Agaton, ano
542. kahilarom an baha sa aton so hinay hinayon ta kita nga la ngahaw it apektado sini
543. aton depekto. So, igkadi ta anay sa aton DILG kun mayda niya suggestion o
544. mensahe kun ano it iya ikabulig sini nga proposed ordinance si Mr. Ivan Cornelius
545. Co an aton DILG Officer.

546. **SIR IVAN:** Thank you for the invitation for this public hearing. It's good to
547. know that the Municipality of Abuyog has been pursuing since 2011 pa ngean an
548. Sir Boy? Actually the Province of Leyte enacted an ordinance regarding the use of
549. plastic labi na ang single use because as mentioned kanina ni Sir Lyle an aton
550. waste an aton garbage ay mostly from single use plastics and its high time na
551. siguro that we have to address this concern because we are experiencing several
552. na mga degrees of heat na nakaka-apekto na sa aton panginabuhì gihapon like



553. suspension han klase, suspension hit klase will affect our small business owner
554. pareho hit nagbabaligya hin mga banana cue, an mga ambulant vendors kay
555. waray man nira babaligyaan na kabataan so this has we called effect ini nga aton
556. na experience adi na panahon and one of those major contributing na factor is
557. because of our irresponsible throwing of garbage particularly the single use plastics
558. and of course ini nga aton open burning nga practices especially or particularly sa
559. Pilipinas that contributes the heating of our atmosphere gihapon an aton carbon
560. emission nga napapaabot ha aton atmosphere. By the way I would like to
561. commend our municipal officials particularly the Sangguniang Bayan of Abuyog for
562. coming up with this. Timely, ini nga aton ordinansa to address this concern
563. regarding solid waste. Mind you ano it was also last year that we have been
564. pursuing the pagunlad san barangay implementing strictly no collection, no
565. segregation policy an aton basura it was also that time na we found out an load
566. han garbage na gin kokolekta naton is from the residual waste which contains ini
567. nga single use plastics naton. So, mayda la ako particular na question na medyo
568. umayon ako kay mam. What we are trying here to do is we are changing the
569. mindset of our people. We are trying to pass this ordinance to change the behavior
570. the mindset of our people that's why when you mentioned na magamit ba kami
571. sadi na paper cups when we sell our coffee or papadad.on pa namon. Now, that's
572. a question na pwede i-strategize san usa nga business owner. If you put in place
573. sa iyo mismo tindahan particularly hiton na coffeeshop magbubutang kamo hin
574. policy ma-discount kami bis la one peso ha iyo kung magdadara kamo hin iyo own
575. container you are not only encouraging the people han pag-adhere ha aton plastic
576. ordinance but you are promoting your business as well as an environmental
577. compliant. So magiging double an epekto ha aton, the same goes ha aton mga
578. stall owners didi ha merkado puros kita nag pa-practice hin paggamit hit plastic
579. nabutang kita hin cellophane para ha mga isda for example. Kahuman paglimpyo
580. ha isda waray na gamit an cellophane, diba? We are all guilty of this. Kahuman
581. naton gamit ha cellophane direktso na iton sa basuhan. Sayang ngani it iba kay



582. danay madakmol pero we are trying to change the mindset and behavior of the
583. people particularly didi ha Abuyog nga much in place na aton ordinansa an plastic
584. ordinance hopefully it will revamp into our benefit didi ha munisipyo. Mind you,
585. there are municipalities who are practicing zero waste just like the municipality of
586. Inopacan, municipality of Bato. The municipality of Inopacan is 4th class
587. municipality, municipality of Bato is 3rd class municipality just like na mentioned ni
588. Honorable Allera kita nga 1st class municipality of Abuyog why not. It is a challenge
589. for us as well didi ha municipality level, particularly ha barangay because we will
590. also be asking our barangays particularly our barangays to also monitor in the
591. implementation particularly an ira territorial jurisdiction or area of operation. So,
592. with this opportunity na ini naton, of course an iyo active participation on the
593. enactment pag basa hini nga plastic ordinance. Hopefully we will be able to attain
594. the one vision by our laws ini nga aton RA 9003 on attaining zero waste in the near
595. future. Thank you and maupay nga aga.

596. **HON. SAÑO:** So nabati naton an aton DILG officer. So klaro an iya
597. eksplikasyon. So, nga tanan nga iyo suggestion, sa tanan nga iyo comments noted
598. namon pag abot didi sa plenary sa Sangguniang Bayan amon pa iton paghimay
599. himayon, debatehan. So, kung ano man ang iyo mga suggestion amon iton didto
600. pag istoryhan, sabot sit tanan nga miyembro sit kunseho para kung ano liwat ira
601. ika puno nga kaupayan para sa aton nga tanan. Amo it aton susundon kay always
602. man iton sa Sanggunian Bayan, majority rules kung mayda pipira nga na diri, it
603. kadam.an talaga it nasusunod kun pareho sini patawag kita sin public hearing para
604. pamatian an iyo boses. Kadamo san nag signify nga ma-attender mga busy ada it
605. iba kay waray man hiulpot. So, ugsa kita maniudto aruan ta anay sin parting words
606. an aton adi sa prente an aton mga konsehal. Unahon ta an aton author konsehal
607. Francisco "Boy" Landia.

608. **HON. LANDIA:** Waray ako iba nga masiring kundi salamat san iyo
609. pagtambong san aton public hearing.

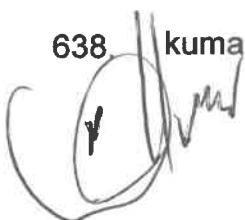


610. **HON. ALLERA:** Amo gihap magpasalamat gihap ako sa iyo pagtambong
611. pinaagi sa amon committee nga naging successful. So amo adto igkuan ko la nga
612. an amon chairman i-submit ini for 2nd reading adi nga martes nga amon session.
613. So, 3rd reading pagka sunod nga martes, adi nga Mayo bangin ma-approved ini sa
614. Sangguniang Bayan so an aton hulaton an publication kinahanglan 15 days after
615. kita mag publication sin local newspaper, local circulation kay mayda man naton
616. penalty may fines so kinahanglan ini ma publish katema pag publish maghulat pa
617. kita san IRR san aton mga agency. So adi man aton MENRO nag attender.
618. Actually sira sini ang secretariat sira sini an mag monitor para maka report sa
619. technical working group. So damo nga salamat sa iyo nga tanan.

620. **HON. SAÑO:** Igkadi ko liwat kamo sa aton ABC President, Honorable Dario
621. Lleve.

622. **HON. LLEVE:** Upay nga aga sa aton nga tanan. Para sa akon side okay ini
623. nga maimplement sa aton bungto. Hinay hinayon la ini diri la tigdaon kay
624. eventually ma approve ini sa Sangguniang Bayan amo ini hinay hinayon pag
625. implement ngan magkaada sin monitoring team sini. Usa la it akon masiring sini
626. mga igkasi ko mulupyo dinhi sa Abuyog. Progreso ini nga programa naton kung
627. mayda naton disiplina sa aton tagsa tagsa, amo la. Salamat.

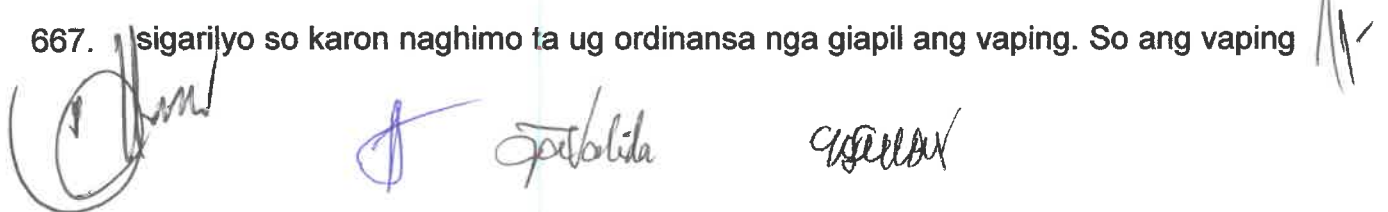
628. **SIR LYLE:** Hello po. Definitely the program of the municipality of Abuyog is
629. to have a zero waste po talaga. So definitely maabot kita hiton na point na mag
630. zero waste kita kun diri man gud zero at least nearest to zero. So may kita 10 years
631. na plano hiton hinay hinay po. So yana ginhinay hinay na kamo, encouragement
632. nala po an aton ighatag ha aton mga client na susumatan ta na hira. Sa hinay
633. hinay, diri na maiha mayda na changes sa mga packaging sit pamaagi iton
634. paghatag sa ira sa aton mga produkto kay para liwat hira an end user maging
635. andam na sit pagbag-o nga maabot. Siring pa an aton mga law makers hinay
636. hinayon ta ini, for definitely maabot talaga kita dida so ma-implement talaga kita.
637. So damo nga salamat san iyo pagkanhi dako na ini nga pagpakita na willing kamo
638. kumarawat hiton changes nga maabot hiton aton bungto. So, damo nga salamat.



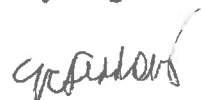
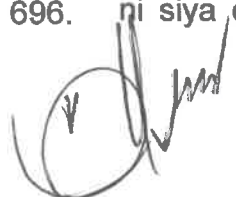
639. **HON. SAÑO:** may gutiay liwat ako na baga ikasumpay. Nahangyo ako sa
640. iyo tagsa tagsa na buligi kami niyo mag ano kami didi sa Sangguniang Bayan kun
641. ang katawhan diri mu-koopera. Buligi kami [ag istorya san iyo igkasi negosyante,
642. igkasi naninda na awhaga na waray man sira makakanhi na hinaot unta magka
643. urusa kita para sa kaupayan sa aton bungto kun diin kung ma-realize kita mismo
644. it diri maapektuhan pag baha baha. Hinaot, siring pa utrohon ko magka urusa kita
645. pagburuglig para sa kaupayan sit aton bungto. The public hearing is now
646. adjourned. Thank you very much.

647. **HON. ALLERA:** Ipadayon ta la ini ako nala mag emcee, an aton adi kuan
648. isingit sini nga public hearing an title sa draft ordinance authored by Hon.
649. Jeannette Valida, chairman committee on public health, sanitation and
650. beautification, vice chairman ako gihap, and member Hon. Editha Deloy and also
651. the committee on barangay affairs chaired by Honorable Dario Lleve, an title sini
652. nga draft ordinance is "AN ORDINANCE REGULATING THE USE, SALE,
653. DISTRIBUTION, AND ADVERTISMENT OF CIGARETTES AND OTHER
654. TOBACCO PRODUCTS, ELECTRONIC NICOTINE AND NON-NICOTINE
655. DELIVERY SYSTEMS, HEATED TOBACCO PRODUCTS AND OTHER NOVEL
656. TOBACCO PRODUCTS, IN CERTAIN PLACES, IMPOSING PENALTIES FOR
657. VIOLATIONS THEREOF AND PROVIDING FUNDS THEREOF, TO INSTILL
658. HEALTH CONSCIOUSNESS AND FOR OTHER PURPOSES" amo it title so para
659. pagpadayon, ighatag ko kamo san aton author, chairman on public health,
660. Honorable Jeannette A. Valida.

661. **HON. VALIDA:** Maayong buntag ka ninyong tanan. Kadali lang ni siya kay
662. kahibalo man tang tanan nga naa na ta'y balaod sa "Anti-smoking" daan na man
663. nga gidili an panigarilyo sa mga public places. Kani siya nga ordinansa nato karon
664. mura na siya ug gi-comprehensive tungod kay giapil na ang vaping kay ang ato
665. balaod sa una puro lang man ang tobacco diba ang sigarilyo lang, ang ato lang
666. kuan an natural lang nga sigarilyo an atong mga balaod adapted lang sa mga
667. sigarilyo so karon naghimo ta ug ordinansa nga giapil ang vaping. So ang vaping

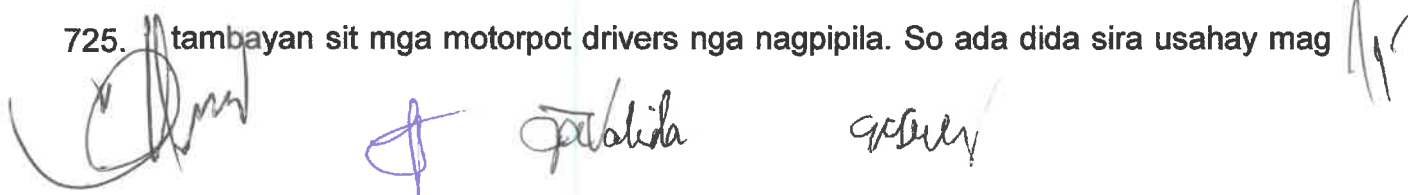


668. mao na dili siya giingon nga gidili, gi regulate lang nato. Dili ingon nga bisag asa
669. nga lugar pwede manigarilyo daan na man ta kabalo ana mga public places ang
670. karon sad gi pa-emphasize nga dapat naay designated vaping or smoking area ug
671. daan pud ta nakabalo nga dapat within 100 meters radius diri pwede mamaligya
672. ug sigarilyo or vape nga duol sa eswelahan, duol sa mga establishment nga diin
673. naa'y mga youth activities, daan na siya nga balaod nato, ang ato la gisapong
674. karon ako lang sad utrohon para ma-emphasize daghan naman gud nga republic
675. acts nga gin incorporate ani niya. Gi-emphasize gani pud ang Clean Air Act nga
676. diin kita nga tanan naa'y katungod pag enjoy sa limpyo nga hangin. So mao ni siya
677. gipaningkamutan nga maduso gihapon ang dili bisag asa lang manigarilyo.
678. Ikaduha ang atong Universal Health Care Act nga bag.o lang, atong 2003 lang na-
679. approved nga diin rampant na ang mga problema sa kanang bahin sigarilyo, mga
680. cases dili man siya ingon nga hundred percent naay cancer tungod sa sigarilyo,
681. naa ta'y mga second smoke diba? Matingala ta nga ngano naa man siya lung
682. cancer nga dili man siya musigarilyo tungod kay kita man nakalanghap. Mas
683. delikado ang second smoke nga gikan sa sigarilyo. So, mao na siya ang usa nga
684. gi-emphasize diha ug ang permente giremind nga dili pwede baligyaan o dili
685. pwede tugutan pagbaligya ang below 21 years old. Sa una below 18 years old
686. diba? Pero naa sa balaod is 21 years old, dili pwede pud nga ato pugson ang bata
687. nga suguon nato nga pagpalit, paliti "nak, dong" dili na siya. Mao na ang usa sa
688. atong gibutang nato. So kini siya naa ta'y designated dapat designated area sa
689. mga public places kini atong municipal ground dapat naa'y designated area ug
690. vaping kung diin ang designated area dili kay kung asa pud nato ibutang. Dapat
691. ang designated area layo sa kanang mga tao nga muagi. 10 meters away nga diin
692. daghan ang mga tao nga mulabay entrance ug exit. Dili lang dinhi sa atong
693. municipal ground, ngadto pud ni sa atong barangay kung diin, kung hain dapit
694. kanang mga tapok tapok dili pwede ngadto ang vaping or smoking area. Ug gi-
695. emphasize sad dinhi, murag kadali lang man gud ni kay daan na ni nga atong unsa
696. ni siya ordinansa sigarilyo nahimo lang ni siya nga comprehensive tungod sa



697. vaping, gi emphasize sad dinhi ang pag post nga "Strictly No Smoking and No
698. Vaping" ug gihangyo sad, gi apil sad dinhi nga ang mga ka.anan nga mag serve
699. kung ngain ta pwede mangaon an restaurant dapat naa pud designated area dili
700. ingon nga kita, kini nga restaurant naa ta'y tapad sa lamesa pwede manigarilyo,
701. pwede manigarilyo sa usa nga kan.anan pero tua sa designated area. Sa kanang
702. hotel pwede manigarilyo pero dapat naa sa designated area. So kanang
703. establishment dapat maghimo siya ug designated area, paghimo pud sa
704. designated area dili na siya basta basta nga ako tag.iya sa establishment ako ang
705. magbuot. Ang kanang designated area nga himuon imo na siya i-submit dinhi sa
706. atong Municipal Health Officer sa atong engineering kay ila tan.awon ang area
707. kung sakto ba siya dapat ba siya nga butangan sa designated area sa vaping ug
708. smoking. Ug ang gibutang dinhi sa ordinansa sad nga magbaligya ug vape ug
709. sigarilyo dapat naa'y valid business permit and license to sell and retail or
710. wholesale dinhi sa atong munisipyo. So, ang kanang sigarilyo wala'y problema kay
711. naa ta'y mga business permit nga namaligya ta ug sigarilyo gisapong lang dinhi
712. ang sa vape kay naa ta'y mga vaping stores dinhi nga uban wala nagkuha ug
713. permit kay murag bag.o raman gud nang vape nagtika sosyal, kahuna nila nga
714. ang vaping is safe mas mu prefer kay less nicotine kuno pero mas delikado ang
715. vape. Then naa ta'y penalty 1st offense Php 1000, 2nd offense Php 2000 and then
716. 3rd offense Php 3000. Kini siya kung dili kaya pagbayad sa penalty naa'y equivalent
717. nga number of hours nga community service so kung dili ka kaya pagbayad sa
718. penalty nga 1000 nga 1st offense nato. Papilion ta, mag community service ta ug
719. pila ka oras equivalent pud sa 1000 nga mahuman na siya. So kato nga gi-
720. emphasize kato lang siya ang nasapong sa ordinansa sa anti-smoking. Ug naa
721. mo'y isapong nato sa atong ordinansa or suggestion, open ang table sa any
722. suggestion.

723. **BRGY. SECRETARY:** Good morning. Ma'am sugad siton sa amon sa Sta.
724. Fe, diba ada in school and then edge siton pader ada in bagan iton area nga
725. tambayan sit mga motorpot drivers nga nagpipila. So ada dida sira usahay mag



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726. surusigarilyo, ano man disallow? Allowed ba kami pag disallow siton sa ira pag,
727. diri sira pwede dida magsigarilyo.

728. **HON. VALIDA:** Oo, may katungod kita kay bisan pa ini nga ordinansa wala
729. pa ni siya mapasa naa'y daan an ordinansa sa anti-smoking nga permanente nga
730. 100 meters away sa eskwelahan, elementary, highschool, colleges or youth
731. centers nga diin may activities bahin sa kanang mga bata o mga youth nga dili
732. pwede mamaligya ug sigarilyo or naa didto ang designated area sa sigarilyo. Bisan
733. dili pa ni ingon siya nga gipasa nato ni ron, daan na nga naay balaod sa kanang
734. 100 meters.

735. **BRGY. SECRETARY:** So, pano man kun makakita. Pano man pagsiring o
736. pagsaway nga baga diri liwat.

737. **HON. VALIDA:** Ang ato lang pud para dili ta ingon kontrahan sa barangay
738. dili pud nato ignon nga "hoy" hinay hinayon nato pagpasabot nga kini siya balaod
739. kini nga ordinansa dugay na ni siya ato lang hinay hinayan nga dili lang ta dinhi
740. manigarilyo kay bawal na gyud. Mag warning anay.

741. **BRGY. SECRETARY:** Sugad siton sa amon mayda baya didto sea wall
742. tapos mayda gihap mga tambay labi na kung hapon. Mayda man gud siton
743. manigarilyo, so ano man iton?

744. **HON. VALIDA:** Maghimo lang ta ug designated area, ang designated area
745. dapat tuod is open. So didto sa sea wall pwede didto pero naa la'y area nga tua
746. sila dapat manigarilyo. Dili kay naa tanan naglumbay nga pwede ra. Naa'y
747. designated area. I recognize Honorable Allera. Thank you tuod sa secretary sa
748. Brgy. Sta. Fe.

749. **HON. ALLERA:** Thank you. An aton balaod daan na, ada dida nga 100
750. meters gikan sa mga eskwelahan nga diri pwede magbaligya diri gihap pwede
751. magpalit labi na ang mga menor de edad pero ang aton designated area, bag.o la
752. naton himuan sin ordinansa nga pareho sa Southern Leyte didto igin diri gud an
753. panigarilyo basta waray didto designated area. So an akon gihangyo sa aton
754. bungto mabutang kita sin designated area la para pagsigarilyo sa bug.os nga

755. designated area. So pagkaadi waray pa naton ordinansa, waray pa designated
756. area pero pagbaligya sin sigarilyo ngan liquor 100 meters sa eskwelahan, college
757. elementary. Mayda naton ordinansa nga 100 meters. Amon himuon ang Municipal
758. Engineering Office nga mag-identify na sila kung hain ibutang adton designated
759. area for smoking only. Thank you.

760. **BRGY. SECRETARY:** Sugad sa amon sa Sta. Fe, iton mga kaurog siguro
761. nga tindahan namaligya sin sigarilyo ngan sin liquor it ira man la siton gilukat it sa
762. barangay man la pero waray sira sa munisipyo. Ano man iton?

763. **HON. VALIDA:** Amo man an nakabutang sa ordinansa, an allowed to
764. dispense either wholesale or retail sa sigarilyo, vape or tobacco naa la'y business
765. permit.

766. **BRGY. SECRETARY:** Kun mukuha sin business permit, mukuha pa sa DTI
767. so kinahangalan gud na muagi sa proseso. Kun mu-decline sira mam paglukat kay
768. siyempre mahal, kwarta baya gihap.

769. **HON. VALIDA:** Oo, dako na baraydan.

770. **BRGY. SECRETARY:** Kun diri sira mulukat sin lisensya diri na lang sira
771. mag baligya?

772. **HON. VALIDA:** Sige la, suggestion.

773. **HON. ALLERA:** Maupay iton nga question niya, kay at least bangin iton
774. author an imo pangutana kay an mga gudte na mga tindahan la. Pwede na mag-
775. suggest gihap ako as member sa committee nga municipal business
776. permit/barangay business permit amo nala iton konsehala. Butangan nala naton
777. sin sugad siton barangay business permit and or barangay business permit para
778. mayda niyo. Amo nala an akon suggestion depende sa aton author.

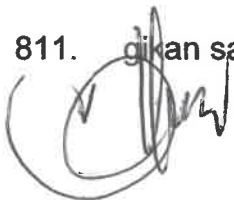
779. **HON. VALIDA:** Thank you, ig note adto.

780. **BRGY. KAGAWAD:** so magiging problema talaga labi na adi nga fiesta
781. fiesta. So, an multi-purpose consider as public places, so sayawan waray kasi
782. ticket dida sa multi purpose.

783. **HON. VALIDA:** Thank you, Konsehal sa Brgy. Malaguicay. So, tinuod jud
784. na siya labi na karon nga mag fiesta fiesta na man. So, diha sa sulod sa sayawan
785. tapad lang sa ato lamesa manigarilyo so karon maghinay hinay ta pagpasabot nga
786. dili man ingon na karon ra ni siya nga balaod. Dugay na ni siya nga balaod, unsa
787. man na nga manigarilyo sa akong tapad mahimo na nato nga kaaway kay
788. sawayon masuko kung buot nato huna hunaon dugay na nga balaod so karon ato
789. na hinay hinayon pag explain nga maghinay hinay pud ta ug implement.
790. Naghingyap man ta nga dili magpataka ug panigarilyo so maghinay hinay pud ta
791. pag istorya sa ila nga ngadto ta manigarilyo dili man ingon nga gibawal, pwede
792. man manigarilyo pero tuay lugar sa gawas kun diin pwede ra mo manigarilyo. So
793. mag designate ta sa barangay multi-purpose kung asa pwede naay designated
794. area mag vape o mag sigarilyo pero tua sa gawas dili sa sulod sa multi-purpose
795. hall.

796. **HON. ALLERA:** Ngan gi-awhag naton nga tanan na barangay mag identify
797. na kamo sin iyo designated area sa iyo barangay para ma-recommend naton sa
798. engineering kay bangin mag implement kamo labi na kun mag strikto dayon kamo,
799. hain man kami manigarilyo? Waray pa kamo mag identify, kitaon sa ordinansa
800. may ada designated area hain man kami? So amo iton kay bangin ba magka
801. debate so mag identify na kamo daan sa barangay sit designated area. Basta it
802. importante it iyo i-identify, harayo sa eskwelahan, harayo sit public places at least
803. 100 meters tikang sit public place, sayawan or multi-purpose mag identify kamo
804. dida 100 meters tikang sit iyo multi-purpose baktas sira ngadto sin 100 meters
805. anay. Pag identify nala kamo daan an social services nga mga Kagawad para it
806. kapitan amo it mag submit ngadi sa engineering office para mahalakip SIRA kun
807. hain an iyo mga designated area didto sa iyo mga barangay. Kay mag istriktohay
808. na ngani mag implement na kita, may penalties gud iton dida sa ordinansa so
809. mayda na niyo matudlo nga designated area sit manigarilyo. Thank you.

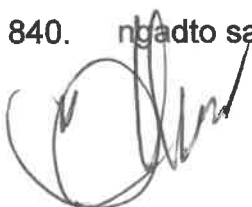
810. **BRGY. KAGAWAD:** Hello good morning. May concern ako, 100 meters
811. gikan sa mga school ang nagbaligya hin mga liquor. May suggestion ako why not



812. ang munisipyo mismo makadto per barangay sa mga business owner para
813. magpasabot.

814. **HON. VALIDA:** Sige kay naa man na'y note mam. Pero kung musiring na
815. kanang maka-away maghinay hinay pud ta ug hatag ug pasabot kay kana siya dili
816. man ingon kita sa barangay dili man pud ingon nga dinhi sa munisipyo ang
817. munisipyo ang nagbuot an national law atong gi adopt dinhi sa atong local naghimo
818. ta ug ordinansa pud. So ato lang hinay hinayon ug istorya nga para maka hinay
819. hinay pud sila ug asa sila pwede mamaligya, pero sige lang amo i-take note na
820. siya nga suggestion.

821. **HON. ALLERA:** Ngan usa pa, once ngani may ordinansa ngani sit
822. munisipyo not necessarily nga an munisipyo ang magkadto, kamo mismo sa
823. barangay iyo na iton pandilyo man iton sanhi na mayda naton bago nga balaod
824. nga ipa implementar sa aton munisipyo nga amo ini. Iyo ipasabot ngadto nga daan
825. pinaagi san ordinansa sa munisipyo igin diri an amo na it ipasabot na ngadto kay
826. it iyo basehan an ordinansa sa munisipyo so not necessarily na an munisipyo ang
827. mukadto kay kamo it mag implement sa barangay siton aton ordinansa sa
828. munisipyo pareho ba sit national law diri na nakanhi it mga national officials sit
829. bungto. An bungto na it mag implement san national law kay makuri sira pa
830. pagkanhi maglibot libot sa bug.os ng Pilipinas. Pero not necessarily nga pwede
831. gihap ang bungto ngadto magpasabot diri necessary, pero pwede gihap. An
832. importante nga kamo mismo sa barangay, pinaagi sa ordinansa ipakita sa ira kun
833. mayda magpakiana signgon niyo nga mag-implement it barangay sit ordinansa,
834. gipa-implement kami sit munisipyo sugo la kami sa munisipyo ada sa ordinansa
835. nga kami ang mag implement sini so amo it iyo ipasabot ngadto any question total
836. waray pa man niyo i-adopt mag implement mayda nagkuan, pwede kamo mag
837. report dinhi sa munisipyo sa police para kun mayda diri nagsunod ma penaltihan
838. siya pinaagi sa aton implementing agency. Ipasabot niyo nga mayda didto namon
839. diri musugot amo na it iyo pagkadi sa sawang para ma implement na niyo fully
840. ngadto sa barangay. Thank you, madam chair.



841. **HON. VALIDA:** Pwede pud palihug kanang isulti ang inyong ngalan ug unsa
842. nga barangay.

843. **BRGY. KAGAWAD:** Hello, good morning. Excellent pud ni nga iyo pag
844. regulate the use of tobacco. So an akon recommendation kay sa akon mga
845. kabarangayan, kaingin, plastic... not cigarettes adto siya gi mention nga violation
846. other than regulating the use of cigarettes. Thank you.

847. **HON. ALLERA:** Actually parte san kuan plastic, ah buwas mayda gihap
848. naton mga kapitanes, mayda naton public hearing parte gindiri na an plastic dinhi
849. sa aton bungto maghimo kita sin ordinansa parte kuan. Ginidiri na iton mga plastic
850. pati mga tindahan, supot na la it gamiton. Mayda naton public hearing buwas, an
851. maruyag pag attender sa public hearing buwas alas 9 anhi gihapon sa putyukan,
852. parte siton plastic sa aton bungto an mga tindahan adto didto. Buwas na iton
853. sabtan kay maupay iton na ordinansa kay nag panonobra na an aton plastic sa
854. aton bungto.

855. **HON. VALIDA:** Thank you, sa recommendation ni kuya pero kung ato
856. nahinumduman naa'y balaod ang ato DA nga nagpalusad ang Gov. panahon to ni
857. Gov. Icot before nahuman ang iyang term kay nagbag.o man siya karon. Sa
858. panahon ni Gov. Icot naa to'y provincial ordinance pag dili pagsunog sa mga uhot,
859. kay mao na ang usa nga problema nato inig kahuman ug ani sunugon sa mga tag-
860. iya o paragtanom ang uhot kay kadali lang na siya. Naa na siya'y ordinansa, so
861. ato nalamang ang kato nalang pagsunog sa cellophane. Ato nalang i-incorporate
862. ugma kay naa man public hearing bahin sa cellophane. So, any suggestion? Any
863. recommendation pa?

864. **BRGY. KAGAWAD:** From Barangay Old Taligue. Sa amon, an aton
865. nahisgutan parte man la sa smoking ngan vaping. How about siton ma-ma,
866. nakakuan kamo sin ma-ma? Maski sa aton terminal kita baya naton bisag asa lang
867. kay hugaw gud tan.awon kay red baya na siya ug color. Ing ana pud na sa among
868. lugar labi na sa bukid. Pinamanagan, down to Mahayahay, Libertad. Kasagaran



869. gud na didto sa amo man. Unsa man kuan an iron, pwede... diha ra sa terminal
870. ang ako na kuanan kay mag sige man sila ug anha anha. Mao ra to, salamat.

871. **HON. VALIDA:** Thank you konsehala sa imong suggestion. Nindot na siya
872. kay nag connect na man gikan sa concern sa environment. Ang smoke is
873. environment then health, karon ningadto na gyud ta sa health. So, ato na siya
874. bilangan kung unsa'y maayo anang ma-ma. Dili man lang pud sa inyo barangay,
875. kay sa amo naa gihapo'y ma-ma pero dili siya ingon nga rampant kayo. Ang mga
876. niundang ani nga sigarilyo ningadto sa ma-ma. Maayo nga kuan, ambot gani kung
877. unsa naa sa ma-ma kay niundang ug sigarilyo niadto ug ma-ma,ato na studyuhan
878. kung unsa'y maayo ana pag regulate. Kay dili man nato pwede idili kay para sa
879. mga niundang ug sigarilyo, pabor nato kay niundang ug sigarilyo miari sila ug ma-
880. ma problema pud nato kay pataka ug luwa. Ato na i-studyuhan ug unsa'y maayo
881. ana. Any recommendation? Suggestion? Wala na? For the meantime, ako ihatag
882. kay Honorable Landia.

883. **HON. LANDIA:** Thank you, madam chair. Ah for the meantime, waray naton
884. ordinansa para siton na ma-ma, mayda man naton anti-littering ordinance an
885. paglabog sin mga hugaw dida sa kalsada, pwede naton i-implement ang
886. ordinance, kay an tupra san tao hugaw man gihap iton, labot la sit pag ihi. Mayda
887. naton anti-littering ordinance pwede na i-implement anay naton for the meantime
888. kay hugaw man gihapon iton sa kalsada, public places or kung diin pa. So pamati
889. ko mayda man naton existing ordinance, kung pwede mudaop la kamo sa amon
890. SB Secretary para siton na ordinance.

891. **HON. VALIDA:** Any suggestion? Recommendation? Wala na?

892. **BRGY. KAGAWAD:** From Barangay Mahagna. Section 14 (children's
893. code) Smoking of minors, kasi ang nakabutang la didi ang tao la ngan it
894. establishment an nababaligya sin sigarilyo an patawan sin penalty diri ba pwede
895. nga it tatay na nagsusugo san iya anak i-apil? Kay diba child protection an aton
896. giistoryahan, sa dapat una una ang parents mismo.

897. **HON. ALLERA:** An magsugo, basta minor. Kay an tindahan pwede naton
898. kihaan nga diri pwede magpapalit basta minor adi iton sa ordinansa gihapon. Diri
899. pwede ang minor mupalit, kay kun tagaan siya san tindahan pwede kihaan ang
900. tindahan, not necessary ang parents ang kihaan. Dili man kita kasabot nga ang
901. parents ang nagsugo. Basta igindiri it minor pagsigarilyo ngan sin pagpalit. Once
902. magpalit it minor, gindiri ang pagpalit. Manigarilyo man siya o diri basta gindiri iton.
903. An tindahan pwede kihaan. Kay diri papaliton, once gani magpapalit ang tindahan
904. siya it kihaan.

905. **HON. VALIDA:** So any suggestion pa? wala na? So, thank you sa pag
906. attend. Now deliberation for the public hearing of draft ordinance on the
907. REGULATING THE USE, SALE, DISTRIBUTION, AND ADVERTISEMENT OF
908. CIGARETTES AND OTHER TOBACCO PRODUCTS, ELECTRONIC NICOTINE
909. AND NON-NICOTINE DELIVERY SYSTEMS, HEATED TOBACCO PRODUCTS
910. AND OTHER NOVEL TOBACCO PRODUCTS, IN CERTAIN PLACES,
911. IMPOSING PENALTIES FOR VIOLATIONS THEREOF AND PROVIDING
912. FUNDS THEREOF, TO INSTILL HEALTH CONSCIOUSNESS AND FOR OTHER
913. PURPOSES is now adjourned.

Public Hearing is now adjourned.

ATTESTED BY:


ARSENIO Y. VILLOTE
Sangguniang Bayan Secretary

CONCURRED:


HON. FRANCISCO B. LANDIA
SB Member


HON. EDMUNDO P. SAÑO
SB Member


HON. JEANNETTE A. VALIDA
SB Member


HON. ARNOLD R. ALLERA
SB Member


HON. DARIO P. LLEVE
SB Member, ABC President



Republic of the Philippines
MUNICIPALITY OF ABUYOG
PROVINCE OF LEYTE



Office of the Sangguniang Bayan

ATTENDANCE

SANGGUNIANG BAYAN COMMITTEE HEARING/PUBLIC HEARING REGARDING
DRAFT ORDINANCE REGULATING THE USE OF PLASTIC CELLOPHANE AND
SANDO BAGS AS PACKAGING MATERIALS AND UTILIZATION OF POLYSTYRENE
COMMONLY KNOWN AS STYROFOAM, FOR FOOD AND BEVERAGES CONTAINERS
AND DRAFT ORDINANCE REGULATING THE USE, SALE, DISTRIBUTION
AND ADVERTISEMENT OF CIGARETTES AND OTHER TOBACCO PRODUCTS,
ELECTRONIC NICOTINE AND NON-NICOTINE DELIVERY SYSTEMS

DATE: APRIL 25, 2024

TIME: 9:00 A.M.

VENUE: PUTYUKAN SAN ABUYOG, MUNICIPAL COMPOUND

MENU: _____

	NAME	POSITION	ADDRESS	SIGNATURE
				<i>[Signature]</i>
1.	MIRA D. SORHA	P.B	STO-NINO	<i>[Signature]</i>
2.	JULIUS C. FELICIANO	P.B	San Roque	<i>[Signature]</i>
3.	Felicita Penson	P.B	GUINTAGSTUCAN	<i>[Signature]</i>
4.	CHRISTOPHER X. ELEM	"	Comps	<i>[Signature]</i>
5.	Vicente O. Marti	P.B.	Picas San	<i>[Signature]</i>
6.	Jenny D. Robin	P.B	mahagna	<i>[Signature]</i>
7.	Josethnio G. Macasa	P/B	NEBGA	<i>[Signature]</i>
8.	JAY RICH PERRO	P/B	KULUNGAN	<i>[Signature]</i>
9.	PROMER B. GAIN	P.B.	CAUBOW	<i>[Signature]</i>
10.	ADNER D. LUTA	P.B.	DINGLE	<i>[Signature]</i>
11.	GAD EIMIDO	P.B	CARAY	<i>[Signature]</i>
12.	NOEL Q. QUESA	P.B	CAN-APORAN	<i>[Signature]</i>
13.	RONALD U. MARCELIN	P.B.	BATA-PAT	<i>[Signature]</i>
14.	Promuldo N. Gorrogo	P.B.	Balocawe	<i>[Signature]</i>
15.	ELMER R. PEYES	P.B	VICTORY	<i>[Signature]</i>
16.	ELISEO M. ARANDA	P.B	CANARATING	<i>[Signature]</i>
17.	Sammy Nicotae	P.P	Kaipuran	<i>[Signature]</i>
18.	ERIC A. ATLENZA	P.B	BUENAVISTA	<i>[Signature]</i>
19.	EUSEO M. ARANDA	P.B	CANARATING	<i>[Signature]</i>
20.	JUNWELL ESPINOSA	P.M	Imo	<i>[Signature]</i>

Prepared by: DWYNAVIC G. ROBIN

Certified True and Correct:
EDUARDO P. SANDO



Republic of the Philippines
MUNICIPALITY OF ABUYOG
PROVINCE OF LEYTE



Office of the Sangguniang Bayan

ATTENDANCE

SANGGUNIANG BAYAN COMMITTEE HEARING/PUBLIC HEARING REGARDING DRAFT ORDINANCE REGULATING THE USE OF PLASTIC CELLOPHANE AND SANDO BAGS AS PACKAGING MATERIALS AND UTILIZATION OF POLYSTYRENE COMMONLY KNOWN AS STYROFOAM, FOR FOOD AND BEVERAGES CONTAINERS AND DRAFT ORDINANCE REGULATING THE USE, SALE, DISTRIBUTION AND ADVERTISEMENT OF CIGARETTES AND OTHER TOBACCO PRODUCTS, ELECTRONIC NICOTINE AND NON-NICOTINE DELIVERY SYSTEMS

DATE: APRIL 25, 2024

TIME: 9:00 A.M.

VENUE: PUTYUKAN SAN ABUYOG, MUNICIPAL COMPOUND

MENU:

	NAME	POSITION	ADDRESS	SIGNATURE
1.	Naome Tabugon	P.B	Old Taligue	
2.	INT R. POLIQUIT	P.B	Capili-on	
3.	MA. LORENA VIMACONTE	P.B	MAH-AMONGAN	
4.	MAYLA ERIENE R. MARI	P.B	SALVACION	
5.	LOURDELL CASTAÑAS	P.B	Bahinbasangay	
6.	Lydia P. Sngarob	P.B	Dulak	
7.	Lorena S. Rimanabba	P.B.	Sta. Lucia	
8.	Janie L. Tuyen	P.B	Bagnay	
9.	LOUIE T. GRACA	P.B	Malaguical	
10.	ELMA N. NIÑOPRANON	P.B	DAGSANG-AN	
11.	Annalyn D. Humangit	P.B.	Tuyon	
12.	EDMUNDO U. SANDO JR	P.B.	LOYONSAWANG	
13.	RUEL L. SUTUYAWAN	P.B	LIBERTAD	
14.	CESAR M. ANTON	P.B	BURUBUD-AN	
15.	GRACIA M. PAPONY	P.B	NEW TALIGON	
16.	ELEGIO C. RAMOS	P.B	KIKILO	
17.	SOPRONIO U. CASAHIT	P.B.	MAITUM	
18.	NOEL A. REPITO	P.B	CADAC-AN	
19.	EDGAR PARRIL	P.B	MAXMANAGAN	
20.	Ma. Elisa C. Robin	P.B	Bunga	

Prepared by:

DWEYNAYIC G. ROBIN

Certified True and Correct:

EDMUNDO P. SANDO



Republic of the Philippines
MUNICIPALITY OF ABUYOG
PROVINCE OF LEYTE



Office of the Sangguniang Bayan

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SANGGUNIANG BAYAN COMMITTEE HEARING/PUBLIC HEARING REGARDING
DRAFT ORDINANCE REGULATING THE USE OF PLASTIC CELLOPHANE AND
SANDO BAGS AS PACKAGING MATERIALS AND UTILIZATION OF POLYSTYRENE
COMMONLY KNOWN AS STYROFOAM, FOR FOOD AND BEVERAGES CONTAINERS
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ELECTRONIC NICOTINE AND NON-NICOTINE DELIVERY SYSTEMS

DATE: APRIL 25, 2024

TIME: 9:00 A.M.

VENUE: PUTYUKAN SAN ABUYOG, MUNICIPAL COMPOUND

MENU:

	NAME	POSITION	ADDRESS	SIGNATURE
1.	ROLAND DE VERA	P.B.	NAKIBUNAN	
2.	JOHN PIN TRATA	P.B.	STA. FE	
3.	EVARONIO DUMAC	P.B.	AROGANAYAN	
4.	MARCELO ATANODON	P.B.	SAN FRANCISCO	
5.	MELISSA VETZONA	P.B.	ALAYAN	
6.	WILFRIDO T. FRANCISCO JR	P.B.	TADOC	
7.	RIC A. POPONG	P.B.	HAMPILITA	
8.	ALFREDO LAMAR	P.B.	BUAYA	
9.	OMERO P. UYEF	P.B.	TALBUE	
10.	RUFFO P. TITLANDO	P.B.	OLIBUNAN	
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Prepared by:

DWIEYNAYIC G. ROBIN

Certified True and Correct:

EDUARDO P. SANDO