ORDINANCE NO. 539. S–2014

ORDINANCE REORGANIZING THE CITY ENVIRONMENTAL MANAGEMENT DEPARTMENT (CEMD) PREVIOUSLY KNOWN AS THE ENVIRONMENTAL SANITATION CENTER, PROVIDING FOR ITS STRUCTURE AND STAFFING

SECTION 1. CREATION. It is hereby created and established in the City of Mandaluyong the City Environmental Management Department, its staffing, functions and organizational structure.

SECTION 2. OBJECTIVES. It is the primary goal of this Department to integrate an effective and efficient enforcement, implementation, planning, monitoring and evaluation of all programs, projects and activities relating to the environment specifically water management, air quality control, energy utilization, preservations and conservation and the integration and development of Solid Waste Management measures.

SECTION 3. PURPOSE. This Department is created in order that the City and its inhabitants may enjoy a healthful ecology, sustainable and quality environment, systematic in its operation and effective delivery of environmental services.

SECTION 4. ORGANIZATION AND STAFFING. The Department shall be composed of Four (4) Divisions. The Department hereinafter created shall be headed by the City Environmental Management Officer possessing the following qualifications as provided for by the Local Government Code:

a. Citizen of the Philippines;
b. A resident of the City of Mandaluyong for at least five (5) years;
c. Of good moral character and reputation and staunch supporter of the environment;
d. A holder of a college degree preferably in environment or forestry or agriculture or any related course from a recognized and reputable college or university;
e. A holder of a first grade Civil Service Eligibility or its equivalent;
f. Must have acquired experience in environmental and natural resource management, conservation and utilization for the last 5 years; or

g. Subject to requirements set forth by the Civil Service or by its Qualification Standards.

SECTION 5. FUNCTIONS. Functions of the City Environmental and Management Department (CEMD) shall be observed as provided for in Article 122 (n) of the Rules and Regulations Implementing Republic Act 7160. Divisions and Offices shall operate in the following:

I. ADMINISTRATIVE DIVISION. Headed by Administrative Division Officer IV – is tasked to do administrative and clerical works and to maintain basic office operations. It is composed of:
a. ADMINISTRATIVE SECTION – that which is tasked to do the basic office operations, correspondence and logistical operations.

b. RECORDS AND PROPERTY SECTION – that which is tasked to do the data banking, compilation of monitoring reports, archiving and necessary equipment and tools inventory.

c. SOLID WASTE MANAGEMENT PLANS/PROGRAMS, TECHNICAL RESEARCH AND PROJECT DEVELOPMENT – is tasked to do the following:

i. Provide research and periodically publish results of studies made on the impact of public works and infrastructure projects wholly funded by City funds, on the City’s ecology, to guide the City’s infrastructure and other development projects;

ii. Coordinate with government agencies and non–government organization in the implementation of measures to prevent and control land, air and water pollution with the assistance of DENR;

iii. Ensure the active participation of the City’s constituents in program project relative to the protection of the environment;

iv. Formulate measures for the consideration of the Sangguniang Panlungsod and provide technical assistance and support to the City Mayor in carrying out measures relative to the protection of the environment in totality and its management;

v. Develop plans and strategies on waste management and pollution control pursuant to programs and projects and implement them upon the approval thereof by the Mayor; The provisions of the Clean Air Act and Water Code of the Philippines shall be applied;

vi. Recommend to the Sanggunian and advise the Mayor on all matters relative to the protection, conservation, maximum utilization, application of appropriate technology and other matters related to the environment;

vii. Provide extension services to beneficiaries of environment–related projects.

II. SOLID WASTE MANAGEMENT DIVISION. This Division is created to perform routine garbage collection in accordance to the contract that which creates such obligation. It shall be composed of:

a. GARBAGE COLLECTION SECTION – is hereby mandated to:

i. Conduct a systematic garbage collection in the City;

ii. Guarantee that personnel assigned in this Section, in the performance of their duties, are equipped with the basic protective gear necessary to shield themselves from harmful ecological elements of their job;
iii. Monitor that the number of trips per day be strictly observed.

b. TASK FORCE SECTION – is a special cleaning operations group mandated to:

i. Assist in the delivery of the services concerning the environment and natural resources, particularly in the renewal of rehabilitation of the environment during and in the aftermath of man–made and natural calamities and disasters;

ii. Perform special projects of the City that will necessitate city wide clean up.

III. GREENING, BEAUTIFICATION, PARKS AND DEVELOPMENT DIVISION shall be composed of:

a. COMMUNITY CLEANING AND BEAUTIFICATION SECTION – that performs the everyday clean up in the City to maintain cleanliness of the surroundings, a healthy and green environment;

b. PARKS AND RECREATION MANAGEMENT SECTION – is tasked to maintain a green environment and recommend the establishment and maintain, protect and preserve tree parks, linear parks, greenbelts, sanctuaries and other similar projects.

IV. ENVIRONMENTAL PROTECTION DIVISION – shall be composed of Air Pollution Management Section and Monitoring, Inspection and Enforcement Section. The said Division will be tasked to supervise, coordinate, monitor and create plans and programs relating to Air, Water and Energy.

a. AIR POLLUTION MANAGEMENT SECTION – is created to:

i. Maintain a comprehensive pollution control programs to include anti–smoke belching and industrial pollution control. Anti–smoke belching Ordinance shall be implemented by this Section;

ii. Prepare comprehensive air quality management program within the limits set forth in Republic Act 7160 and pursuant to the provisions of the Clean Air Act – carry out measures to ensure the delivery of basic services relative to air quality and take the lead in all efforts concerning air quality protection and rehabilitation;

iii. Monitor any activity in the City particularly production or manufacturing or construction that which due to the nature of their activity will necessarily emit hazardous air pollutants;

iv. Apprehend or impose necessary sanctions upon any violators of this Section;

v. Implement the Noise Pollution Ordinance; and
vi. Conduct periodic check in factories and other business establishments to check if such factories or establishments comply with the provisions of the Clean Air Act and recommend the filing of appropriate charges and/or cancellation of the said permit.

b. WATER POLLUTION MANAGEMENT SECTION – is created to perform:
   i. Periodic monitoring of compliance of water treatment facility in every condominium, NHA housing project, subdivision and townhouse;
   ii. Compliance with the Clean Water Act of 2002;
   iii. Coordination with the Pasig Rehabilitation Commission with respect to Pasig River preservation, its programs and activities;
   iv. Periodic cleaning and monitoring of creeks, esteros, and canals in the City;
   v. Reporting or recommend necessary sanctions of any unlawful acts that will violate any provisions of the law relating to this Section.

c. ENERGY CONSERVATION SECTION – is created to:
   i. Monitor and maintain Solar Panels and other energy saving facilities established in the City;
   ii. Develop and implement concepts and programs of the National government with respect to energy conservation;
   iii. Recommend to the Sangguniang Panlungsod proposed measures that will promote renewable energy and other energy conservation concepts such as Green Building and the likes.

d. MONITORING, INSPECTION AND ENFORCEMENT SECTION – is hereby created to:
   i. Issue clearances relevant to its implementation and in concerned areas within its jurisdiction;
   ii. Collect fees and penalties in the enforcement thereof;
   iii. File appropriate charges, impose sanctions and apprehend violators of this Ordinance and other related National and Local laws;
   iv. Cancel License or Permits upon the recommendation of the BPLD;
   v. Periodically inspect establishments and residential areas in the compliance of all environmental laws;
   vi. Exercise such other duties and functions as may be prescribed by law or ordinance and perform such other functions as may be determined by the City Mayor through Executive Order.
SECTION 6. RENAMING. This Ordinance shall rename the Environmental Sanitation Center (ESC) of which shall be now known as City Environmental Management Department.

SECTION 7. STAFFING PATTERN. The City Mayor, based on recommendation of the Human Resource and Management Department shall determine the staffing pattern of the City Environmental Management Department (CEMD) as proposed by this Department and subject to Civil Service laws, rules and regulations.

SECTION 8. REORGANIZATION. The City Environmental Management Department (CEMD) shall be included in the proposed reorganization of offices and Departments in 2014.

SECTION 9. REMUNERATION. The remunerations of the Office’s staff shall be determined by the City Mayor, upon the recommendation of the City Human Resource and Management Department, and subject to existing Civil Service laws, rules and regulations.

SECTION 10. FUNDING. The amount necessary for the implementation of this Ordinance shall be included in the general appropriation of the City in 2014, through supplemental budgetary appropriation, and every year thereafter.

SECTION 11. SAVING AND/OR SEPARABILITY CLAUSE. Any provisions of this Ordinance found to be contrary to law shall be void, save those parts of provisions thereof that are lawful and enforceable.

SECTION 12. EFFECTIVITY. This Ordinance shall take effect fifteen (15) days after publication.

ENACTED on this 3rd day of March, 2014 in the City of Mandaluyong.

I HEREBY CERTIFY THAT THE FOREGOING ORDINANCE WAS ENACTED AND APPROVED BY THE SANGGUNIANG PANLUNGSSOD OF MANDALUYONG IN REGULAR SESSION HELD ON THE DATE AND PLACE FIRST ABOVE GIVEN.

JIMMY D. LACEBAL
Sanggunian Secretary

PRESIDED BY:

EDWARD G. BARTOLOME
Vice Mayor &
Presiding Officer

APPROVED:

BENJAMIN DC. ABALOS, JR.
City Mayor

Date: MAR 13 2014