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3/08/2023
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RECORDS OFFICER I

REPUBLIKA NG PILIPINAS
LUNGSOD NG ORMOC
SANGGUNIANG PANLUNGSOD

Excerpt from the Minutes of the 35th Regular Session of the Sixteenth Sangguniang Panlungsod held on February 28, 2023 at the Sangguniang Panlungsod Session Hall, 3rd Floor, Ormoc City Hall Building, Aunubing St., Cagon Ormoc City, Leyte.

**ORDINANCE NO. 103
Series of 2023**

**AN ORDINANCE INSTITUTIONALIZING THE TRASH TRAP
PROGRAM OF ORMOC CITY**

Authored by: SP Member LALAINA A. MARCOS

EXPLANATORY NOTE

The 16th Sangguniang Panlungsod was in receipt of an endorsement from the Office of the City Mayor dated August 16, 2022 requesting for the enactment of an Ordinance based on the herein attached Ormoc City Ecological Solid Waste Management Board Resolution No. 2 s. 2022, entitled "A RESOLUTION RECOMMENDING TO THE HONORABLE CITY MAYOR LUCY TORRES GOMEZ, THE INSTITUTIONALIZATION OF THE TRASH TRAP PROGRAM OF ORMOC CITY, LEYTE."

Republic Act 7160 or the Local Government Code, in the General Welfare Clause in Section 16 states, "Every local government unit shall exercise the powers expressly granted to it, as well as those implied by necessity, as well as powers necessary, appropriate, or incidental to its efficient and effective governance and those essential to the promotion of the general welfare."

Republic Act No. 9003, otherwise known as the Philippine Ecological Solid Waste Management Act of 2000, provides for an ecological solid waste management program to be adopted in the country and by the LGUs. It creates the necessary institutional mechanisms and incentives for innovative solutions and approaches, as well as declares certain acts prohibited, providing penalties for such violations.

Furthermore, Section 10 of R.A. 9003 provides that, "Pursuant to the relevant provisions of R.A. 7160, otherwise known as the Local Government Code, the LGUs shall be primarily responsible for the implementation and enforcement of the provisions of this Act within their respective jurisdictions."

As part of Ormoc City's dedication to protect, preserve and conserve the environment, the Sangguniang Panlungsod enacted Ormoc City Ordinance No. 036, s. 2017, otherwise known as the "Ormoc City Ecological Solid Waste Management Ordinance of 2017", on June 08, 2017.

The local ordinance is further reinforced with the enactment of Ordinance No. 051 Series of 2021 or the "Ormoc City Single-Use Plastics Products Regulation Ordinance of 2021 and Ordinance No. 059, S. 2021, "Banning the Intentional Release of Sky Lanterns and Helium Balloons in Ormoc City", in a bid to further reduce plastics in land, air and sea within the territorial jurisdiction of the city.

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Ormoc City also has an approved 10-year Solid Waste Management Plan and enumerates various strategies to enforce and implement the plan.

The Trash Trap Program of Ormoc City is one of the many strategies implemented to reduce the leaking of solid waste and plastics into the marine ecosystem and facilitate community involvement and ownership of the program through observance of tasks and scheduled collection of solid wastes captured in the trash trap devices.

It is a simple innovation in trash management that has proven effective in many parts of the world and the country already. According to the Ocean Conservancy Organization, "Trash trapping technologies are an effective tool for reducing the amount of plastic waste in our aquatic systems. They are an important addition to community cleanups, trapping trash around the clock and helping us increase the amount of litter collected. There are many successful trash trapping technologies and we aim to link these local efforts while inspiring new projects across the globe". The Ocean Conservancy Organization also said, they "do more than divert litter from aquatic ecosystems. They collect data, allowing us to quantitatively measure our impact and inform local source-reduction by understanding what we are collecting. They also raise awareness, and can be a centerpiece for education and outreach, inspiring imagination in the community".

The first Trash Trap here in Ormoc City was launched in Anilao River on June 14, 2019 with the cooperation of different LGU offices and departments, riverside barangays lining up Anilao, with the cooperation of private groups and concerned citizens. The theme "A Small Solution to a Big Problem" was adopted. The second Trash Trap was launched on September 27, 2019 was done in the Malbasag River. After various rainy seasons and typhoons, these trash traps were relaunched and more to be installed in the various rivers of Ormoc.

The trash trap devices installed along Malbasag River and Anilao River have proven as major contributors to the reduction of solid waste entering Ormoc Bay since then, witnessing a reduction of almost 1000 kg as per the ENRO, and have received recognitions.

Institutionalizing the program is hereby important. For its continuity, it is important that communities have ownership over it, and should be incentivized. Violators and those who wish to destroy the gains of the program for Ormoc City in its environmental programs should also be penalized.

BE IT ENACTED by the 16th Sangguniang Panlungsod in Regular Session duly assembled; That:

SECTION 1 - SHORT TITLE - This Ordinance shall be known as the "Trash Trap Ordinance of Ormoc City".

SECTION 2. POLICY OF THE CITY - It is to be the policy of the City Government of Ormoc to employ any measure possible and feasible to combat improper solid waste management and its detrimental effects.

SECTION 3. SCOPE AND COVERAGE - This Ordinance shall only pertain to Barangays along riverbanks with installed trash traps approved by the ENRO.

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SECTION 4 - DEFINITION OF TERMS - For the purpose of this Ordinance the following term shall apply:

- a. **Solid waste**- also known as trash or garbage, a non-liquid waste material from domestic or household sources. It includes, but not limited to: all discarded household waste, commercial waste, non-hazardous institutional and industrial waste, street sweepings, construction debris, agricultural waste, and other non-hazardous or non-toxic solid waste.
- b. **Trash Traps**- a large net that is installed on canals, natural or man-made bodies of water that is intended to prevent trash from reaching the sea.
- c. **Net** - are devices made from fibers woven in a grid-like structure with a mesh size of No. 5.
- d. **ENRO** - Environment and Natural Resources Office.
- e. **Natural body of water** - a spring, stream, pond, lake, or wetland that was historically present in a natural state but may have been physically altered over time.
- f. **Man-made water way** - a body of water created manually by individuals for a particular purpose like canal, dams, artificial streams etc..
- g. **Torrential rain** - is any amount of rain that is considered especially heavy because the rain is abundant, had a fast on set, or lasts for a long period of time.
- h. **LBU** - Local Barangay Unit.

SECTION 5 - RESPONSIBILITY OF THE CITY ENVIRONMENT AND NATURAL RESOURCES OFFICE:

- A. Spearhead the strict implementation and monitoring of this Ordinance;
- B. Allocate funds for the procurement, fabrication, installation and re-installation of the trash trap nets;
- C. Provide funds for the incentives to compliant LBUs as stated in Section 10 of this Ordinance; and
- D. Take the lead in partnering with interested private partners who wants to take a part in the implementation of this Ordinance.

SECTION 6 - RESPONSIBILITIES OF THE CITY AGRICULTURE DEPARTMENT - FISHERY, COASTAL AND AQUATIC RESOURCES MANAGEMENT DIVISION - they will provide manpower for the fabrication, installation and re-installation of trash trap nets.

SECTION 7 - RESPONSIBILITY OF THE LOCAL BARANGAY UNITS - the concerned LBUs are to:

- A. Monitor the physical condition of the trash trap nets that are within their territorial jurisdiction;
- B. Ensure its functionality, preservation and protection from tampering or sabotage;

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- C. Take charge of the temporary uninstallation of the nets before the occurrence of predicted typhoons or torrential rains that may cause flash floods which will severely damage or destroy the nets;
- D. Clean-up the trash traps at least twice a month or on days designated by the ENRO;
- E. Segregate and weigh according to type in accordance to the recording tool provided by the ENRO;
- F. Securely store the segregated trash in identified collection points that are easily accessible by the garbage collection unit; and
- G. Submit a written report of the clean-up on the immediate following working day to ENRO, in accordance of the standard reporting template provided.

SECTION 8. PROHIBITED ACTS -It is unlawful for any person/ groups of persons to intentionally damage, destroy or tamper with the trash traps without the authorization of the City ENRO.

SECTION 9 - PENAL CLAUSE - Any private person or private individual/s who violates Section 8 shall pay a fine of not more than Five Thousand Philippine Pesos (Php5,000.00) or at the discretion of the Court. The violator may opt to pay an administrative fine of Three Thousand Philippine Pesos (Php3,000.00) to the City Treasurer's Office within three (3) days from the receipt of a citation ticket.

LBU violating Section 7 of this Ordinance shall pay a fine of not more than Five Thousand Philippine Pesos (Php5,000.00) or at the discretion of the Court. The LBU may opt to pay administrative fines as follows:

- A. **1st OFFENSE** - A show cause order shall be issued against the negligent LBU. Failure to reply to the show cause order within Forty-Eight (48) hours shall be fined Two Thousand Five Hundred Philippine Pesos (Php2,500.00) which shall be paid within a period of fifteen (15) days from receipt of the citation ticket.
- B. **2nd OFFENSE** - An administrative fine of Three Thousand Philippine Pesos (Php3,000.00) shall be imposed against the negligent LBU, and shall be paid within a period of fifteen (15) days from the receipt of the citation ticket.
- C. **3rd OFFENSE AND SUCCEEDING OFFENSES THEREON** - An administrative fine of Five Thousand Philippine Pesos (Php5,000.00) shall be imposed against the negligent LBU and a formal administrative complaint shall be lodged against the Punong Barangay. The administrative fine shall be paid within a period of fifteen (15) days from the receipt of the citation ticket.

SECTION 10 - BARANGAY SHARE/PERCENTAGE - LBUs are entitled to twenty percent (20%) share from the fines collected under the first paragraph of Section 9 within their territorial jurisdiction.

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SECTION 11 - REPEALING CLAUSE – All Ordinances and/or Resolutions, or portions thereof, inconsistent with this Ordinance are hereby repealed or modified accordingly.

SECTION 12 - SEPARABILITY CLAUSE – If for any reason any provision of this Ordinance is declared unconstitutional or invalid by any competent court, the other parts or provisions hereof which are not affected thereby shall continue in full force and effect.

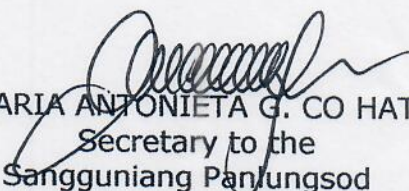
SECTION 13 - EFFECTIVITY CLAUSE - This Ordinance shall take effect immediately upon approval and after compliance with necessary posting and publication requirements of Republic Act No. 7160, otherwise known as the Local Government Code of 1991.

ENACTED, February 28, 2023.


RESOLVED FURTHER, to furnish copies of this Ordinance each to the City Mayor Lucy Torres Gomez; the City Administrator; the City Legal Officer; the City Treasurer; ENRO; CPDO; the City Agriculture Department-FCARMD; the Ormoc City Ecological Solid Waste Management Board; the President Liga ng mga Barangay ng Ormoc; the City Prosecutor’s Office; the Municipal Trial Court in Cities; and all others concerned;

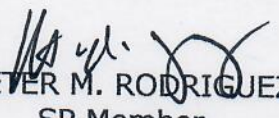
CARRIED UNANIMOUSLY.

WE HEREBY CERTIFY to the correctness of the above ordinance.

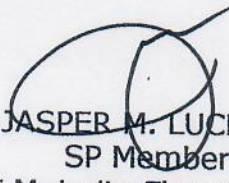

MARIA ANTONIETA G. CO HAT
Secretary to the
Sangguniang Panlungsod



REY F. EVANGELISTA
SP Member


NOLITO M. QUILANG
SP Member
Majority Floor Leader


PETER M. RODRIGUEZ
SP Member

GREGORIO G. YRASTORZA III
SP Member
(O.B. – Manila)


JASPER M. LUCERO
SP Member
1st Majority Floor Leader

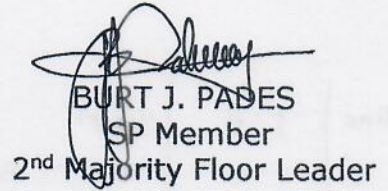

MARIA CARMEN JEAN T. RAMA
SP Member

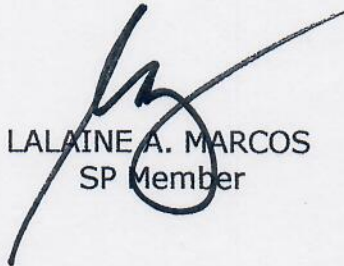


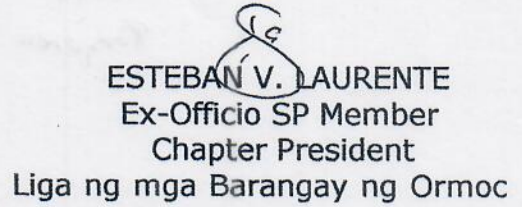
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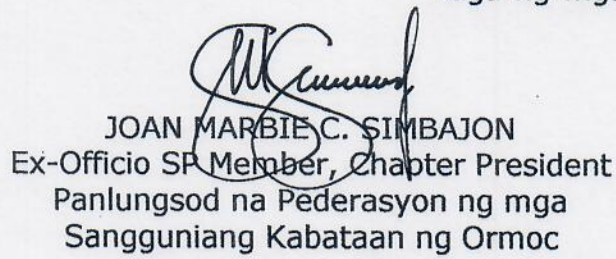
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EDMUND B. KIERULF
SP Member


BURT J. PADES
SP Member
2nd Majority Floor Leader


LALAINA A. MARCOS
SP Member

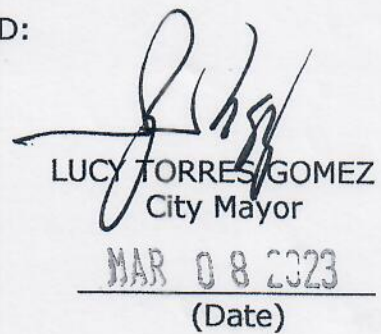

ESTEBAN V. LAURENTE
Ex-Officio SP Member
Chapter President
Liga ng mga Barangay ng Ormoc


JOAN MARBIE C. SIMBAJON
Ex-Officio SP Member, Chapter President
Panlungsod na Pederasyon ng mga
Sangguniang Kabataan ng Ormoc

ATTESTED:


ROILAND H. VILLASENICO
SP Member
Presiding Officer "Pro-Tempore"

APPROVED:


LUCY TORRES GOMEZ
City Mayor
MAR 08 2023
(Date)