

Item No.: 14
Date: 22 2024 OCT

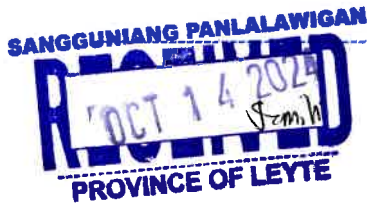


Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

Province of Leyte
Legal Office
Received: *[Signature]*
Time: *9:00*
Date: *10-11-24*

-oOo-

PROVINCIAL LEGAL OFFICE



2nd **INDORSEMENT**
October 9, 2024

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through SP Secretary, the attached Ordinance No. 195 of the Sangguniang Bayan of Matag-ob, Leyte.

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

- Ordinance No. 195 entitled: **“Sa Basura may Kwarta Ordinance.”**

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the subject Ordinance is generally in accordance to its power under Section 16, Article II ¹ of the 1987 Constitution in consonance with RA 9003². 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.

[Signature]
ATTY. JOSE RAYMUND A. ACOL
Asst. Provincial Legal Officer

¹ *The State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature.”*

² *“(Ecological Solid Waste Management Act of 2000)”*

Republic of the Philippines
PROVINCE OF LEYTE

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

Province of Leyte
Legal Office
Released: *[Signature]*
Time: *[Signature]*
Date: 10.8.24

2nd Endorsement
07 October 2024

Respectfully endorsed to the **PROVINCIAL LEGAL OFFICE** the herein **MUNICIPAL ORDINANCE NO. 195** of the **MUNICIPALITY OF MATAG-OB, LEYTE**, which is self-explanatory, for review and recommendations.

[Signature]
FLORINDA JILL S. UYVICO
Secretary to the Sanggunian

SP Records
04102024



Republic of the Philippines
Province of Leyte
MUNICIPALITY OF MATAG-OB
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OFFICE OF THE SECRETARY TO THE SANGGUNIAN
SANGGUNIANG PANLALAWIGAN

INDORSEMENT
October 03, 2024




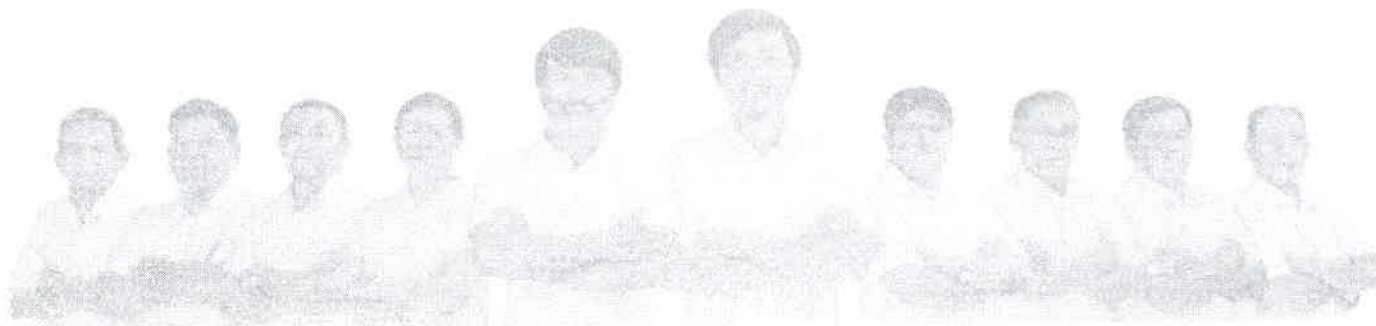
HONORABLE LEONARDO "SANDY" JAVIER
Vice-Governor
Presiding Officer
Sangguniang Panlalawigan of Leyte

Sir:

Respectfully forwarding to your good office the herein attached Municipal Ordinance No. 195 series 2024, of the Sangguniang Bayan of Matag-ob, Leyte, titled: "AN ORDINANCE UTILIZING THE BENEFICIAL USE OF GENERATED DISCARDED RECYCLABLE MATERIALS FROM HOUSEHOLDS WITHIN THE JURISDICTION OF THE MUNICIPALITY OF MATAG-OB, LEYTE AS A GENERATING REVENUE OF THE MUNICIPALITY OF MATAG-OB, LEYTE OR OTHERWISE KNOWN AS "SA BASURA MAY KWARTA ORDINANCE.", for review and approval by the Sangguniang Panlalawigan.

Respectfully,


ANA MARIA SANORIA-ECIJA
Secretary to the Sanggunian





Republic of the Philippines
Province of Leyte
Municipality of Matag-ob

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OFFICE OF THE SECRETARY TO THE SANGGUNIAN

CERTIFICATION OF POSTING

THIS IS TO CERTIFY that copies of Municipal Ordinance No. 195 series 2024, titled "AN ORDINANCE UTILIZING THE BENEFICIAL USE OF GENERATED DISCARDED RECYCLABLE MATERIALS FROM HOUSEHOLDS WITHIN THE JURISDICTION OF THE MUNICIPALITY OF MATAG-OB, LEYTE AS A GENERATING REVENUE OF THE MUNICIPALITY OF MATAG-OB, LEYTE OR OTHERWISE KNOWN AS "SA BASURA MAY KWARTA ORDINANCE.", of the Sangguniang Bayan of Matag-ob, Leyte are posted in Three (3) conspicuous places within the municipality of Matag-ob, Leyte for three consecutive weeks from September 09, 2024.

This certification is issued in compliance with Section 59 of R.A. 7160, otherwise known as the Local Government Code of 1991.

Issued this 3rd. Day of October, 2024.


ANA MARIA SANORIA-ECIJA
Secretary to the Sanggunian



REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE

MUNICIPALITY OF MATAG-OB

SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGUNIANG BAYAN OF MATAG-OB, LEYTE, HELD AT THE LEGISLATIVE SESSION HALL ON SEPTEMBER 23, 2024.



MUNICIPAL ORDINANCE NO. 195

(Proposed Mun. Ord. No. 215)

AN ORDINANCE UTILIZING THE BENEFICIAL USE OF GENERATED DISCARDED RECYCLABLE MATERIALS FROM HOUSEHOLDS WITHIN THE JURISDICTION OF THE MUNICIPALITY OF MATAG-OB, LEYTE AS A GENERATING REVENUE OF THE MUNICIPALITY OF MATAG-OB, LEYTE OR OTHERWISE KNOWN AS "SA BASURA MAY KWARTA ORDINANCE.

Author : Honorable Romeo N. Albarida
Co-authors : Hon. Artemio T. Almoroto
Hon. Orlando G. Viacrusis
Hon. Eduardo E. Toledo
Hon. Paolo Antonio C. Laurente
Hon. Ricardo L. Giva

WHEREAS, pursuant to the relevant provision of R.A. No.7160 the role of the LGUs in Solid Waste Management shall be primarily responsible for the implementation and enforcement of the provision stated in Republic Act 9003, also known as the Ecological Solid Waste Management Act of 2000;

WHEREAS, Section 12 of Republic Act of 9003, otherwise known as "The Ecological Solid Waste Management Act of 2000", provides that local government units should adopt specific revenue-generating measures to promote the viability of the said waste management plan;

WHEREAS, it is imperative to recognize that discarded recycled waste can be converted into a more sustainable and productive resource;

WHEREAS, Section 20 of R.A. 9003, the LGU shall divert 25% of all solid waste from waste disposal facilities through re-use, recycling, composting and other sources of recovery;

WHEREAS, selling recyclable waste helps the municipality to increase the diversion rate, reduce the volume of waste sent to landfills and promote a more sustainable approach to waste management;

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September 23, 2024



"The Town of United and Happy People"

ONE LGU Matag-ob, Leyte

MacArthur St., New SB Building,
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Barangay San Guillermo, Matag-ob, Leyte
6532 Philippines



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MUNICIPALITY OF MATAG-OB

SANGGUNIANG BAYAN

WHEREAS, the municipality incurs expenses in the collection, sorting and processing of non-biodegradable wastes. Selling recyclable materials to junkshops helps to offset some of the costs associated with waste management operations;

WHEREAS, the sale of recyclable waste can provide an additional source of income for the municipality;

WHEREAS, the proceeds of the sale of the recyclable waste will be used to support waste management programs, projects and activities.

NOW, THEREFORE, BE IT ORDAINED BY THE SANGGUNIANG BAYAN OF MATAG-OB, LEYTE IN REGULAR SESSION ASSEMBLED, THAT:

Section 1. Title-This ordinance shall be known as "AN ORDINANCE UTILIZING THE BENEFICIAL USE OF GENERATED DISCARDED RECYCLABLE MATERIALS FROM HOUSEHOLDS WITHIN THE JURISDICTION OF THE MUNICIPALITY OF MATAG-OB, LEYTE AS A GENERATING REVENUE OF THE MUNICIPALITY OF MATAG-OB, LEYTE OR OTHERWISE KNOWN AS "SA BASURA MAY KWARTA ORDINANCE".

Section 2. Declaration of Policies- It is a declared policy of the Local Government Unit of Matag-ob, Leyte that the generated discarded recyclable materials from the households and barangay Material Recovery Facility may be converted to monetary revenue of Municipality of Matag-ob, Leyte.

Section 3. Purpose and Scope- The purpose of this ordinance is to generate sales from discarded recyclable waste generated from household and barangay Material Recovery Facility within the jurisdiction of the Municipality of Matag-ob, Leyte.

Section 4 Definition of Terms- As used in this Ordinance, the following terms shall be understood, construed, and shall mean as follows:

Barangay Material Recovery Facility (MRF) – refer to a temporary barangay solid waste collection area for sorting, segregation and transfer station;

Generated- the accumulated volume of recyclable waste materials;

Junkshop- A business establishment that buys, sells, or deals in recyclable materials;

Municipal Solid Waste Management Board- lead in the implementation of the Solid Waste Management Program in respective locality;

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Proceeds- money obtained from collected recyclable waste materials;

Recyclable Materials- are solid waste materials which can be processed making them beneficial for other usage and purposes but not limited to newspaper, ferrous scrap metal, non-ferrous scrap metal, used oil, corrugated cardboard, aluminum, glass, office paper, and tin cans.

Sale- all activities involved in selling a product or service to a consumer or business.

Section 5: Transport and Sale of Recyclable Materials- Recyclable materials collected from households and Barangay MRFs must be safely transported by LGU vehicle and sold to junkshops or recycling centers.

Section 6: Utilization of Sale Proceeds- The revenue generated from the sale of recyclable materials shall be allocated as follows

- 25% - Garbage Collection Personnel and Garbage Sorters
- 50% - LGU
- 25% - MENRO

Section 7. Establishment of the Fund- There is hereby created, a special account of the Municipality of Matag-ob Municipal Ecological Solid Waste Management Fund to be administered by the Municipal Environment and Natural Resources Office. This fund refers to the 25% proceeds of the sale of garbage recyclable materials.

Section 8. Management of the Fund- The Municipal Ecological Solid Waste Management Board shall propose or identify environmental projects/programs/activities to utilize the proceeds with the approval of the Municipal Mayor. The reporting of the fund shall be done transparently: Provided further, that a report on the status and utilization of the fund shall be submitted annually to the Sangguniang Bayan by the Municipal Environment and Natural Resources Officer within four (4) months after audit procedure by the Commission on Audit of each fiscal year.

Section 9. Implementation and Monitoring.

- a. The Municipal Environment and Natural Resources Officer shall be responsible for the implementation and monitoring of this ordinance.
- b. Regular annual report on the volume of recyclable waste sold and revenue generated, shall be submitted to the Office of the Sangguniang Bayan.





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SANGGUNIANG BAYAN

Section 10. Separability Clause. If any provision of this ordinance is declared invalid, the remaining provisions not affected by such invalidity shall remain in full force and effect.

Section 11. Repealing Clause. Any ordinance inconsistent herewith is hereby repealed or modified accordingly.

Section 12. Amendment Clause. This ordinance may be amended or modified as necessary through the appropriate legislative process.

Section 13. Effectivity. This ordinance shall take effect fifteen (15) days after its approval.

CARRIED UNANIMOUSLY.

APPROVED to be enacted with the following votes:

AYE: 8 Votes

1. HON. ROMEO N. ALBARIDA
Senior SB Member
2. HON. ARTEMIO T. ALMOROTO
SB Member
3. HON. JOEL N. DENOY
SB Member
4. HON. EVANGELINE C. CARNO
SB Member
5. HON. ORLANDO G. VIACRUSIS
SB Member
6. HON. PAOLO ANTONIO C. LAURENTE
SB Member
7. HON. RICARDO L. GIVA
SB Member
8. HON. ANA LOVE D. BORDEN
Ex-Officio Member, SK Fed. President

NAYE: 0 Vote

ABSTAIN: 0 Vote

ENACTED this 23rd. day of September, 2024.

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September 23, 2024



"The Town of United and Happy People"

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REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF MATAG-OB
SANGGUNIANG BAYAN

I HEREBY CERTIFY the correctness of the foregoing ordinance duly enacted by the Sangguniang Bayan of Matag-ob, Leyte in regular session on September 23, 2024.


ANA MARIA SANORIA-ECIJA
Secretary to the Sanggunian

**ATTESTED AND CERTIFIED
TO BE DULY ENACTED:**


HONORABLE ROMEO N. ALBARIDA
Senior SB Member


HONORABLE ARTEMIO T. ALMOROTO
SB Member


HONORABLE JOEL N. DENOY
SB Member


HONORABLE EVANGELINE C. CARNO
SB Member


HONORABLE ORLANDO G. VIACRUSIS
SB Member


HONORABLE PAOLO ANTONIO C. LAURENTE
SB Member


HONORABLE RICARDO L. GIVA
SB Member

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September 23, 2024



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 PROVINCE OF LEYTE
MUNICIPALITY OF MATAG-OB
SANGGUNIANG BAYAN

[Signature]

HONORABLE ANA LOVE D. BORDEN
 Ex-Officio Member, Mun. SK Fed. President

[Signature]

HONORABLE VINCENT LYNBERN P. TACOY
 Municipal Vice-Mayor
 Presiding Officer

APPROVED:

[Signature]

HONORABLE BERNANDINO G. TACOY
 Municipal Mayor

8 3 OCT 2024

Date Signed



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