Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City of Mandaluyong

ORDINANCE NO. 572, S–2014

OMNIBUS ORDINANCE PRESCRIBING GUIDELINES
AND PROCEDURES FOR A UNIFIED
APPROACH ON SOLID WASTE
MANAGEMENT IN MANDALUYONG CITY

CHAPTER I
GENERAL PROVISIONS

BE IT ORDAINED, as it is hereby ORDAINED, by the Sangguniang Panlungsod in
session assembled, that:

SECTION 1. SHORT TITLE. This Omnibus Ordinance shall otherwise be known as the
"UNIFIED APPROACH ON SOLID WASTE MANAGEMENT".

SECTION 2. DECLARATION OF POLICY. The City Government of Mandaluyong, acting with
the knowledge that the protection and safeguarding of the health, welfare,
safety and well-being of its residents is one of its primary duties and functions
and in line with its commitment to serve public interest in a proper and
suitable manner and in pursuance with its continuing beautification, cleanliness
and sanitation drive hereby declares, as a matter of policy, to keep and
maintain at all times the City of Mandaluyong as a "Garbage Free Area".

In line with this declaration, it shall be the duty of the Barangay
Chairman to encourage each and every resident of the Barangay to keep and
maintain or cause to be kept and maintained their respective premises,
including its frontage and immediate surroundings, in clean and sanitary
condition.

SECTION 3. DEFINITION OF TERMS.

a. BULKY WASTE – 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;

b. COLLECTION – the gathering of stored waste, setting it out and
hauling them to transfer stations or to other facilities;

c. COLLECTION EQUIPMENT – vehicle used in the gathering of stored
waste set out for collection;

d. COLLECTION SCHEDULE – designated time given for the collection
of waste in the route;

e. DISCHARGE OR SET OUT – putting or setting out of stored waste
set out for collection;

f. CEMO – refers to the City Environmental Management Department
which is a department under the Office of the City Mayor tasked
to monitor and implement the provision of this Ordinance;

g. GARBAGE – For purposes of this Omnibus Ordinance, the term
garbage shall include:
1. Dirt, trashes, filth and other waste matters and/or refuse;
2. Empty bottles or any other containers of foods, drinks and the like;
3. Candy or food wrappers, cigarette butts and similar trash;
4. Unused clothing, shoes, slippers and similar items;
5. Any or all objects, things that tend to endanger the health and safety of the residents including, but not limited to, objects, things or items that impair, destroy or lessen or otherwise adversely affect the beauty and cleanliness of a particular area, place or location;
6. Remains of dead animals including human or animal waste; and
7. Waste or refuse emanating from the conduct of business, industrial or commercial activities.

h. GARBAGE COLLECTOR — any person tasked to pick up stored waste set out for collection;

i. GARBAGE SERVICE CHARGE — These are the fees collected and paid by the big manufacturing companies operating in the City of Mandaluyong for the collection of their garbage as provided for in Section 10 of this Ordinance;

j. JUNK DEALER — any person engaged in recovering recyclable materials as a trade or business;

k. LITTER — waste improperly set out or scattered, with a volume of one (1) liter (1,000 ml) or less;

l. PRIVATE CONTRACTOR — refers to qualified private entities/contractors that were contracted by the City Government to collect and dispose of the solid waste collected in the City of Mandaluyong;

m. SCAVENGING — the act of opening stored waste set out for collection and disposal to retrieve recyclable or reusable materials;

n. SOLID WASTE — a non-liquid waste material arising from domestic or household; It also includes waste arising from the conduct of public services such as street sweepings, clean-and-green activities, and the clearing of typhoon wrought debris. Or any solid or semi-solid material resulting from human and animal activities, that are considered useless, unwanted, or hazardous. Or, any material that becomes waste only when a specific owner ceases to have use for it. Solid waste or ordinary garbage collected from big manufacturing companies excluding hazardous and toxic waste falling under this classification as defined in Republic Act 6969;

o. STORAGE — isolation of waste from the environment to prevent health hazard and to facilitate collection;

p. TOXIC & HAZARDOUS WASTE — waste that is harmful to human beings, plants and animals and to the environment.

SECTION 4. BASIC CONCEPTS. Basically, any waste should be left in the place of purchase or in the household and no other person or individual in between has the obligation to keep that waste. The City has no obligation to put up trash/receptacle for anybody.
All stores, establishments and households are required to have suitable trash receptacle or storage area for their garbage to keep ones garbage within their premises and only to be brought outside during scheduled collection days.

No garbage or solid waste from big manufacturing companies and/or commercial or industrial establishments in the City of Mandaluyong shall be collected and disposed of by Garbage Contractor of the City without the payment of the Garbage Service Charge.

All big manufacturing companies and/or commercial or industrial establishments operating in the City of Mandaluyong shall first pay in the Office of the City Treasurer or its authorized representative/s the Garbage Service Charge in the amount thereto prescribed in accordance with the volume of garbage generated and to be disposed of by the company as attested and verified by the authorized representative of the company.

Garbage shall then be collected by the authorized private contractors commissioned by the City Government in accordance with the rules and procedures prescribed under this Omnibus Ordinance.

CHAPTER II
IMPLEMENTING AGENCY

SECTION 5. CREATION OF GARBAGE TASK FORCE. For the strict and effective implementation of this Omnibus Ordinance, a Garbage Task Force is hereby created composed of the following:

a. The Mayor as Chairman;
b. The Head of the CEMD;
c. Chairman of the City Council's Committee on Environmental Protection and Technology;
d. A Barangay Captain nominated by the Liga ng mga Barangay;
e. A representative from the ranks of the Barangay Councilmen nominated by the SAMAKABA;
f. A representative of the Mandaluyong Chamber of Commerce and Industry (MCCI); and
g. A representative from the private sector appointed by the Mayor, as members.

SECTION 6. DUTIES OF THE GARBAGE TASK FORCE.

a. Promulgate rules and regulations to effectively carry out the purpose and objective of this Omnibus Ordinance;
b. Designate the day, time and place of collection of garbage within the City;
c. Appoint deputies preferably the Barangay Captain, for each of the twenty seven (27) Barangays;
d. To supervise and coordinate the collection and disposal of garbage within the City;
e. To do and perform such other duties and functions necessary to attain the goal of keeping and maintaining the City of Mandaluyong as a Garbage Free Area.
SECTION 7. OTHER IMPLEMENTING AND COORDINATING BODIES/GOVERNMENT OFFICES.

The City Environmental Management Department (CEMD) is a government agency that is tasked to monitor and supervise the implementation of this Omnibus Ordinance.

The City Health Department, Sanitation Division, Business License Department, Assessor’s Office and Tricycle Regulatory Board shall be partner-agencies in the systematic implementation of this Omnibus Code.

CHAPTER III
SOLID WASTE MANAGEMENT

SECTION 8. STORAGE OF WASTE.

8.1 Waste shall be stored only in the place of purchase or in the household. Under no circumstances shall waste be stored in any other place. Waste shall be stored only within the premises of the generator.

8.2 Waste shall be stored and set out for collection in a closed plastic bag or any appropriate container to avoid the entry of insects, pest and vermins, escape of bad odor; and spillage of leachate. Unpacked, improperly packed and spilled garbage shall not be collected.

Spilled garbage due to improper packing shall not be collected. The owner shall be responsible in sweeping, cleaning and repacking of the spilled garbage and shall clean the mess caused by it.

8.3 Household Toxic and Hazardous Waste (THW) shall be placed in a separate appropriate container and shall be disposed of in a specified 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 9. DISCHARGE OR SET OUT OF WASTE FOR COLLECTION.

9.1 Waste shall be set out for collection only within the scheduled date and time of collection. On collection day, the waste may be placed immediately beside the fence of the owner. The waste shall be packed and tied to avoid from scattering and spillage.

The day, time and pick-up points of garbage in the twenty seven (27) Barangays of the City shall be designated by the Garbage Task Force and the same shall be publicly announced and given widest dissemination by means of placards, posters and similar signs.

9.2 Household, commercial establishments and institutions shall set out their waste conspicuously only in front of their premises during the designated collection day.

9.3 Bulky waste shall be collected separately or scheduled for special collections subject to special arrangement with the Local Government Units (LGU) through the City Environmental Management Department (CEMD).
SECTION 10. WASTE COLLECTION SYSTEM.

10.1 The City Government shall be responsible in collecting the garbage door to door on the specified collection day without fail. The City shall share this responsibility with the Barangays in accordance with the Local Government Code;

10.2 The City shall coordinate with the Barangays and Homeowners Association if there is any, the setting-up of the type of collection that will be used;

10.3 The City shall coordinate the designation of collection schedules in the routes with the Barangays;

10.4 All trips during collection shall be required to have a trip ticket indicating the Barangay, as well as the route the trip will cover;

10.5 Only the authorized commissioned garbage collector shall be allowed to handle the waste from the generators;

10.6 Any individual/party, unless authorized by the City Environmental Management Department (CEMD) and the Solid Waste Management Board shall be disallowed to open and clutter stored waste set out for collection, retrieval of recyclable or reusable materials from the designated pick-up points. Hence, selling, scavenging and sorting or "bulasi" by the garbage collection crew or any individual shall not be allowed at all times. Violation of this rule shall be the cause of outright dismissal of the employee and the contractor shall be held liable for its crew and may cause the suspension or termination of the contract of the contractor;

10.7 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 City Government of Mandaluyong through the City Environmental Management Department (CEMD) following compliance with all necessary Health Certificate issued by the Local Health Officer. They must possess an up-to-date Health Certificate issued by the Local Health Officer;

10.8 The garbage collector shall empty and return all containers to the designated collection area with care. Paper and other temporary containers shall be collected;

10.9 The garbage collector shall not dent, bend or otherwise damage or alter the condition of the container;

10.10 Waste collected shall only be transported directly to the prescribed disposal site;

10.11 Junk dealers are not allowed to collect recyclable materials during the scheduled days of collection;

10.12 Scrap buying and selling shall not be allowed during the scheduled collection days.

CHAPTER IV
SERVICE CHARGE RATES ON WASTE COLLECTION FOR COMMERCIAL/MANUFACTURING/INDUSTRIAL COMPANIES

SECTION 11. WASTE COLLECTION SERVICE CHARGE RATES FOR COMMERCIAL/INDUSTRIAL OR BIG MANUFACTURING COMPANIES. The Garbage Service Charge for the garbage and solid waste collected from big manufacturing companies and other commercial and industrial establishments shall be as follows:
AVERAGE VOLUME OF SOLID WASTE GENERATED AND/OR COLLECTED | GARBAGE SERVICE CHARGE FEES/PER TRIP
---|---
One (1) truck load (20 tons) | Php 3,500.00

Fees for additional or excess garbage collected shall be proportionate to the volume of garbage vis-à-vis the standard amount of Garbage Service Charge indicated above.

The amount shall be paid to the Treasurer’s Office or through its authorized representative before the garbage is actually collected upon certification of the volume of garbage by the duly authorized representative of the company as verified by authorized CEMD personnel.

CHAPTER V
PRESCRIBED WASTE COLLECTION–TRUCK STANDARDS AND PROCEDURES

SECTION 12. WASTE COLLECTION TRUCK STANDARDS.

12.1 COLLECTION EQUIPMENT STANDARDS.

a. All collection equipment shall be registered with the City Government to ensure the proper markings, safety and sanitation of the vehicle;

b. All collection equipment shall be provided with visible and proper markings of plate and body number on both sides, name and telephone number of the contractor. Markings shall have a minimum of twenty (20) centimeters or eight (8 inches) in height;

c. All collection trucks shall be in good body condition and equipped with tools and spare tires. No sacks nor any eyesore must be seen hanging in the truck;

d. All collection trucks shall meet the emission standards set by the DENR including smoke–belching standards;

e. Collection trucks and all equipment shall be kept clean and properly maintained and shall be washed after each disposal.

12.2 WASTE COLLECTION/TRANSPORT STANDARD.

a. All trucks shall be properly covered to prevent spillage of garbage and escape of odor when traveling;

b. All trucks shall have complete taillights, flasher, side mirror, plate number, tailgate, wiper and horn;

c. Reckless driving/irresponsible driver/under the influence of alcohol, regulated and prohibited drugs shall not be allowed;

d. Owners and operators of trucks shall sanitize, disinfect and deodorize the collection trucks before leaving the dispatching area and after its disposal;

e. All trucks shall be equipped with proper cleaning and clearing tools, e.g. brooms, dustpans, spade, shovels, etc. for cleaning and collecting spilled garbage caused by the collector’s improper handling;
CHAPTER VI
UNLAWFUL ACTS

SECTION 13. UNLAWFUL ACTS. Herein enumerated acts are not limited to other unlawful acts as defined in other ordinances of similar import. The said unlawful acts shall be respectively governed according to the law that which prohibits them under such Ordinance.

13.1 Improper storage of waste as provided for in Section 8 of this Ordinance;
13.2 Improper discharge or set out of waste for collection, as provided for in Section 9 of this Ordinance;
13.3 Violation of Section 10.6 of this Ordinance by the garbage collection crew or by any individual;
13.4 Violation by the garbage collectors of Sections 10.7, 10.8, 10.9 and 10.10 of this Ordinance;
13.5 Violation of junk owners of Section 10.11 of this Ordinance;
13.6 Violation by scrap buyers and sellers of Section 10.12 of this Ordinance;
13.7 It shall be unlawful for any personnel of the City Environmental Management Department (CEMD) and/or the personnel of the private contractors commissioned by the Local Government to collect factory waste of establishments doing business in Mandaluyong without the payment of the corresponding Garbage Service Charges;
13.8 No person shall throw, dump or dispose of cigarette butts, candy and food wrappers, in any public place other than the appropriate receptacles provided for that purpose, provided further that the owners and operators of Public Utility Vehicles plying routes within territorial jurisdiction of the City of Mandaluyong shall provide appropriate and covered garbage receptacles inside their vehicles;
13.9 It shall be unlawful for any person to deface, destroy, tamper with or otherwise remove such posted notices as mentioned in Section 9.1;
13.10 No burning of waste shall be allowed at source;
13.11 Violation of Section 12 of this Ordinance by the garbage collector.

CHAPTER VII
PENAL PROVISIONS

SECTION 14.1 VIOLATION OF SECTIONS 13.1, 13.2, 13.8, 13.9 and 13.10. Any person who shall violate, disobey, refuse, omit or neglect to comply with any of the provisions of the aforesaid Sections of these Rules shall be punished by a fine of Two Hundred Pesos (P200.00) but not more than Five Hundred Pesos (P500.00) or imprisonment for a period one (1) month but not exceeding three (3) months or both depending upon the discretion of the Court.

If the person caught violating Section 13.1 hereof is a minor, the penalty provided above shall be imposed upon the head of the family or the person who actually instigated such violation.

In case of violation by a corporation or a partnership, the above penalties shall be imposed upon the President and Managing Partner, as the case may be.
SECTION 14.2. VIOLATION OF SECTION 13.3. Violation of the aforesaid Section shall be punished by outright dismissal of the employee. The Contractor shall be held liable for its crew and may cause the suspension or termination of the contract of the contractor.

SECTION 14.3. VIOLATION OF SECTION 13.5 and 13.6. Violation of the aforesaid Sections shall be punished with a fine of Five Hundred Pesos (P500.00) but not more than One Thousand Pesos (P1,000.00) or imprisonment for a period of three (3) months but not exceeding six (6) months or both depending upon the discretion of the Court.

SECTION 14.4. VIOLATION OF SECTION 13.4. Violation of the aforesaid Section shall be punished with a fine of Two Hundred Pesos (P200.00) but not more than Five Hundred Pesos (P500.00) or imprisonment for a period of one (1) month but not exceeding three (3) months or both depending upon the discretion of the Court.

SECTION 14.5. VIOLATION OF SECTION 13.7. Violation of the aforesaid Section shall be punished with a fine of Three Thousand (P3,000.00) Pesos but not more than Five Thousand (P5,000.00) Pesos or imprisonment for a period of six (6) months but not more than One (1) year or both depending upon the discretion of the Court.

SECTION 14.6. VIOLATION OF SECTION 13.11. Violation of the aforesaid Section shall be punished with a fine of Three Thousand (P3,000.00) Pesos but not more than Five Thousand (P5,000.00) Pesos or imprisonment for a period of six (6) months but not more than One (1) year or both depending upon the discretion of the Court or cancellation of Contract.

CHAPTER VIII

PROCEDURE IN IMPOSING ADMINISTRATIVE FINES

SECTION 15. ADMINISTRATIVE PROCEDURE AND IMPOSABLE ADMINISTRATIVE FINES. Fines as herein referred to are those monetary penalties imposed upon the court for any violation committed under this Ordinance.

15.1 ISSUANCE OF ORDINANCE VIOLATION RECEIPT (OVR). Violator/s of any provision of this Omnibus Ordinance shall be issued an Ordinance Violation Receipt (OVR) by the City Mayor through the City Natural and Juridical Payment of Fines. If the violator is a corporation, firm, institution or other corporate entities, the president, manager or person responsible for its operation shall be held liable. The head of association or owner of mall, condominium, tenement house and household shall be the respondent in case of violation of this Omnibus Ordinance.

If violator is a minor, Section 14, 2nd paragraph of this Rule shall apply.

SECTION 16. COLLECTION AND DISPOSITION OF FINES.

16.1. The payment of fines for violation of this Ordinance shall be at the City Treasurer’s Office;

16.2. The fines collected in violation of this Ordinance shall accrue in favor of the City of Mandaluyong.
CHAPTER IX
INFORMATION CAMPAIGN

SECTION 17. CONDUCT OF PUBLIC INFORMATION, EDUCATION AND COMMUNICATION (IEC) CAMPAIGNS. The City Government in cooperation with the Metropolitan Manila Development Authority (MMDA) and the Barangays, shall conduct a massive public awareness campaign to inform and instruct the people and communicate with people and all stakeholders on matters relative to the implementation of this Omnibus Ordinance (Unified Approach on Solid Waste Management).

SECTION 18. NO CONTEST PROVISION. Any person, individual or entity who is apprehended or cited for violation and who does not wish to contest the violation and is willing to pay voluntarily the minimum fine imposed upon him/her prior to the filing of formal charges with the proper court shall be allowed to pay said fine with the City Treasurer to avoid being criminally prosecuted within six (6) hours from apprehension otherwise the case shall be prosecuted.

For second and subsequent offenders, the maximum fine will be the one to be charged.

The City Treasurer, subject to Civil Service Laws, Rules and Regulations is hereby directed to provide personnel or deputize personnel who will accept payment of fines twenty four (24) hours a day so as not to jeopardize the right of the offender to avail of the six (6) hour period within which is required to pay under this Ordinance.

SECTION 19. SEPARABILITY CLAUSE. Should any section or provision of this Ordinance be declared by the Courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 20. REPEALING CLAUSE. All Ordinances, Resolutions and other issuances inconsistent herewith are hereby repealed, modified or amended accordingly.

SECTION 21. EFFECTIVITY. This Ordinance shall take effect fifteen (15) days after its official publication in a newspaper of general Circular.

ENACTED on this 29th day of September, 2014 in the City of Mandaluyong.

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

JIMMY D. LACEBAL
Sanggunian Secretary

APPROVED:

EDWARD G. BARTOLOME
Vice Mayor & Presiding Officer

BENJAMIN DC. ABALOS, JR.
City Mayor

Date: OCT 15 2014