

Item No.: 03

Date: 11 2024 DEC



Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

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PROVINCIAL LEGAL OFFICE

Province of Leyte
Legal Office
Date: 12.5.24



2nd INDORSEMENT
November 15, 2024

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 2024-20 of the Sangguniang Bayan of Tanauan, Leyte.

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

- Ordinance No. 2024-20 entitled: **“An Ordinance providing for the Ecological Solid Waste Management Program of Tanauan, Leyte, etc.”**

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the subject Ordinance is generally in accordance with its power under Section 447(5)(xiii)¹ of the Local Government Code of 1991 (R.A 7160) in relation to R.A. no. 9003². Hence, we recommend 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 the 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 *JRA*

¹ (xiii) Provide for an efficient and effective system of solid waste and garbage collection disposal and prohibit littering and the placing or throwing of garbage, refuse and other filth and wastes

² Ecological Waste Management Act of 2000

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
12 November 2024

Province of Leyte
Legal Office
11-12-24

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Ordinance No. 2024-20 of the Municipality of Tanauan, Leyte**, entitled: **A Ordinance providing for the Ecological Solid Waste Management Program of Tanauan, Leyte and providing fines and penalties for violation any of the provisions thereof and appropriating funds therefor.**

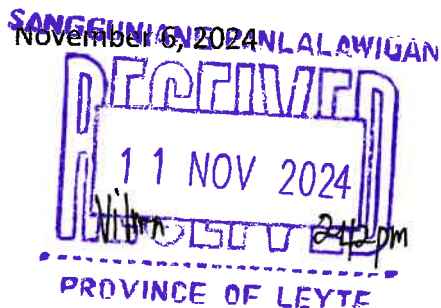

ANDRE S. SANICO
Provl. Govt. Assl. Dept Head



Republic of the Philippines
Province of Leyte
TANAUAN
-oOo-

OFFICE OF THE SANGGUNIANG BAYAN

THE SECRETARY
Sangguniang Panlalawigan
Province of Leyte
Capitol Building
Tacloban City



Sir/Madam;

Respectfully submitting herewith 16th SB ORDINANCE NO. 2024-20, "An Ordinance providing for the Ecological Solid Waste Management Program of Tanauan, Leyte and providing fines and penalties for violation any of the provisions thereof and appropriating funds therefor", for your appropriate action.

Authored by: Hon. Mae Jane Angelie M. Morabe-Borais
Co-authors: Hon. Ma. Martina L. Gimenez
Hon. Atty. Isagani S. Espada

Trusting that you will accord this matter with your kindest attention.

Thank you.

Truly yours,


Atty. Miamor D. Natividad
OIC - Sangguniang Bayan Secretary

Republic of the Philippines
Province of Leyte
TANAUAN
-o0o-
SANGGUNIANG BAYAN



EXCERPT FROM THE MINUTES OF THE 114th REGULAR SESSION OF THE 16th SANGGUNIANG BAYAN OF TANAUAN, LEYTE, HELD ON OCTOBER 21, 2024, AT THE SB SESSION HALL, TANAUAN TOWN HALL, TANAUAN, LEYTE.

PRESENT :

HON. ARCHIE LAWRENCE R. KAPUNAN	Municipal Vice-Mayor/Presiding
HON. JAN ELMER V. MAGDALAGA	Sangguniang Bayan Member
HON. MAE JANE ANGELIE M. MORABE- BORAIS	-do-
HON. MARK EFREN E. MERILO	-do-
HON. ATTY. ISAGANI S. ESPADA	-do-
HON. QUINTIN T. OCTA, JR., D.M.D.	-do-
HON. CHERRY ANNE T. FIEL	-do-

ABSENT :

HON. PAUL EMMANUEL R. CINCO (on leave)	-do-
HON. JOSIE M. CREER (official travel)	-do-
HON. EFREN C. MERILO (on leave)	-do-/Liga Fed. Pres.
HON. KYLE C. MESIAS (on leave)	-do-/ SK Fed. Pres.

ORDINANCE NO. 2024 – 20

AN ORDINANCE PROVIDING FOR THE ECOLOGICAL SOLID WASTE MANAGEMENT PROGRAM OF TANAUAN, LEYTE AND PROVIDING FINES AND PENALTIES FOR VIOLATION ANY OF THE PROVISIONS THEREOF AND APPROPRIATING FUNDS THEREFOR.

Authored by: Hon. Mae Jane Angelie M. Morabe - Borais
Co- Authors : Hon. Ma. Martina L. Gimenez
Hon. Atty. Isagani S. Espada

BE IT ENACTED BY THE SANGGUNIANG BAYAN OF TANAUAN, LEYTE IN REGULAR SESSION ASSEMBLED THAT:

WHEREAS, Republic Act No.9003, otherwise known as the Ecological Solid Waste Management Act of 2000, provides that the Policy of the State is to adopt a systematic, comprehensive and ecological solid waste management program which shall ensure the proper segregation, collection, transport, storage and treatment and disposal of garbage and adoption of the best environmental practices in Solid Waste Management;

WHEREAS, Section 3 of the Local Government Code (LGC) provides that, local government units shall share with the National Government the responsibility in the management and maintenance of ecological balance within their territorial jurisdiction, subject to the provisions of this Code and national policies;

WHEREAS, the Sangguniang Bayan of Tanauan, Leyte recognizes the need to have Solid Waste Management process for household, business establishments and institutions, incorporating thereby waste related ordinances, executive orders and regulations;

WHEREAS, the Local Government Code of 1991 empowers the local government units to enact/approve ordinances which shall ensure an efficient and effective system of solid waste and garbage collection and disposal, including the prohibition on littering and the placing or throwing of garbage, refuse and other filth and waste;

WHEREAS, under Section 16 of the General Welfare Clause of the LGC, xxx within their respective territorial jurisdictions, local government units shall ensure and support, among other things, the preservation and enrichment of culture, promote health and safety, enhance the right of the people to a balanced ecology, encourage and support the development of appropriate and self-reliant scientific and technological capabilities xxx maintain peace and order, and preserve the comfort and convenience of their inhabitants;

WHEREAS, this Ordinance enjoins all residential, commercial, industrial establishments, as well as private and government institutions to adhere to the provisions on segregation at source, recycle, reuse and reduce.

WHEREAS, the Barangays play a vital and important role in the proper implementation of this Ordinance;

WHEREAS, **Presidential Decree No.856 or the Sanitation Code of the Philippines** provides that the health of the people being of paramount importance, all efforts of public services should be directed towards the protection and promotion of health, and thus, the formulation of refuse disposal under Chapter 18 of the same Code;

WHEREAS, in the implementation of this Ordinance, it is an objective that only refuse wastes or residue wastes are the only ones to be collected by the Municipality, thereby in effect, lessening environmental funding and expenses, and divert the savings generated therefrom to more sustainable programs of the Municipality.

**ARTICLE I
GENERAL PROVISIONS**

SECTION 1. SHORT TITLE. This Ordinance shall, otherwise, be known as the **“AN ORDINANCE FOR THE ECOLOGICAL SOLID WASTE MANAGEMENT PROGRAM OF THE MUNICIPALITY OF TANAUAN, LEYTE.”**

SECTION 2. SCOPE and COVERAGE. This Ordinance shall apply to all households, commercial establishments, such as hotels, resorts, recreational centers, restaurants, public markets, department stores, groceries, sari-sari stores, stalls, shops, vendors, parlors, disco houses, and dancing halls, and other commercial establishments in general, institutions like hospitals, clinics, funeral parlors, schools, churches, public and private offices, industrial establishments like slaughterhouses, piggeries, hauler trucks, and all agri-industrial businesses within the territorial jurisdiction of the Municipality of Tanauan, Leyte.

SECTION 3. DEFINITION OF TERMS. As used in this Ordinance, the following terms shall mean:

- a. **BIO-DEGRADABLE** – anything that originate from living things, whether animal, plant or human, which decomposes and reduced into fine particles by microorganism or enzymes, e.g. paper, wood, fruits, peels, leftover, seed fish, fowl innards and the like;
- b. **BULKY WASTE** – refers to waste that has large volume by itself, generally materials with a length of more than one meter e.g refrigerator and other appliances, furniture, large branches of trees;
- c. **COLLECTION** – the gathering/collecting of stored waste, setting it out and hauling them to transfer stations or to other facilities;
- d. **COLLECTION EQUIPMENT** – vehicle used in the gathering or stored waste set out for collection;
- e. **COLLECTION SCHEDULE** – designated time given for the collection of waste in the route;

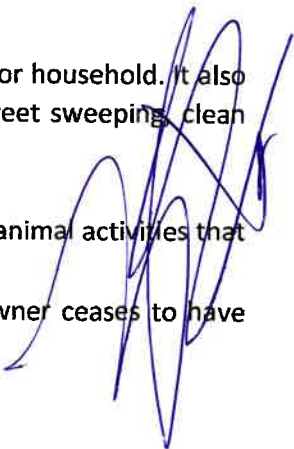
- f. **COMMERCIAL ESTABLISHMENTS** – shall refer to structures or establishments engaged in trade, commerce and services in the Municipality of Tanauan, Leyte;
- g. **COMMERCIAL WASTE** – consists of waste from premises used mainly for the purposes of a trade or business or for the purpose of sport, recreation, education, or entertainment, but, excluding household, agricultural or industrial waste;
- h. **COMPOSTING** – shall refer to the controlled decomposition of organic matter by microorganisms, mainly bacteria and fungi, into a humus-like product
- i. **CONSTRUCTION/DEMOLITION DEBRIS** – solid waste arising from construction and demolition of structure, such as earth mounds, dilapidated concrete, pieces of stones, rocks and woods, metal and plastic scraps, produced or emanated from a private activity of a particular construction;
- j. **CREEKS** – a stream, brook, an inlet in a shoreline, or a sheltered waterway
- k. **DISPOSAL** – shall refer to the discharge, deposit, dumping, spilling, leaking or placing of any solid waste into or in any land.
- l. **DISPOSAL SITE** – shall refer to a site where solid waste is finally discharged and deposited;
- m. **DRAINAGE** – the means of removing surplus water or liquid waste;
- n. **ECOLOGICAL SOLID WASTE MANAGEMENT** – shall refer to systematic administration of activities, which provide for segregation at source, segregated transportation, storage, transfer, processing, treatment, and disposal of solid waste and all other waste management activities, which do not harm the environment;
- o. **ENVIRONMENTAL FEE** – shall refer to the fees collected from commercial, industrial, institutional, sari-sari stores, stall within the public market including mining plant and processing establishments in the gathering, collecting, hauling and or transporting solid waste materials and garbage residue to the MRF or in the dumping site.
- p. **GARBAGE SERVICE CHARGE** – refers to the cost of service or the amount charged by the Municipality for servicing a private entity whether commercial and industrial establishments for specifically requesting a special collection for the disposal of their waste or refuse, after notice and coordination with the Municipal Environment and Natural Resources Office (MENRO) and payment of proper fees to the Municipal Treasurer or its duly authorized representatives;
- q. **HAZARDOUS WASTE** – shall refer to solid waste or combination of solid waste which because of its quantity, concentration, or physical chemical or infectious characteristics may cause or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness or pose a substantial present or potential hazard to human health or the environment when not properly treated, stored, transported, or disposed of, or otherwise managed.
- r. **INDUSTRIAL WASTE** – refers to the waste produced by industrial activity which includes material that is rendered useless during manufacturing process such as that of factories, and other manufacturing industries;
- s. **INSTITUTIONAL ESTABLISHMENT** – refers to government and private institutions situated in the Municipality. Government institutions refer to establishments with public service purpose, which creation was funded by the government, such as, but not,

limited to national and government and local government offices and buildings, barangay halls, day care centers, health centers, public schools, colleges, universities, and hospitals. Private institutions refer to any establishments privately owned with a purpose of institutionalizing the business or practice such as private schools, colleges, universities and religious establishments;

- t. **JUNK DEALER** – any person engaged in recovering recyclable materials as a trade or business;
- u. **MATERIAL RECOVERY FACILITY** – includes solid waste transfer station or sorting station, drop off center, a composting facility and recycling facility;
- v. **NON- BIODEGRADABLE** – anything which comes from a non-living source which does not easily decompose, e.g. cans, metals, glass, bottles, plastics, styrofoams, rubber, cloth, fibers, feather, leather, hard shells, bones, etc.
- w. **OPEN DUMPS** – shall refer to disposal area wherein the solid wastes are indiscriminately thrown or disposed of without due planning and consideration for environment and health standard;
- x. **RECYCLE** – shall refer to the process of using materials into new products to prevent waste of potentially useful materials. It is to breakdown used items to make raw materials for the manufacture of new product.
- y. **RECYCLED MATERIAL** – shall refer to post-consumer material that has been recycled returned to the economy;
- z. **RESIDUAL WASTE-** shall refer to all waste materials that remain after applying waste reduction, reuse, recycling and composting strategies, which are non-biodegradable, non-compostable, and non-recyclable in nature.
- aa. **REUSE** - shall refer to the action or practice of using something again, whether for its original purpose or to fulfill a different function;
- bb. **SANITARY LANDFILL** – shall refer to waste disposal site designed, constructed, operated and maintained in a manner that exerts engineering control over significant potential environmental impacts arising from the development and operation of the facility;
- cc. **SEGREGATION** – shall refer to sorting and segregation of different materials found in solid waste in order to promote recycling and reuse of resources and to reduce the volume of waste for collection and disposal;
- dd. **SEGREGATION AT SOURCE** – shall refer to a solid waste management practice of separating, at the point of origin, different materials found in solid waste in
- ee. order to promote recycling and re-use of resources and to reduce the volume of waste for collection and disposal;
- ff. **SOLID WASTE** – a non-liquid waste material arising from domestic or household. It also include waste arising from the conduct of public services such street sweeping, clean and green activities, and the clearing of typhoon-wrought debris:

- Any solid or semi-solid material resulting from human and animal activities that are considered useless, unwanted or hazardous;
- Any material that becomes waste only when a specific owner ceases to have use for it;

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- gg. **SOLID WASTE MANAGEMENT** – refers to the discipline associated with the control of generation, storage, collection, transfer and transport, processing and disposal of solid waste in a manner that is accord with the best principles of public health, economics, engineering, conservation, aesthetics, and other environmental considerations and that is also responsive to public attitudes;
- hh. **SOLID WASTE MANAGEMENT BOARD** – refers to the Municipality’s policy-making body empowered to oversee and regulate the implementation of Republic Act 9003;
- ii. **SPECIAL COLLECTION** – refers to garbage collection activity distinct from the regular garbage collection schedule set by the MENRO, after it is specifically requested by an individual or entity, or a clean-up activity in occasion of calamity, as the case may be;
- jj. **SPECIAL WASTE** – shall refer to household hazardous wastes such as paints, thinners, household batteries, lead-acid batteries, spray canisters and the like. It also includes wastes from residential and commercial sources that comprise of bulky wastes, consumer electronics, white goods, yard wastes that are collected separately, oil and tires. These wastes are usually handled separately from other residential and commercial wastes.
- kk. **SPECIAL WASTE COLLECTION AREA** – refers to a temporary specific place designated in a Barangay Resolution where residents may temporarily deliver their household wastes for pick up by the Municipal Garbage Collector. Specific time and period of termination for the use of the area is indicated in the Barangay Resolution;
- ll. **STORAGE** – shall refer to the interim containment of solid waste after generation and prior to collection for ultimate recovery or disposal. It is also a temporary isolation of wastes from the environment to prevent health hazard and to facilitate collection;
- mm. **WHITE GOODS** – shall refer to large worn-out or broken household, commercial, industrial appliances such as stoves, refrigerators, dishwashers, and clothes washers and dryers collected separately. White goods are usually dismantled for the recovery of specific material (e.g. copper, aluminum, etc.)
- nn. **YARD WASTE** – shall refers to wood, small or chipped branches, leaves, grass clipping, garden debris, vegetable residue that is recognizable as part of a plant or vegetable and other material accumulated by reason of trimming, pruning and weeding of plants and trees.

ARTICLE II
SOLID WASTE MANAGEMENT SYSTEM

SECTION 4. BASIC CONCEPTS. For this Article, the basic policies under the Ecological Solid Waste Management Law or Republic Act 9003 are hereby adopted. As such, it is hereby Declared as policy of the Municipality to adopt a systematic, comprehensive and Ecological solid waste management which shall:

- 4.1 Empower the Barangay, as it is mandated and incumbent upon it to promote campaign the principles herein embraced, to educate and inform the public within their jurisdiction about the Ordinance, prioritize programs for environment and allocate the required funding thereto, and to devise innovative ways to improve further implementation.
- 4.2 Ensure the protection of public health and environment;
- 4.3 Utilize environmentally – sound methods that maximize the utilization of valuable

resources and encourage resource conservation and recovery;

- 4.4 Set guidelines and targets for solid waste avoidance and volume reduction through source reduction and waste minimization measures, **including composting, recycling, re-use, recovery, green charcoal process, and others**, before collection, treatment and disposal in appropriate and environmentally sound solid waste management facilities in accordance with ecologically sustainable development principles;
- 4.5 Ensure the proper segregation, collection, transport, storage, treatment and disposal of solid waste through the formulation and adoption of the best environmental practice in ecological waste management excluding incineration;
- 4.6 Promote improved solid waste management and resource conservation techniques, more effective institutional arrangement and improved methods of waste reduction, collection, separation and recovery;
- 4.7 Encourage greater private sector participation in Solid Waste Management;
- 4.8 Inform and educate individuals the deterrent factors brought about by waste generation and each one's role to alleviate the environmental condition of the Municipality in terms of Solid Waste Management;
- 4.9 To encourage improvisation and ingenuity by the use of scrap recyclable materials as a means of livelihood;
- 4.10 To enlighten all stakeholders and all individual waste producers that they have a stake in the deterioration or improvement of this Municipality's environmental condition;
- 4.11 **To institutionalize the use of Material Recovery Facility (MRF) in every barangays as provided by the Republic Act No. 9003**, be it cluster sharing, leased or exclusively owned MRF. In this way, systems of material recovery will be promoted such as ingenious recycling of wastes to a livelihood means, composting and other mechanisms to reuse, reduce and recycle wastes.

ARTICLE III

MUNICIPAL SOLID WASTE MANAGEMENT BOARD, ITS COMPOSITIONS AND RESPONSIBILITIES

SECTION 5. COMPOSITION OF MSWMB.

CHAIRMAN: MAYOR

MEMBERS: VICE MAYOR

SB CHAIRMAN OF COMMITTEE ON ENVIRONMENT & NATURAL RESOURCES

SB CHAIRMAN COMMITTEE ON HEALTH

SB CHAIRMAN COMMITTEE ON TOURISM

ABC PRESIDENT

SANGGUNIANG KABATAAN (SK) PRESIDENT

MLGOO of DILG

Municipal Engineer

Municipal Health Officer

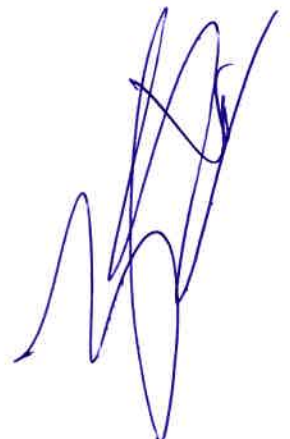
Market Officer

Municipal Treasurer

Municipal Planning and Development Coordinator (MPDO)

Three members (3) of NGO

Representative of the DENR in the municipality



Section 5.1 Duties and Responsibilities. – The Municipal Solid Waste Management Board shall Perform the following duties and responsibilities.

- a. Develop a Municipal Solid Waste Management Plan that shall ensure the integration of various solid waste management plans and strategies for the entire municipality after it shall conduct consultation with the various sectors of the community;
- b. Adopt measures to promote and ensure the viability and effective implementation of solid waste management programs;
- c. Monitor the implementation of the Municipal Solid Waste Management Plan through its various political subdivisions and in cooperation with the private sector and NGOs;
- d. Adopt specific revenue-generating measures to promote the viability of its Solid Waste Management Plan;
- e. Convene regular meetings for purposes of planning and coordinating the implementation of the solid waste management plan of the municipality;
- f. Review every two (2) years or as need arises the Municipal Solid Waste Management Plan for purposes of ensuring sustainability, viability, effectiveness and relevance;**
- g. Develop specific mechanics and guidelines for the implementation of the Municipal Solid Waste Management Plan;
- h. Recommend to local government authorities specific measures or proposal for franchise or build-operate transfer agreements with duly recognized institutions pursuant to R.A. 6957, to provide either exclusive or non-exclusive authority for the collection, transfer, storage, processing, recycling, or disposal of municipal solid wastes;
- i. Provide necessary logistical and operational support;
- j. Recommend measures and safeguards against pollution and for the preservation of the natural ecosystems;
- k. Coordinate all efforts in the implementation of the municipal solid waste management plan.

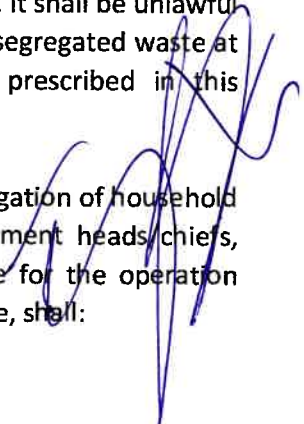
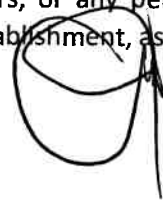
ARTICLE IV

SEGREGATION AND SORTING-OUT SOLID WASTE

SECTION 6. MANDATORY SEGREGATION OF SOLID WASTES. Segregation of wastes shall primarily be conducted at source, to include household, institutional, governmental structures, industrial and commercial sources. These entities, including owners, lessees, tenants, officers, and administrators of such are required to separate, sort out their solid waste, refuse or garbage in a manner provided for in the following sections.

SECTION 7. SEGREGATED AND SORTED COLLECTION OF SOLID WASTES. The following shall be the minimum requirements for segregation and storage of solid waste for household, commercial, institutional and industrial establishments pending collection:

- 7.1 There shall be a separate and properly labelled container for each type of waste (**compostable, recyclable and special waste**) from all sources depending on its use, or any classification as may be determined by the Solid Waste Management Board;
- 7.2 The **Municipal Garbage Collector or privately contracted garbage collector** must provide for a separate truck for collection of each kind of waste. It shall be unlawful for a garbage collector to combine altogether in one truck the segregated waste at source. Such violation shall be meted with a penalty as prescribed in this Ordinance;
- 7.3 **In case of a building containing (10) or more units**, it is the obligation of household owners, lessors, persons-in-charge such as, managers, department heads/chiefs, administrators, association officers, or any person responsible for the operation and administration of the said establishment, as the case may be, shall:



- 7.3.1 Abide by the provisions set forth in 7.1 and 7.2;
- 7.3.2 Contract their own private garbage contractor, in the case of commercial and industrial **should they qualify to the limits set forth in Article VI**;
- 7.3.3 Provide for the residents a designated area and containers in which to accumulate source separated recyclable materials to be collected by private or government recycling entity, as the case may be;
- 7.3.4 Notify the occupants of each buildings of the requirements of this Ordinance and the regulations promulgated pursuant thereto.

SECTION 8. NO SEGREGATION, NO COLLECTION POLICY. It shall be unlawful for any person, or any establishment, whether private or government, to possess unsegregated garbage during the time of garbage collection.

The Municipal garbage collector or private garbage contractor shall not, in anyway be under any obligation to collect unsegregated wastes, as provided for by this Ordinance.

**ARTICLE V
STORAGE, DISPOSAL, COLLECTION, TRANSFER AND
TRANSPORT OF WASTES**

SECTION 9. STORAGE OF WASTE.

- 9.1 Segregated waste shall be stored only at source;
- 9.2 Waste shall be stored and set out for collection in a closed trash bag or any appropriate container to avoid the entry of insect, pest and vermins, escape of bad odor, and spillage of leachate;
- 9.3 Household toxic and hazardous waste shall be placed in a separate appropriate container and shall be disposed of in a specific manner in accordance with Republic Act 6969. Broken glasses or lamps and other sharp objects shall be securely enclosed in hard cardboard with tie to prevent injury to handlers and rip and tear of bags/containers.

SECTION 10. DISCHARGE OR SET OUT OF WASTE FOR COLLECTION.

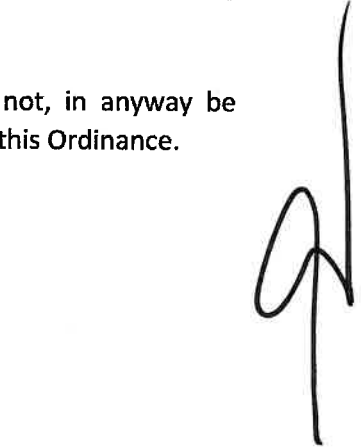
- 10.1 **On collection day**, the waste may be placed within the immediate surrounding of the owner's property or premises or along the main streets accessible to municipal garbage trucks. Setting out of garbage must comply with the procedures set forth in Section 7.1;
- 10.2 **Waste shall be set out for collection only within the scheduled date and time of collection.**

The day and time of garbage collection in the 54 barangays of the Municipality shall be decided by the Barangays concerned after coordination with MENRO and the same shall be publicly announced and given widest dissemination by means of mass information, social media, placards, posters, and similar means.

The Solid Waste Management Board shall then institutionalize the pick-up schedules by a Board Resolution and adopted by the Sanggunian.

- 10.3 No burning of waste shall be allowed at source at all times.

SECTION 11. WASTE COLLECTION SYSTEM AND STANDARDS.



11.1 The Local Government shall be responsible in collecting the residue from the wastes segregated.

The collection shall be door to door on the specified collection day for **compostable (biodegradable) and recyclable (non-biodegradable) wastes** as the case may be, without fail. The Municipality shall share this responsibility with the Barangays in accordance with the Local Government Code.

11.2 **COLLECTION DATE/SCHEDULES.** On a case to case basis and depending on the desired dates, the respective Barangays, can come up with their own schedule of waste collection after proper coordination with the MENRO, such that:

11.2.1 Compostable (Biodegradable) shall be collected every Mondays, Wednesdays and Fridays;

11.2.2 Recyclables (Non-biodegradable) shall be collected every Tuesdays and Thursdays;

11.2.3 The remaining days of the week may be allotted to a bigger and more populated barangay as a collection day of a specific type of waste or special waste collection for other Barangays which should be arranged with the MENRO.

In special cases, SPECIAL WASTE COLLECTION may be requested by the Barangay concerned. These schedules may be modified after the confirmation from the MENRO.

11.3 In the case of commercial, industrial and institutional establishments which contracted a private garbage collector, coordination from the MENRO shall be necessary for regulatory purposes.

11.4 Trucks with separate compartments for compostable and non-compostable wastes may collect on the same day as the other kind, provided, that different kinds of wastes are securely placed in the compartment of such kind, which is individually covered and compacted to avoid the mixing, and over spilling of different kind of waste. Overloading of each kind of waste in separate compartment is prohibited;

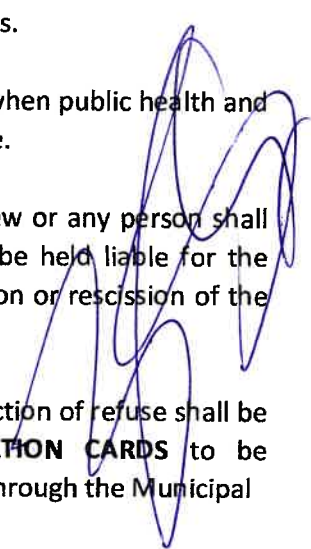
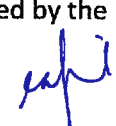
11.5 All trips during collection shall be required to have a **TRIP TICKET** indicating the **name of the Barangay and the route that the trip will cover or it covered**, thereafter the latter shall sign and issue corresponding confirmation or proof that such trip was made. **A pro-forma template shall be designed by the SWMB.**

11.5.1 Any individual or group, unless authorized by the Municipal Environment and Natural Resources Office (MENRO) or the Barangay, shall be disallowed to open and retrieve recyclable and re-useable materials or stored waste set out for collection from the designed pick-up points.

Authorization must be based on a valid ground and when public health and safety so warrants the re-opening of the stored waste.

11.6 Selling, scavenging and sorting by the garbage collection crew or any person shall not be allowed at all times. The contractor/collector shall be held liable for the violation of this provision for which may cause the suspension or rescission of the Contract with the Local Government Unit;

11.7 All garbage collectors, drivers and those involved in the collection of refuse shall be **required to wear PROPER UNIFORMS and IDENTIFICATION CARDS** to be prescribed by the Municipal Government of Tanauan, Leyte through the Municipal

Environment and Natural Resources Office (MENRO) following ANNUAL compliance with necessary Health Certificate issued by the Municipal Health Officer. **They must possess an up-to-date Health Certificate issued by the Municipal Health Officer free of charge;**

- 11.8 The garbage collector shall empty and return all containers to the designated collection area with care. Paper and other temporary containers shall be collected;
- 11.9 Collection of solid wastes shall be done in a manner which prevents damage to the container and spillage or scattering of solid wastes within the collection vicinity;
- 11.10 Recyclables collected shall be transported directly to the Materials Recovery Facility (MRF), otherwise to prescribed disposal site contracted by the MENRO;
- 11.11 Scrap buying and selling by junk dealers are not allowed to collect recyclable materials during the scheduled time of collection.

SECTION 12. GARBAGE TRUCKS AND EQUIPMENT STANDARDS. The following shall be the minimum standards and requirements for the qualification of garbage trucks and equipment to be used in the collection of solid wastes in the Municipality and those that is provided for by the Presidential Decree No.856;

- 12.1 All collectors and other personnel directly dealing with collection of solid waste shall be equipped with personal protective equipment to protect them from the hazards of handling wastes;
- 12.2 Necessary training shall be given to the collectors and personnel to ensure that the solid wastes are handled properly and in accordance with the guidelines pursuant to this Ordinance;
- 12.3 All garbage trucks and equipment shall be registered with the MENRO to ensure regulation such as proper markings, safety and sanitation of the vehicle;
- 12.4 Roadworthiness of garbage truck must be proved in conformity to the standards set forth by the Land Transportation and Franchising Regulatory Board (LTFRB) or Land Transportation Office (LTO);
- 12.5 All garbage trucks shall be provided with visible and proper markings of plate and body number on both sides, name and telephone number of MENRO/contractor. Markings shall have a minimum of twenty (20) centimeters (8 inches) in height;
- 12.6 All garbage trucks shall be in a good body condition, and equipped with tools and spare ties. No sacks, filthy named tarpaulin, nor eyesore materials must be seen hanging in the truck;
- 12.7 All garbage trucks shall meet the emission standard set by the DENR, including smoke-belching standards;
- 12.8 Garbage trucks and all equipment shall be kept clean, sanitized and properly maintained and shall be washed after each disposal;
- 12.9 Garbage trucks shall be designed to consider road size, condition and capacity to ensure the safe and efficient collection and transport of solid wastes;
- 12.10 All trucks shall have separate complete taillights, flasher, side mirror, plate number, tailgate, wiper and horn;

- 12.11 All trucks shall be equipped with proper cleaning and clearing tools, e.g. brooms, dustpans, spade, shovels, etc. for cleaning and collecting spillage garbage caused by the collector's improper handling;
- 12.12 Municipal garbage trucks shall install a megaphone or speaker that will be used during collection day in the barangays.

**ARTICLE VI
COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL WASTES**

SECTION 13. COMMERCIAL ESTABLISHMENTS. Commercial establishments which generates more than 1-2 tons of commercial wastes a day, as defined in this Ordinance shall contract their own private garbage collector. **However, this may be collected also by the Municipal garbage truck but with a corresponding fee of P1,000.00 per load per trip.**

SECTION 14. INDUSTRIAL ESTABLISHMENTS. Industrial wastes produced by industrial establishments and as defined in this Ordinance, shall contract their own private garbage collector as such is not ordinarily produced by household or commercial establishments. The same is regarded as special wastes which may be hazardous to health and environment. **However, this may be collected by the Municipal garbage truck but with a corresponding fee of P1,000 per load per trip.**

SECTION 15. INSTITUTIONAL ESTABLISHMENTS.

- 15.1 Public and private schools, colleges and universities are herein encouraged to formulate innovative practices of recycling wastes to lessen waste generation. It is likewise mandated that segregation of wastes be strictly complied within their respective premises;
- 15.2 Hospital, pharmaceutical and funeral wastes must be properly handled and sealed in accordance to the guidelines set by the hospital waste management and P.D 856 also known as Sanitation Code of the Philippines;
- 15.3 Government housing projects, public markets, government offices and buildings, religious establishments and government educational institutions shall be serviced by the Municipal garbage collector without any fees or charges.

SECTION 16. PARKS, PUBLIC OPEN SPACES AND TRANSPORT VEHICLES

Where garbage receptacles are provided, it is the responsibility of the barangay to collect all solid wastes and transport it to the Materials Recovery Facility (MRF) for final segregation and disposal.

SECTION 17. MANNER OF COLLECTION. The same provision as herein provided in Articles IV, V shall apply to all establishments mentioned in this Article as to the manner of garbage set-out, segregation and collection and disposal whether the Municipal garbage collector or privately-contracted garbage collector.

**ARTICLE VII
LITTERING**

SECTION 18.1 No person shall litter, dump, throw or dispose of solid waste in alleys, streets, highways, sidewalks, vacant lots, and other public areas, e.g the sea, parks, playgrounds, rivers and riverbanks.

SECTION 18.2 All owners/operators of commercial or private vehicles including but not limited to buses, jeepneys, motorcycles, tricycles, pedicabs, cars, and multicabs shall be held liable for any

violation of this Ordinance for any waste material thrown from the vehicle by its crew workers or passengers at any time whether parked or moving. Buses and jeepneys are required to have waste receptacles inside their passenger compartments. Waste from these receptacles shall be emptied into waste receptacles/containers at the Tanauan Public Terminal or stations.

Section 18.3 Pet owners shall be responsible for cleaning up solid waste scattered by their pets in public places. Pet owners who do not clean up the solid waste scattered by their pets in public places shall be considered in violation of this Ordinance and shall be penalized accordingly.

ARTICLE VIII

MATERIAL RECOVERY FACILITY (MRF), COMPOSTING & FINAL DISPOSAL SITE

Section 19.1 Operations of Material Recovery Facility

Section 19.1.1 There shall be Material Recovery Facility (MRF) in every barangay/purok, school and church which shall be designed to receive, sort, process and store compostable and recyclable material efficiently and in an environmentally sound manner. There shall be ample area for composting of biodegradable wastes;

Section 19.1.2 The barangay shall be responsible for the collection, segregation, recycling of biodegradable, recyclable, compostable and reusable wastes. **MRF's will be established in every barangay or purok or by cluster depending on its viability and applicability;**

Section 19.1.3 The facility shall be established in a barangay-owned, a private land or any suitable open space to be determined by the barangay through its Sanggunian. For this purpose, the barangay or purok shall allocate a certain parcel of land for MRF;

Section 19.1.4 The MRF shall receive biodegradable wastes for composting, and clean and dry non-biodegradable wastes for final segregation, reuse and recycling;

Section 19.1.5 In barangays without composting sites, biodegradable waste shall be collected by the municipal garbage collector in the scheduled date and transported to a designated composting facility.

Section 19.1.6 Residual wastes shall be provided with appropriate containers/bags for disposal to the controlled dumpsite/landfill facility.

Section 19.2. COMPOSTING FACILITIES.

Section 19.2.1 Composting facilities shall conform to the following setting, design, and operating standards and criteria;

19.2.1a The facility shall not be sited in areas subject to frequent flooding, unless engineering controls are provided in the design to prevent inundation of the facility;

19.2.1b Leachate and drainage controls must also be provided

19.2.1c Provisions for vector, odor, litter, and dust controls shall be included

19.2.1d Records keeping shall be maintained at all times in accordance with section 2(b) of Rule XIV of IRR, R.A. 9003

19.2.1e Residues shall be managed as solid waste and shall be disposed as such;

Section 19.2.2 Individual household backyard composting shall be exempted from the provision of this Section.

Section 19.3 Final disposal site

19.3.1 Only authorized vehicles are allowed to enter the landfill facility for dumping operations. Vehicles may obtain written authorization from either the Municipal Mayor or the Municipal Environmental and Natural Resources Officer (MENRO), or any authorized person by the Solid Waste Management Board

19.3.2 Private vehicle may placed their segregated solid waste in the landfill facility provided they have obtained authorization from the Municipal Mayor or Municipal Environmental and Natural Resources Officer (MENRO), or any authorized person by the Solid Waste Management Board, have paid the required tipping fee as described below, and will place their solid waste within the landfill facility as instructed by the Municipal Environmental and Natural Resources Officer (MENRO).

19.3.3 Open burning of solid waste is prohibited.

19.3.4 Smoking is prohibited at the landfill facility to reduce the risk of starting garbage fire.

**ARTICLE IX
JUNK SHOPS**

SECTION 20. OBLIGATIONS AND LIABILITIES. Junk shop operators operating within the Municipality of Tanauan, Leyte shall:

20.1 Provide an area of not less than 50 sqm. for the sorting and storing of each type of recyclable materials and maintain an area of operation and immediate surroundings clean and sanitary.

20.2 Record the volume of each type of recyclable materials collected everyday and submit a written report monthly to the MENRO for the purpose of monitoring;

SECTION 21. All junk materials shall be confined only within its junkshop premises and in no case shall it become obstructive to encroach sidewalks or the main streets.

**ARTICLE X
MAINTENANCE OF CLEAN AND SANITARY FRONTAGE
AND IMMEDIATE SURROUNDINGS**

SECTION 22. Household owners, caretaker, tenants, business establishments owners, managers, building administrators, or any person responsible for the operations and administration of an establishment or household within the Municipality of Tanauan, Leyte are required to maintain their frontage and immediate surrounding clean and sanitary.

**ARTICLE XI
SOLID WASTE MANAGEMENT ACCOUNT**

SECTION 23. Solid Waste Management (SWM) ACCOUNT.

Section 23.1 The Municipality shall establish a **special fund under General fund** for the solid waste management program to be managed by the Municipal Environmental and Natural Resources Office (MENRO) to facilitate the efficient operation and tracking of income and expenses of solid waste management program.

Section 23.2 All sources of income related to solid waste management including but not to limited to government funding, fees, and fines shall be deposited into the SWM Account. The SWM Account shall be charged for all related solid waste management program expenses.

Section 23.3 **The amount of Thirty Thousand Pesos (30,000.00)** is hereby initially allocated from the current operating budget of the Municipality to cover the initial expenses to be incurred in carrying out the provisions of this Ordinance. The amount necessary to carry out the provisions of this Ordinance shall be charged to the Supplemental Budget of the Municipality. Thereafter, **such sums as may be necessary for the implementation of this Ordinance shall be included in the Annual Budget Ordinance and shall be deposited to the Solid Waste Management Account.**

**ARTICLE XII
SOLID WASTE MANAGEMENT FEES**

Solid waste management fees shall be used to supplement other sources of revenue for the operation and maintenance of the municipal solid waste management program. All fees shall be used only for solid waste management related expenses.

SECTION 24. Garbage fees- There shall be a fee for the collection of garbage in the following manner:

Section 24.1 Residential fee

24.1.1 **A payment of P15.00 per month or P180.00 per annum** shall be charged to individual household as environmental fee which shall be issued by the appropriate and official receipts to accrue to the Municipal Government.

24.1.2 Indigent households who are registered under the Municipal Social Welfare and Development (MSWD) or in the Barangay are exempted from the fee. Indigent households must obtain certification from the Municipal Social Welfare and Development (MSWD) and their respective barangays to qualify for the exemption.

24.1.3 Collected fees shall be deposited to the Municipal Solid Waste Management Account.

Section 24.2 Commercial, Industrial and Institutional Solid Waste Management Fee

24.2.1 The commercial and industrial fee shall be included in the business permit application process.

24.2.2 The amount of fee **per annum** shall be as follows;

- a. Funeral Parlors.....P2,500.00
- b. Hotels & Resorts.....P1,500.00

- c. Supermarkets, Superrettes, Groceries and others with an area of more than 400 sq.m.....P2,500.00
- area of 200 sq.m to 400 sq.m.....P1,500.00
- area of Below 200 sq.m.....P1,000.00

- d. Restaurants, Panciterias, Cafeterias, Refreshments, Parlors, Canteens, Carenderias, Snack Houses or any other public eating places; more than 300 sq.m.....P500.00
- below 300 sq.m.....P400.00

e. Dormitories, lodging houses, Airbnb, boarding houses, etc;
more than 400 sq.m.....P1,200.00
200 sq.m-400 sq.m.....P500.00
Below 200 sq.m.....P400.00

f. All other business, trade, occupational and other establishments not specifically provided for in any of the classifications (EXCEPT for commercial establishments which generates 1-2 tons of garbage per day and industrial wastes).....P400.00

g. HospitalsP2,500

24.2.3 The fee shall be paid with other fees included in the business permit process. Collected fees shall be deposited to the Municipal Solid Waste Management Trust Account.

24.2.4 Non-payment of the fee at the end of the calendar year shall be ground for the non-renewal of applicable business permits issued by the Municipality.

24.2.5 The institutional fee amounting to P240.00 per annum shall be paid on the June 30th by the institution thru their representative of the respective institution. The fee is to be paid at the Municipal Treasurer's Office.

Section 24.3 Landfill Facility Tipping Fee. The **Landfill Facility Tipping Fee is Fifty Pesos (P50.00) per load per trip.** The fee is to be paid at the Municipal Treasurer's Office after written authorization has been obtained from either the Municipal Mayor or Municipal Environmental and Natural Resources Officer (MENRO).

**ARTICLE XIII
PENAL PROVISIONS**

SECTION 25. Prohibited Acts. The following are prohibited:

Section 25.1a. Littering, throwing, dumping of wastes matters in public places such as roads, sidewalks, canals, esteros, or parks, or establishments, or causing, or permitting the same;

Section 25.1b. Undertaking activities or operating, collecting or transporting toxic materials in violation of sanitation operation and other requirements or permits set forth in or established pursuant to this Ordinance;

Section 25.1c. The open burning of solid wastes;

Section 25.1d. Causing or permitting the collection of non-segregated or unsorted wastes;

Section 25.1e. Squatting in dumpsite;

Section 25.1f. Open dumping, burying of biodegradable or non-biodegradable materials in rivers, creeks, lakes and flood-prone areas;

Section 25.1g. Unauthorized removal of recyclable material with other solid waste in any vehicle, box, container or receptacle used in solid waste collection or disposal;

Section 25.1h. The mixing of source-separated recyclable material with other solid waste collection or disposal;

Section 25.1i. Transport and dumping of collected domestic, industrial, commercial and institutional wastes in areas other than centers of facilities prescribed under this ordinance;

Section 25.1j. The construction of any establishment within two hundred (200) meters from any landfill facility;

Section 25.1k. Construction or operation of dumpsite or any waste disposal facility on any aquifer, groundwater reservoir, or watershed area and/or any portion thereof;

Section 25.2 Fines and Penalties. The following fines and penalties shall be imposed to any person who violates specific provisions of this ordinance, in the municipal level, it shall be issued a **CITATION TICKET or NOTICE OF VIOLATION** which shall be formulated by the Municipal Solid Waste Management Board; in the barangay level, the barangay council may adopt a similar ordinance stipulating the schedule of penalties, and issue CITATION TICKET or NOTICE OF VIOLATION as the council may deem appropriate.

1st Offense: -Written warning and mandatory seminar of the ordinance.

2nd Offense: -Fine of **One Thousand Five Hundred Pesos (P1,500.00)** or Community Service of not less than Seven (7) Days;

3rd and Succeeding Offense: -Fine of **Two Thousand Five Hundred Pesos (P2,500.00)** or Community Service of not less than Fifteen Days (15) Days;

If the offense is committed by a corporation, partnership or other judicial entity duly organized in accordance with law, the chief executive officer, president, general manager, managing partner or such other officer-in-charge shall be liable for the commission of the offense penalized under this ordinance.

CITATION TICKET

Republic of the Philippines
Province of Leyte
MUNICIPALITY OF TANAUAN, LEYTE

OFFICE OF THE MUNICIPAL MAYOR

-oOo-

No. _____

To: _____
(First, Middle & Last Name)

Address: _____

(Date of Birth) (Place of Birth)

CTC No. _____

(Date issued) (Place issued)

Place of Violation: _____
Date & Time: _____

Violation: (List Specific Ordinance & Section)

Apprehending Officer/Witness
Name & Signature: _____
ID No. _____
Date & Time: _____

UPON RECEIPT, VIOLATOR IS ADVISED TO APPEAR AT THE OFFICE OF THE MUNICIPAL MAYOR WITHIN 5 WORKING DAYS.

I HEREBY PROMISE TO APPEAR AT THE OFFICE OF THE MUNICIPAL MAYOR WITHIN 5 WORKING DAYS TO ANSWER THE ABOVE-DESCRIBED CHARGES FOR COMPROMISE AGREEMENT. IT IS UNDERSTOOD THAT IF I FAILED TO SETTLE MY CASE WITHIN 5 WORKING DAYS, IT WILL CAUSE ME TO FAIL TO SUCCEEDING FINES/PENALTIES WITHOUT ANY FURTHER NOTICE.

(NAME & SIGNATURE OF VIOLATOR)

Section 25.3 Collection and Disposition of Fines. The payment of fines for violation of this Ordinance shall be at Municipal Treasurer's Office or Barangay Treasurer's Office that has territorial jurisdiction over where the violation was committed.

Section 25.3.1 The fines collected in violation of this Ordinance shall accrue in favor of the following:

- a. **60% to the Municipal Solid Waste Management Account** if apprehension is made by the Municipal enforcers or to the Barangay where the violation was committed if apprehension is made by the barangay enforcers.
- b. **40% to be declared mandatory incentive** to the Solid Waste Management (SWM) enforcer appointed by the MSWMB/BSWMB.

ARTICLE XIV

MISCELLANEOUS PROVISIONS

Section 26. Provision on Appeals for Citations

1. Right to Appeal: Any person or entity that receives a citation or penalty notice for a violation of the Ecological Solid Waste Management Ordinance shall have the right to appeal the decision to the Solid Waste Management Board.

2. Filing of Appeal: The appeal must be filed in **writing within fifteen (15) calendar days from the date of receipt of the citation or penalty notice.** The written appeal must include:

- i. The name and contact information of the appellant.
- ii. A copy of the citation or penalty notice being appealed.
- iii. A detailed explanation of the grounds for the appeal, including any evidence or supporting documents that may aid the Board in reviewing the case.

3. Grounds for Appeal: Appeals may be filed on the following grounds:

- i. Error in the citation or notice issued.
- ii. Misinterpretation or misapplication of the ordinance's provisions.
- iii. Presentation of new evidence that could affect the outcome of the citation.
- iv. Any other reasonable grounds that the appellant believes should be considered by the Solid Waste Management Board.

4. Review and Decision: The Solid Waste Management Board shall review the appeal **within thirty (30) calendar days from the date of receipt of the written appeal.** During the review, the Board may:

- i. Conduct hearings or meetings, if necessary.
- ii. Request additional information or evidence from the appellant or other relevant parties.
- iii. Deliberate and evaluate the validity of the grounds for appeal.

5. Resolution of Appeal: The Solid Waste Management Board shall render a decision on the appeal within forty-five (45) calendar days from the date of receipt of the written appeal. The decision may include:

- i. Upholding the citation or penalty as issued.
- ii. Modifying the citation or penalty based on the findings.
- iii. Dismissing the citation or penalty if it is deemed unwarranted or erroneous.

6. Finality of Decision: The decision of the Solid Waste Management Board on the appeal shall be final and binding, subject only to further appeal to the appropriate judicial body in accordance with existing laws.

7. Notification of Decision: The appellant shall be notified in writing of the decision of the Solid Waste Management Board within seven (7) calendar days from the date the decision is made. The notification shall include the Board's findings and the reasons for the decision.

Section 27. Public Education and Information. The **Municipal Environmental & Natural Resources Officer (MENRO)** shall, in coordination with the barangay officials, conduct a continuing education and information campaign on solid waste management.

**ARTICLE XV
FINAL PROVISIONS**

Section 28. Separability Clause – If any provisions of this ordinance or the application of such provision to any person or circumstances is declared unconstitutional, the remainder of the ordinance or the application of such provision to other persons or circumstances shall not be affected by such declaration.

Section 29. Repealing Clause – All laws, decrees, issuances, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

Section 30. Effectivity. This Ordinance shall take effect on Fifteen (15) days upon approval.

SECTION 18. EFFECTIVITY CLAUSE. This Ordinance shall take immediately upon its approval.

ENACTED : 21 OCTOBER 2024.

CERTIFIED TRUE AND CORRECT:
ELEUTERIO T. LERIOS
SB Secretary

ATTESTED :

HON. ARCHIE LAWRENCE R. KAPUNAN
Vice Mayor/Presiding

HON. JAN ELMER V. MAGDALAGA
SB Member

HON. MAE JANE ANGELIE M. MORABE-BORAIS
SB Member

HON. MARK EFREN E. MERILO
SB Member

HON. ATTY. ISAGANI S. ESPADA
SB Member

HON. QUINTIN T. OCTA, JR. D.M.D.
SB Member

HON. CHERRY ANNE T. FIEL
SB Member

APPROVED:

HON. MA. GINA E. MERILO
Municipal Mayor

Date: 11-04-2024

Sy. Bayan

Republic of the Philippines
Province of Leyte
Municipality of Leyte
-oOo-
16th Sangguniang Bayan

MINUTES OF THE PUBLIC HEARING

August 29, 2024

TANAUAN PRESIDENCIA LOBBY

SUBJECT:

A Proposed Ordinance for the Ecological Solid Waste Management Program of Tanauan, Leyte and Providing Fines and Penalties for Violating Thereof.

Author: Hon. Engr. Mae Jane Angelie M. Morabe-Borais

**Co-authors: Hon. Atty. Isagani S. Espada
Hon. Ma. Martina L. Gimenez**

PRELIMINARIES:

The public hearing was commenced with an opening prayer. In attendance were the sponsors of the proposed ordinance – The Chairperson of the Committee on Finance, Hon. Engr. Mae Jane Angelie M. Morabe-Borais; and the Chairman of the Committee on Laws, Hon. Atty. Isagani S. Espada. Also present were the Chairpersons of the different Barangays and representatives from the different stakeholders of the municipality.

Afterwards, the salient provisions of afore-stated proposed Ordinance was presented, particularly on the fines and penalties thereof, considering that the proposed Ordinance was already been subjected to a previous Public Hearing.

DISCUSSION/OPEN FORUM:

The attendees were mainly concerned on the concern as to the amount of fees for the individual household environmental fee which was proposed to be in the amount of Php15.00 per month or Php180.00 per annum.

The aforesaid fees however provided for an exemption of payment for the indigent households with an income of less than Three Thousand Pesos. The Chairpersons of the different barangays however had a concern that there are households in their barangay that are considered as indigents even if their monthly income are more than Three Thousands. Most of the Barangay Chairman of Brgy. Maribi contended that if they implement the same, it might cause confusion to their constituents.

The authors of the proposed Ordinance then manifested to amend Section 24.1.2 of the proposed Ordinance and instead indicate therein that “indigent households as determined by the MSWDO”.

Other than the said provision, no further queries were raised by the attendees.

CONCLUSION:

There having no further salient queries or comments to the above-stated proposed Ordinances, the Public Hearing was adjourned.

CERTIFIED TRUE AND CORRECT:

ATTY. MIAMOR B. NATIVIDAD
Local Legislative Officer

ATTESTED:


HON. ENGR. MAE JANE ANGELIE M. MORABE-BORAIS
SB MEMBER/AUTHOR


HON. ATTY. ISAGANI S. ESPADA
SB MEMBER/CO-AUTHOR



OFFICE OF THE SANGGUNIANG BAYAN

PUBLIC HEARING

1. AN ORDINANCE FOR THE ECOLOGICAL SOLID WASTE MANAGEMENT PROGRAM OF TANAUAN, LEYTE AND PROVIDING FINES AND PENALTIES FOR VIOLATING ANY OF THE PROVISIONS THEREOF.

AUTHOR: HON. ENGR. MAE JANE ANGELIE M. MORABE-BORAIS
CO-AUTHORS: HON. MA. MARTINA GIMENEZ
 HON. ATTY. ISAGANI ESPADA

Date: August 29, 2024

Time: 9:00 AM

Venue: Presidencia Lobby, Tanauan Town Hall, Tanauan, Leyte

ATTENDANCE

NO.	NAME	DESIGNATION	SIGNATURE
1	BYRON B. RUDAS	GSO	[Signature]
2	ALJON E. ROYERAS	GSO	[Signature]
3	ZOSIMA C. CUMPU	GSO	[Signature]
4	ERWIN B. MOROSO	GSO	[Signature]
5	DAC RANT TUMESA	GSO	[Signature]
6	ARLEON A. CANDUA	GSO	[Signature]
7	MANIX C. GUYA	GSO	[Signature]
8	DUMY PORDO	GSO	[Signature]
9	ASUNCION UMARE	GSO	[Signature]
10	Remilyn Banares	GSO	[Signature]
11	MANUEL ENCINA	GSO	[Signature]
12	KAMIL OBTUHAN	GSO	[Signature]
13	Jusana P. Madrigal		[Signature]
14	Shemir M. Espada	Mayor Adm	[Signature]
15	Jonel V. Marañon	TANAUAN NHS	[Signature]
16	DILDAKSON	GSO	[Signature]
17	Anthony Hubchib	GSO	[Signature]
18	JOEY CORALES	GSO	[Signature]
19	APRIL MARTINEZ	MPCO	[Signature]
20	ERWIN DAROLE	PEPSI WLA	[Signature]
21	STANLEY SUASE	PEPSI COA	[Signature]
22	[Signature]		[Signature]



Republic of the Philippines
Province of Leyte
Municipality of Tanauan
-oOo-

OFFICE OF THE SANGGUNIANG BAYAN

NO.	NAME	DESIGNATION	SIGNATURE
23	JOHN IKE CINCO	MEO	
24	CHRISTOPHER TIMEAL	TAB	
25	DANTE PEREZ	NGO	
26	Jesusa Angay		
27	Foly Cornejo		
28	VICENTE E. RUPA JR.	LARO II - DILG	
29	Angie C. Smyom		
30	Angelica Olabay	DILG	
31	Asuncion ORONOS	DILG	
32	Myles Colasito	MIGCO	
33	ROSE P. MAREDA	Punong Barangay	
34	Wilma B. Perez	Punong Barangay	
35	ERNESTO C. BARRERA	MEMBER	
36	Lowly Mae V. Magdalong	Promoter	
37	DELA A. VENTURA	Principal (TAM)	
38	ERNESTO C. BARRERA	ABC LGU	
39	Jessie C. Molon	P.B.	
40	JOEL P. LOGSONO	P.B.	
41	LUDIVINA V. LADAN	P.B.	
42	MARIA M. AVILA	DPEN. KACAWAD	
43	EMMA M. TORIBIAS	P.B.	
44	MAY JANE MORABE - ROSALES	SB MEMBER	
45	ARBA AVILA	EDU	
46	Rodrigue Mumbao	P.B.	
47	ARLIND S. CINCO	P.B.	
48	ATTY. ISAGANI S. ESPADA		
49	GENYALDO P BOCO	P.B.	
50	LAUREN M. MACABO	M/O	
51	WILMA C. BARRERA	P.B.	
52	Carlo Segura	MO	
53	Edner H. Lotoc	MEO	
54	Diana Miralles	MEMBER	
55	MARCO ANTONIO E. ARONA	M/O	
56	DENNIS DALAGAN	GPO	
57	Melvir Legaspi	GSO	
58	Clanica Mae Berdan	MPO	
59	Alexy Cuyuan	MPO	
60	CHRISTIAN BENEDICT A. ARELLA	SB	
61	CRISTINA M. BARRERA	P.B.	
62	Concepcion Beltrame		



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 Municipality of Tanauan
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OFFICE OF THE SANGGUNIANG BAYAN

NO.	NAME	DESIGNATION	SIGNATURE
63	Margilyn G. Malate	MEO Staff	
64	BADON, DERWIN P.	ENGINEER II	
65	RUMBO TOMAS	MEO STAFF	
66	Ofelia A. Mostajo-Muldu	MEO	
67	Laurence Paul Fabre	MEO staff	
68	SHERINA JANSEN DOLMILLES	SB	
69	Glady Dawn	SB	
70	MAR WIGAL, MARCO E	MEMBER - STAFF	
71	SOLOSA, HONEYLME	MEMBER STAFF	
72	Calaguing, Keaten	Eng I	
73	LAGO, LAURO	MEO	
74	JANDALE OULERA	SB	
75	ELZA BORA P. PUEL	SB	
76	MARIA CORAZON B. MANOIRA	"	
77	QUINTIN T. OCTA, JR	SB	
78	Rodolfo V. Musca	Kagawad	Rodolfo V. Musca
80	JACMIN U. BORJA	MSWD	Jacmin U. Borja
81	Arturo Madala	CS	
82	Leil C	Lee I	
83	ERWIN T. MORABE	PB	
84	GINA MARIW	MW	
85	Twinke Bergan	MD	
86	MILY RIZAL	SB	
87	Ruel P. Torda	SB	
88	CECIL M. CARRA	MEO	
89	Glaci S. FUR	MPCO	
90	Zaira Angelo	MPCO	
91	LYZA GAUSIN	GSO	
92	M. Gyles	TUW	
93	Lenny Duran	GSO	
94	Vince Salvator	MER	
95	Benedict T. Malate, Jr	FPLO	
96	Teodoro P. Pineda	MSW	
97	Luzian Lopez	SB	
98	Pyun C. Mansaluyan	SB	
99	Bonnie S. Sumana	SB	
100	Sheila C. Obgas	SB staf	
101	Polycarpo Vergara	SB	
102	Jannelyn Rancala	SB	



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Province of Leyte
Municipality of Tanauan
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OFFICE OF THE SANGGUNIANG BAYAN

NO.	NAME	DESIGNATION	SIGNATURE
103	JENNIFER B. AYUBIT	SB	
104	Ellen Mabamang	SB	
105	JOSE MALATE	SB	
106	NELSON ALDABO	SB	
107	JERRY SEVA	SB	
108	ROCELIO VILLEGAS	SB	
109	Charmel Puyada	SB	
110	MICHAEL NATIVIDAD		

1 Republic of the Philippines
2 Province of Leyte
3 TANAUAN
4 -oOo-
5 16th SANGGUNIANG BAYAN
6

7 **MINUTES OF THE PUBLIC HEARING**
8 **September 15, 2023**
9 **Presidencia Lobby, Tanauan Town Hall, Tanauan, Leyte**
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11 **I. PRELIMINARY**

12 The Public Hearing commenced at 9 o'clock in the morning with an opening prayer and
13 introduction of the proposed Ordinances and the authors thereof as well as the other SB
14 Members who were present.

15 In attendance during the morning session were the sponsors of the proposed Revision of
16 the Senior Citizens Code – Hon. Jasmin U. Borja, Hon. Paul Emmanuel R. Cinco and Hon. Atty.
17 Isagani S. Espada. Also present were SB Members Hon. Josie M. Creer, Hon. Engr. Mae Jane
18 Angelie M. Morabe-Borais, Hon. Cherry Anne T. Fiel and the ABC President - Hon. Ma. Martina L.
19 Gimenez.

20 The authors of the Proposed Ordinance on Ecological Solid Waste were also present
21 during the afternoon Hearing, with the attendance of Hon. Mark Efren E. Merilo.

22 Among of the persons invited and attended during the said public hearing were the
23 representatives of the Senior Citizens from every Barangay, the OSCA Head, representatives of
24 the FSCAT and the Chairpersons of the 54 Barangays in the municipality and representatives from
25 the MSWDO and the RHU.

26 While for the proposed Ordinance on Ecological Solid Waste Management, among of the
27 stakeholders that attended were the personnel from the MENRO, Brgy. Councils, SK
28 Chairpersons, representatives from the DepEd particularly from the different schools within the
29 municipality, representatives from Health Center and the Market Office/GSO, representatives
30 from industrial companies such as Pepsi, and junkshop operators in the municipality.


31 **II. AGENDA**

32 **1. A Proposed Revised Senior Citizens Code of Tanauan, Leyte.**

33 **Sponsor: Hon. Jasmin U. Borja**
34 **Co-sponsors: Hon. Paul Emmanuel R. Cinco**
35 **Hon. Atty. Isagani S. Espada**
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37 **Joint Committees on Laws and Senior Citizens (Lead Committee: Laws)**
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39 **COMMENTS/FINDINGS:**
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- 42 • Under Section 12 of the proposed Ordinance, majority of the Senior Citizens who
43 were present voted that instead of Php100.00, only Php50.00 will be charged for
44 the replacement of lost, worn out, mutilated Senior Citizen IDs, same with the
45 amount for the replacement of lost or full Purchase Booklets;
 - 46 • The issuance of Senior Citizen IDs and Purchase Booklets for first-time applicant
shall also be free of charge;
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- 1 • FSCAT was proposing to take charge in the collection and re-issuance of
2 replacement IDs and booklets at Php50.00 and in return, a percentage of the
3 proceeds will accrue to their Organization and the remaining percentage will
4 accrue to the OSCA which will be remitted to the Municipal Treasurer's Office;
- 5 • Under Section 14 of the Proposed Ordinance, it was clarified that the manner of
6 selection and appointment of the OSCA in reality is not from the 3 nominations by
7 the "general assembly" of DSWD registered Senior Citizens' organization but
8 instead it is the "Federation" that nominates or recommends as who will be
9 chosen as the OSCA Head;
- 10 • The incumbent OSCA Head – Flora Ladrera, also requested for the appropriation
11 of funds for the compensation of staff/personnel from the barangays who are
12 assisting the OSCA in its operation and maintenance, as provided under Section
13 16 of the proposed revision;
- 14 • To indicate the word "Officer" under Section 27 of the proposed ordinance which
15 provides for the Qualifications of the Senior Citizens Helpdesk;
- 16 • That the Secretary of the Senior Citizens' Council under Section 28 shall indicate
17 the "President" of the Federation of Senior Citizens;
- 18 • That the ABC President shall be included as among of the Members of the Senior
19 Citizens Council under Section 28 and in the Composition of the Local Inter-Agency
20 Coordinating and Monitoring Board as provided under Section 56 of the proposed
21 Ordinance;
- 22 • To indicate in Section 48 of the proposed Ordinance only the basic commodities
23 which are provided for by the National Law to which special discounts may apply;
24 and
- 25 • To replace in the proposed ordinance all the terms of "older persons" with "Senior
26 Citizens" in order to avoid confusion and/or room for doubts and interpretation
27 as to whether the provision refers to all older persons and not only to Senior
28 Citizens who are 60 years old and above.


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30 *(NB: Lunch Break)*

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32 **2. A Proposed Ordinance Providing for the Ecological Solid Waste Management Program**
33 **of Tanauan, Leyte and Providing Fines and Penalties for Violation any of the Provisions**
34 **thereof.**

35 **Author: Hon. Engr. Mae Jane Angelie M. Morabe-Borais**
36 **Co- Authors: Hon. Ma. Martina L. Gimenez**
37 **Hon. Atty. Isagani S. Espada**

38
39 **Committee on Laws**
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41 **COMMENTS/FINDINGS:**

- 42 • Deleted provisions under Section 24, Article XII of the proposed Ordinance on the
43 payment of Solid Waste Management Fees as there is already an existing
44 Ordinance providing for the collection thereof;
 - 45 • Concern of Brgy. Sacme as to the suitable location for the construction of their
46 Barangay Material Recovery Facility as there were oppositions by the
47 neighborhoods and or owners of the adjoining lot which they have initially
48 identified to be their MRF site to which the MENRO designate answered that it is
49 the Barangay who shall determine the lot or the area of their MRF, but the same
50 may be with the assistant of their Office;
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- 1 • Concern of Brgy. Guingauan as to whether there is a standard program of work for
2 the construction of the Barangay MRF to which the MENRO Officer clarified that
3 there is no uniform design of the MRF but the other barangays may imitate the
4 Program of Works of those barangays who has already implemented their
5 barangay MRF;
6 • The concerns of the representative of Tanauan School of Craftsmanship and Home
7 Industries (TSCHI) regarding the following:
8
9 - Collection of special waste from the schools especially during EVRAA and other
10 similar events: the main author answered that the same is possible provided
11 the schools will coordinate with the MENRO Office. Mr Perez also added that
12 the separate schedules of the collection of special wastes may not be possible
13 at the onset of the implementation of the Ordinance due to lack of garbage
14 trucks and gasoline costs.
15 - Exemption of the Schools from the collection of fees: the main author clarified
16 that under the proposed Ordinance, the collection of garbage for public
17 officers or institutions is free of charge;
18 - The liabilities of the school heads for the offenses or violations of their
19 students: the main author explained that if it is the students who commit any
20 violation of the ordinance outside of the school premises then the school
21 heads are not liable;
22 - To regulate the burning by charcoal vendors/operators along the highway
23 causing visibility problems for drivers and other road users: the main author
24 emphasized that the prohibition against burning under the proposed
25 Ordinance refers to the burning of solid wastes and does not the burning of
26 woods or coco shells for charcoal purposes. She further emphasized that the
27 said concern pertains to the Clean Air Act which may be addressed through a
28 separate legislation.
29 - The regulation in the use of single-use plastics and styro packs: the main
30 author also explained that the regulation on the use of plastic cannot yet be
31 implemented as there is no existing Ordinance in relation thereto but as the
32 Chairperson of the Committee on Environment, she is taking note of the
33 concerns and will address the same one step at a time.

34 **III. ADJOURNMENT**

35 Upon the conclusion of the open forum and there having no more matters included in the
36 agenda for the said public hearing, the same was adjourned at 3:45 in the afternoon.

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38 I HEREBY CERTIFY to the correctness of the foregoing MINUTES of the Public Hearing of
39 the 16th Sangguniang Bayan of this municipality held on the date and at the place above-stated.

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43 **ATTESTED:**

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45 **HON. ATTY. ISAGANI S. ESPADA**
46 Chairperson
47 Committee on Laws

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51 **ATTY. MIAMOR D. NATIVIDAD**
Board Secretary

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55 **HON. JASMIN U. BORJA**
Chairperson
Committee on Senior Citizens

PUBLIC HEARING


A PROPOSED ORDINANCE FOR THE ECOLOGICAL SOLID WASTE MANAGEMENT PROGRAM OF TANAUAN, LEYTE AND PROVIDING FINES AND PENALTIES FOR VIOLATING ANY OF THE PROVISION THEREOF.

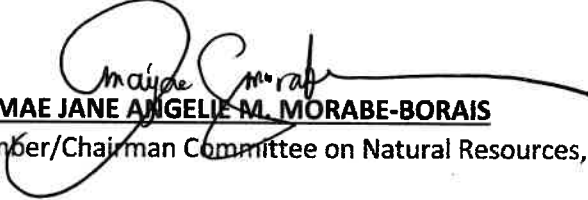
SEPTEMBER 15, 2023 (FRIDAY)
9:00 AM at Presidencia Lobby

ATTENDANCE

NAME	DESIGNATION	BARANGAY	SIGNATURE
1. Coronon A. de la Cruz	P.B.	San Roque	[Signature]
2. FREDY C. NIÑA	P.B.	San Roque	[Signature]
3. HORO B. MANITE JR.	P.B.	QUINDACAN	[Signature]
4. CARLOS C. TAVARA	P.B.	BANGON	[Signature]
5. JANE A. ORIBO	BARANGAY	San Roque	[Signature]
6. JAMES S. de la Cruz	P.B.	CAHUMAYHUMAN	[Signature]
7. DOMINIC JODIVIL	P.B.	TA-CROZ	[Signature]
8. Norman Salibon	P.B.	Salvador	[Signature]
9. Sebastian de la Cruz	HT-111	Malaguicay	[Signature]
10. ZOSIMO D. ESPINA	P.B.	MOTON	[Signature]
11. REYMAN O. LEONA	P.B.	CASUNGA-AN	[Signature]
12. JONEL C. BACANA	P.B.	GUINGUAN	[Signature]
13. HONETIN C. COSTIANSO	P.B.	MAHULO	[Signature]
14. CARLITO O. OLIVERO	P.B.	ARADO	[Signature]
15. Margarito E. Gempis Jr.	P.B.	Paras	[Signature]
16. GERVAZIO T. BOU	P.B.	BANTAGAN	[Signature]
17. Geny A. Cambi	P.B.	Legon	[Signature]
18. RICHARD M. WILHE	HT-	KITING NIS	[Signature]
19. DOMINIQUE M. CAMENI	T-III	ICAT	[Signature]
20. FLORES ROSARIO ANO	P.B.	CAMRUI	[Signature]
21. Carmelita C. Maman	P.B.	Galang	[Signature]
22. Wilma B. Puez	P.B.	Binolo	[Signature]
23. Bernard J. Ordoz	REP. REPUT	BUNRAY	[Signature]
24. Roda B. Buan	P.B.	TALORA	[Signature]
25. Rogel P. P. P.	P.B.	Cabaranan	[Signature]
26. IRIBEL P. MACEDA	P.B.	MARIBI	[Signature]
27. WENDA de la Cruz	DIST. Head	TAN. I. MST	[Signature]
28. PROIE S. CUNO	P.B.	LAPAY	[Signature]
29. Lourdes B. Monte	P.B.	Amanhan	[Signature]
30. Feliciano C. Cruz	P.B.	LWISO	[Signature]
31. PDL LYNN B. URBANO	TEACHER	TSCM	[Signature]
32. Evangelina S. Garcia	P.B.	Binangonan	[Signature]
33. Mae Aina S. Cardana	Process Mgr/Peri	870. Nino	[Signature]
34. JASMIN U. BORJA	SB MEMBER	PAGO	[Signature]
35. FANTON S. AMADOR	PWS	Tanauan II District	[Signature]
36. MAE JANE MARIFE BORJA	SB MEMBER	BUNRAY	[Signature]
37. Arturo B. P. P.	MEMBER	UPDO/San Roque	[Signature]
38. LEZANDRO L. NONESCO	ESPCYO Founder	BALUD	[Signature]
39. ROSEL A. BLENDA	PHILIPPINE		[Signature]
40. Rufino C. Almodan	MT/President	TSCM/DCI	[Signature]
41. Edwyn C. Torres	Bonifa Secretary	Cabunyan	[Signature]
42. Marife B. Salvano	P.B.	Brang Gacme	[Signature]
43. JOELIA POMERO	SK CHAIRMAN	ATPOLO	[Signature]
44. LUCIL M. ABAJO	ADLU	EUSA-Tanauan Campus	[Signature]
45. LUDIVINA V. LADAN	P.B.	Cabunyan	[Signature]

46.	ANTERO MERICAS JR	Hand happen	St. Cruz	
47.	PEX L. YANJUNIA	RM	GM MUM	
48.	ALYANA HANUMAT	RM	SON NOBLE	
49.	REMUN IBARTOS	HAIYAN	BICUB	
50.	Luz Madanga	MS	Tayang	
51.	GRUNCIAN COMENS	PACU	Tan	
52.	ELEN SHUKY KORNOSIA		LGU	
53.	JUSIE WAB EUNIK		LGU	
54.	MABUCA OLASTAY		LGU	
55.	Opuntia Remon		LGU	
56.	Chon Kating C. SANT	WORK	GBU	
57.	JASON APINANO	SECURITY	LGU	
58.	BYRON B TUBAI	G.O	GSO	
59.	Arman. Dama C	MORATAP-STAFF	LGU TAN.	
60.	Angela A. Condon	GB		
61.	MAMIE C. JOYCA	LGU TAN.	LGU TAN	
62.	Bebe Tingon			
63.	ARVIS PA BULADUE	GBD	LGU TAN	
64.	HONEYLINE SMOCA	GSO	LGU TAN.	
65.	ZULIETA DAC RAMZ	GBD	LGU	
66.	Dyane Gery	GSO	LGU	
67.	STEPHINE B. ANGELO	P.B.	PRIL	
68.	JOEL P. LOGRANIS	P.B.	L-DAKU	
69.	MARK FRAN F. MERINO	SB MEMBER	LGU TANAUAN	
70.	SHERINA JANSEN DOLAN LGI	CB STAFF	LGU TANAUAN	
71.	Cheryl Packer	FB STAFF	LGU TAN	
72.	PONCE M. GUY-JOCO	MO	"	
73.	ANZON MICKPOO	M/S	"	
74.	Twinkle Kaye Berdan	MO	LGU TAN	
75.	MARINE CHAYON	MO	"	
76.	Armiel Paul Siguira	LGU	LGU	
77.	MAR VITELAS	MUN. ACCOUNT	LGU	
78.	MELINDA SOMAUA	OLC-TRBO	LGU	
79.	MA-LINA E. MERLU	MUN. MAYOR	LGU	
80.	RESTITUTA CARIFE	MUN. TREASURER	LGU	
81.	Alex C. Miralles	P.B.	SD NINO	
82.	Wally Dorn	SB Clerk - 1	LGU	
83.	Janetale Quiro	Clerk - 1	LGU-TAN	
84.	CHRISTIAN BENEDICT A. ADILLA	WORK - 1	SB GIPICO	
85.	ALAN PANGRA	G.S.O.	G.S.O.	
86.	Chinon Cobada	GBD	LGU-TAN.	
87.	ALEX MERCADO	GSO	LGU-TAN.	
88.	SHEILA C. OBEJAS	SB STAFF	LG-TAN	
89.	Angela Resora	"	"	
90.	Polycario Logora	S P-7 TAP	C.GU-TAN.	
91.	Barbara A. Tano	-dp-	USU-TANAUAN	
92.	Ante Chyn	SB	"	
93.	Miriam Natwidan	"	"	
94.	Elizabeth P. Fiel	SB	LGU TANAUAN	
95.	Bonifacio C. Sanchez	SB	"	
96.	KATHERYN A. EMBOG	SB	"	
97.	Jennahyn Barcala	SB	"	
98.	Joy Valente	SM	"	
99.	NEISON ALBAO	UPS OFFICE	"	
100.	Jonel Solayao	"	"	
101.	JENNIE CAMBUI	"	"	

102.	Elen Mabansag	SB Staff	SB Office	
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ENGR. MAE JANE ANGELIE M. MORABE-BORAIS
 SB Member/Chairman Committee on Natural Resources, Environment Protection and Rehabilitation



Republic of the Philippines
Province of Leyte
TANAUAN
-oOo-

OFFICE OF THE SANGGUNIANG BAYAN

C E R T I F I C A T I O N

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that ORDINANCE NO. 2024-20, "AN ORDINANCE PROVIDING FOR THE ECOLOGICAL SOLID WASTE MANAGEMENT PROGRAM OF TANAUAN, LEYTE AND PROVIDING FINES AND PENALTIES FOR VIOLATION ANY OF THE PROVISIONS THEREOF AND APPROPRIATING FUNDS THEREFOR.", have been posted in the bulletin boards at the following: Entrance of the Municipal Hall, Office of the Sangguniang Bayan and Public Market beginning November 5, 2024 and shall remain posted for a minimum of three consecutive weeks.

This certification is issued in compliance with the pertinent provisions of R.A. 7160.

Issued: November 5, 2024


ATTY. MIAMOR D. NATIVIDAD
OIC - Sangguniang Bayan Secretary