



Republic of the Philippines  
Province of Misamis Occidental  
MUNICIPALITY OF CALAMBA  
**OFFICE OF THE SANGGUNIANG BAYAN**

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF CALAMBA, MISAMIS OCCIDENTAL HELD AT THE SB SESSION HALL ON OCTOBER 26, 2015.

**ATTENDANCE:**

●	Hon. JESUS C.ENERIO	Municipal Vice Mayor/Presiding
●	Hon. ANTONIO N. LAWAS,SR.	Sangguniang Bayan Member
●	Hon. EMMANUEL M. CALE, M.D.	Sangguniang Bayan Member
●	Hon. JOSEPH C. MALAYAO	Sangguniang Bayan Member
●	Hon. REZIE C. LEONARDO	Sangguniang Bayan Member
●	Hon. EDGAR V. IMAN	Sangguniang Bayan Member
●	Hon. AMELITA Y. PRECIADO	Sangguniang Bayan Member
●	Hon. RODRIGO T. GARCIA	Sangguniang Bayan Member
●	Hon. JUAN T. JUMALON	Sangguniang Bayan Member
●	Hon. CARIDAD C. LANSANG	ABC Pres./Ex-Officio Member
●	Hon. LUCIANO O. DUMANHOG	IP's Rep./Ex-Officio Member

LEGEND: ● - Present ●● - Absent ●●● - On-Leave ●●●● - Out on-Official Business

**ORDINANCE NO. 11-s.2015**  
Sponsored by: Hon. Cale & malayao

**AN ORDINANCE PROHIBITING, REGULATING AND PRESCRIBING CERTAIN USE OF PLASTICS/STYRO FOR GOODS AND COMMODITIES ESTABLISHING AN ENVIRONMENTAL FEE FOR ITS USE PROVIDING MECHANISM FOR ITS RECOVERY AND RECYCLING AND PROVIDING PENALTIES FOR VIOLATION THEREOF AND PROMOTING THE USE OF ALTERNATIVE ECOBAGS AND OTHER BIO-DEGRADABLE AND INDIGENOUS CONTAINERS.**

**PREFATORY STATEMENT**

**WHEREAS**, the global concern on the effect of climate change which brought massive destruction of our mother earth manifested in the devastation of our ecology;

**WHEREAS**, the impact of global warming have significantly brought havoc to the lives of our people resulting to death and damage of properties caused by typhoons and other natural calamities;

**WHEREAS**, the rampant use of single-use plastic bags, cellophanes and their typical disposal create significant litter problems, clogging of canals and even a huge factor that contributes the massive devastation of our ecosystem;

**WHEREAS**, to address the throw-away attitude among its users and recover as much plastic bags from the waste stream, it is deemed necessary to implement an effective system of plastic bag recovery;

**WHEREAS**, the best way to implement such regulation is to seek the participation and commitment of the business sector and the citizens as well in protecting the natural environment;

**WHEREAS**, it is also the duty of the business sector to initiate, participate and invest in integrated ecological solid waste management projects, to manufacture environment-friendly products, to introduce, develop and adopt innovative processes that shall recycle and re-use materials, conserve raw materials and energy, reduce waste and prevent pollution, and to undertake community activities, promote and propagate effective solid waste management practices, as provided in Section 57 of Republic Act No. 9003 or the Ecological Solid Waste Management Act;

**WHEREAS**, it is the best interest of the health, safety and welfare of the people that regulation include the imposition of an environmental fee to:

1. Address the mindless consumption of single-use plastic bags;
2. Minimize the use of plastic bags;
3. Mainstream the use of reusable bags;
4. Invite the active participation of the citizenry in practices that promote a clean and sustainable environment;

**NOW THEREFORE**, BE IT ORDAINED BY THE SANGGUNIANG BAYAN OF CALAMBA IN REGULAR SESSION ASSEMBLED THAT:

**SECTION 1. Short Title:** This Ordinance shall be entitled " Plastic Bag Reduction and the Use of Eco Bag Ordinance of the Municipality of Calamba"

**SECTION 2. Policy Statement:** It shall be the policy of the Sangguniang Bayan to minimize or reduce the number of single use plastic bags, if not eliminate activities and services that generate residual wastes, prohibiting their distribution and encourage the use of environmentally preferable alternatives like eco bags.

**SECTION 3. Definition of Terms.** For the purpose of this Ordinance, the following terms are defined;

- a. **Plastic bags** – it shall collectively refer to plastic bags that are used as carry- out bag or checkout bag provided by a business establishment/stores to a costumer for the purpose of transporting groceries or other retail goods, and that is made from non-compostable or compostable plastic and not specifically designed and manufactured for multiple re-use.
- b. **Eco Bag, Reusable bags** - are bags made out of different materials that can withstand several uses as containers and are manufactured for multiple re-use, made of cloth or other washable fabrics, recyclable plastic materials and paper specifically designed for multiple and long-term use.
- c. **Indigenous Container** – refer to any form of container made of indigenous materials like rattan, buri, bamboo, romblon and other endemic materials, use to transport goods and groceries.
- d. **Redemption Center** – shall refer to a buy back center that accept volume of unrecyclable and recyclable plastics or packaging plastics, and used plastic bags, in exchange for an Eco Bag or Reusable Bag
- e. **Packaging Plastics** - refer to any wrapper or plastic used as primary packaging material used by manufacturers for the purpose of product protection and food preservation, like food wrappers, pouches and sachets.
- f. **Residual Waste** - refer to waste materials that are collected, transferred and transported for final disposal as garbage.
- g. **Plastic Recovery System Fee** – a charge or regulatory fee imposed to costumer on the use of new plastic bag/s at the point of sale in the absence of alternative reusable bags and/or redemption of used plastic bags.

- h. **Used Plastic Bags** - old or second hand plastic carryout bags with handles commonly known as "sando bag"

**SECTION 4. Prohibition on the use of Plastics, Plastic Bags and Styro** – The following prohibitions shall be imposed on the used of plastic bags (sando bag) as carryout bag:.

- a. Providing plastic bag (sando bag) to be used for secondary packing/carry-out bag for wet goods and vegetable products.
- b. Providing sando bags to wet goods/products that are already pre-packed in plastic wraps, pouches, bags and the like as part of the product's packaging materials such as frozen products.
- c. Using of plastic bags is strictly prohibited in bakeshop. Bakeshop shall only be allowed to use paper bags in handling their products such as bread and pastries. Strings shall be used in handling the products packed in carton boxes such as cakes and the likes.
- d. Plastic drinking straws and Styrofoam are strictly prohibited at all times.
- e. Plastic Buntings should not be used for decorations in all public places in any public and private occasion.
- f. Using plastic bags to hardware and other dry good products should not be allowed, instead, old newspapers, carton boxes and paper bags are allowed to pack the items.

**SECTION 5. Allowable and Regulated Used of Plastics and Plastic Bags** The following regulations shall be imposed on the used of plastic bags as carry-out bags.

- a. Plastic products that will end up as recyclable / reusable wastes may be allowed such as plastic cups, salad cups (commonly regarded as HI or high impact), egg trays and spoon and fork.
- b. Plastic bags with no handles, holes or strings commonly used for wrapping unpacked foods and cooked foods at restaurants, carenderias, canteens and the likes shall be used for take-out orders as justified on the grounds of public hygiene. Bringing of plastic packing containers and aluminum wares are encouraged.
- c. Grains and grits of not more than 2 kilos shall be allowed to use plastic bag. In excess, bringing of eco bags , re-usable bags are required.

**SECTION 6. "Plastic Recovery System Fee" for plastic bag.**

- a. Business Operators/ Vendors/ Merchants are prohibited in providing plastic bags to consumers except for those items under the regulated use of plastic bags. Every individual shall be charged with a **"Plastic Recovery System Fee"** for not bringing any reusable bag/ eco bag/ recycled bag or indigenous container during marketing.
- b. All Business Operators, Establishments, Vendors, Merchants operating within the territorial jurisdiction of Calamba, engaged in retail business and duly registered as one, shall charge and collect with a fix amount of **two pesos (P2.00)** per plastic bag regardless of its size and it should be reflected on the tape receipt. The said amount shall be earmarked as **"Green Fund"** that shall be maintained by the LGU to fund other initiatives that would benefit the environment.
- c. The LGU shall institute programs and other activities that shall promote and encourage full compliance of this Ordinance using the **"Green Fund"**

## **SECTION 7. Administration and Implementation.**

- a. Use of Eco bags, recycled bags and other indigenous containers during shopping, marketing, buying groceries, wet products, fruits and vegetables, shall be encouraged at all times.
- b. All business establishments, stores are required to display available Eco Bags, Recycled Bags, Reusable Bags Indigenous Containers for sale to the consumer for a reasonable price. It will be made available in the respective check-out counters or hanged visible to the buying public.
- c. Products contained in pouches particularly tetra packs or doy packs should not be ended up as residual waste instead shall be collected or recovered by the users during occasion and wakes, and be brought to the Redemption Center
- d. Posting of IEC materials shall be mandatory in all commercial establishments, food establishments, schools, public market, public terminal and stalls.
- e. Proprietors, Managers and supervisors are required to orient and brief their respective personnel for the implementation of this ordinance.
- f. Recovered plastic tetra packs, pouches of juice drinks and other recyclable materials that may be used for makings eco bags, other residual plastics and cellophane, with a required weight, shall be brought to the redemption center in exchange for an eco bag or recyclable bag.
- g. All residual plastics and cellophane shall be brought to the Material Recovery Facility (MRF) for shredding and final disposal.
- h. All schools, public or private are required to include in their Technology and Livelihood Education (TLE) subject the utilization of plastic wrappers, recycled plastics, and shredded plastics and to convert those into something useful.
- i. Local and outside contractors (infrastructure), government and private construction, are required to comply for the final disposal of shredded plastics set by the engineering department.
- j. Municipal Environment and Natural Resources Office (MENRO), Municipal Agriculture Office (MAO) and Municipal Health Office shall take the lead to ensure the implementation of this ordinance.
- k. The Municipal Solid Waste Management (MSWM) Focal Person shall be in charge in information dissemination and posting of IEC materials to designated areas stated in this ordinance.
- l. All private and government sectors are enjoined to promote the use of Eco Bags, Recyclable, Reusable and Indigenous containers and to develop and encourage to initiate and make their own IEC materials.
- m. A Redemption Center shall be provided by the Local Government Unit of Calamba, Misamis Occidental to be installed within the public market compound, intended for this ordinance.
- n. To ensure the strict monitoring and implementation of this ordinance, a task force shall be created and shall be composed of personnel from the different offices abovementioned.

- o. Funding for the operation of the task force and implementation of this ordinance shall be taken from the 70% of the total budget for Municipal Disaster Risk Reduction and Management Fund of LGU-Calamba.
- p. The LGU shall provide Tin Cans / Canisters for the "Green Fund"

**SECTION 8. Enforcement and Penalties.** Those who were found to have violated the provisions of this ordinance shall be charged with the following fines and penalties;

- a. **For Any Person or Individual:**
  - First Offense - P 100.00
  - Second Offense - 300.00
  - Third Offense - 500.00 and/or imprisonment of one month or at the discretion of the court
- b. **For Business Establishment:**
  - First Offense - P 1,500.00
  - Second Offense 2,000.00 and suspension of business permit/operation, at the recommendation of the task force.
  - Third Offense - P 2,500.00 and cancellation of business permit/mayor's permit.
- c. Citation Ticket shall be issued to the violator by any of the members of the task force and required to proceed to the Municipal Health Office within seven (7) working days for the order of payment and make necessary payment to the office of the Municipal Treasurer.
- d. If an establishment fails to pay the prescribed fines within the given span of time, the case shall be referred to the Municipal Trial Court for appropriate legal action.

**SECTION 9. Collection and Scheme:** 30% of the paid penalty shall be given to any member of the Task Force who issued the citation ticket, for incentives.

**SECTION 10. Separability Clause:** If for any reason, any provision, section or part of this Ordinance is declared unconstitutional or unlawful, such declaration shall not affect the remaining provisions, sections or part which shall continue to be in force and effect.

**SECTION 10. Repealing Clause:** All previous ordinances, rules and regulations, or part thereof, in conflict with, or inconsistent with any of the provisions of this ordinance are hereby repealed and modified accordingly.

**SECTION 11. Effectivity:** There shall be a grace period of two (2) months from the date of enactment of this Ordinance for the conduct of massive information campaign and another one (1) month for a warning violation with no penalties and other charges. Thereafter, this Ordinance shall take effect in accordance with the provisions of existing laws.

**ENACTED: OCTOBER 26, 2015.**


I hereby certify the correctness of the above-quoted ordinance.

  
**BEVERLY B. SAMOSA,MPA**  
 Secretary to the Sanggunian

Attested:

  
**Hon. JESUS C. ENERIO**  
 Municipal Vice Mayor/Presiding

Approved:

  
**Hon. EZEL T. VILLANUEVA**  
 Municipal Mayor