



Republic of the Philippines
PROVINCE OF OCCIDENTAL MINDORO
Municipality of Paluan

OFFICE OF THE SANGGUNIANG BAYAN

APPROVED BY:

HON. MICHAEL D. DIAZ
Municipal Mayor

Certified Correct and Duly Enacted:

HON. JASMIN T. FERNANDEZ
Municipal Vice Mayor/Presiding Officer

SB Members:

Absent

HON. ROCKY C. MASANGKAY

HON. MARRIAN M. IBAÑEZ

HON. ROCHE D. BAUTISTA

HON. CLEOFÉ CABABAY- FERDONIA

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HON. JONELL G. TRIA

HON. ELORDE A. MARASIGAN

Ex-Officio SB Members :

HON. ROMELITO D. TALENTO
LnB President

HON. VIC ANTHONY M. VELANDRIA, III
SKF President

HON. RYAN L. PARISAN
IPMR

Attested:

(As to the authenticity of signatures and documents)

JEFFREY V. HUERTAS
Secretary to the Sanggunian

Municipal Ordinance No. 2024-14
Series of 2024

AN ORDINANCE PROVIDING FOR AN INTEGRATED SOLID WASTE MANAGEMENT, PRESCRIBING FEES FOR SOLID WASTE MANAGEMENT SERVICES, DECLARING CERTAIN ACTS PROHIBITED AND PROVIDING PENALTIES, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES.

WHEREAS, Republic Act No. 9003 provides for an ecological solid waste management program, creates the necessary institutional mechanisms and incentives, declares certain acts prohibited and provides penalties for violations;

WHEREAS, Republic Act No. 9003 mandates the LGUs to be primarily responsible for the implementation and enforcement of its provisions within their respective jurisdiction;

WHEREAS, Section 16 of Republic Act No. 9003 specifically states the province, city or municipality, through its local solid waste management boards, shall prepare its respective 10-year solid waste management plans consistent with National Solid Waste Management Framework, provided that the waste management plan shall be for the re-use, recycling and composting of wastes generated in their respective jurisdictions, provided further that the solid waste management plan of the LGU shall ensure the efficient management of solid waste generated within its jurisdiction;

WHEREAS, Section 47 of Republic Act No. 9003 likewise provides that the local government unit shall impose fees in amounts sufficient to pay the costs of preparing, adopting, and implementing a solid waste management plan prepared;

WHEREAS, Section 4, Rule XIX of the Implementing Rules and Regulations (IRR) of Republic Act No. 9003 provides that local government units shall be required to legislate appropriate ordinances to aid in the implementation of Republic Act No. 9003 and in the enforcement of its provisions; provided, such ordinances shall be formulated pursuant to relevant provisions of R.A. No. 7160;

WHEREAS, pursuant to Section 16 of Republic Act No. 9003, the Municipality of Paluan will prepare its 10-year Integrated Solid Waste Management (ISWM) plan for the adoption and approval of the Sangguniang Bayan of Paluan;

NOW THEREFORE, after thorough deliberation and discussion, on motion of Hon. Elorde A. Marasigan and duly seconded and concurred by All Sangguniang Bayan Members present, BE IT

RESOLVED, as the body hereby resolves, to enact **AN ORDINANCE PROVIDING FOR AN INTEGRATED SOLID WASTE MANAGEMENT, PRESCRIBING FEES FOR SOLID WASTE MANAGEMENT SERVICES, DECLARING CERTAIN ACTS PROHIBITED AND PROVIDING PENALTIES, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES.**



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Article 1

General Provisions

Section 1. Title – This ordinance shall be known as the “Paluan Integrated Solid Waste Management Ordinance of 2024”.

Section 2. Coverage – The ordinance shall apply to all residential houses, commercial and industrial establishments, institutions, like public schools, hotels, clinics, restaurants, churches, public and private beach resorts, passenger and vehicle terminals, other establishments of any kind and agricultural areas within the territorial jurisdiction of the Municipality of Paluan.

Section 3. Declaration of Policies – It is hereby declared the policy of the municipality to adopt and implement a comprehensive, integrated and ecological solid waste management program which shall:

- a) Ensure the protection of public health and environment for the safety, convenience and general welfare of inhabitants in the municipality;
- b) Utilize environmentally-sound methods that maximize the utilization of valuable resources and encourage resources conservation and recovery;
- c) Set guidelines and targets for solid waste avoidance and volume reduction through source reduction and waste minimization measures, including composting, recycling, re-use, recovery and others;
- d) Ensure the proper segregation, collection, transport, storage, treatment and disposal of solid waste through the formulation and adoption of the best environmental practices in ecological waste management excluding incineration;
- e) Strengthen education and advocacy activities in collaboration with various stakeholders to promote environmental awareness and action amount citizenry;
- f) Implement local enforcement plan with barangays and other local government units, non-government organizations, and the private sectors;
- g) Encourage private sectors to participate in solid waste management;
- h) Institutionalize public participation in the development and implementation of integrated comprehensive and ecological waste management programs; and
- i) Promote research and development programs for improved solid waste management.

Article 2

Definitions of Terms

Section 4. Technical terms – The technical terms used in this ordinance shall be defined as follows:

Biodegradable – any material that can be reduced into finer parties (degraded or decomposed) by microbiological organisms or enzymes (synonymous with compostable).

Biogas digester – are of two kinds “Poso-negro” Taiwan type or the aboveground portable Valderia model. Biogas is a mixture of methane, carbon dioxide, and traces of inert gases produced by the fermentation of animal manure organic waste in an airtight digester chamber.



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Compost – decayed organic material for use as soil conditioner or fertilizer.

Composting – biological degradation under controlled conditions; the process of making biodegradables such as food waste, garden waste, animal waste, human waste, into compost by mixing them with soil, water, biological additives/activators (optional) and air.

Domestic waste – is the refuse from households, as distinguished from industrial waste, agricultural waste, hospital waste, etc. which may be classified as biodegradable (compostable) or non-biodegradable (non-compostable).

Enzymes – a protein produced by cells, with substances to initiate or accelerate chemical reactions in plants or animal matter, acting like an organic catalyst.

Factory returnable – all non-biodegradable, non- compostables such as tin cans-materials; bottles/glass including broken pieces.; plastic/Styrofoam/rubber/dry paper/dry cardboard/dry cloth/fibers/leather/feather/hard shells/hard bones, etc. which rare segregated in separate containers already rinsed and are sold /given away to collectors.

Feed Materials – all food waste, peelings, vegetable trims, fish entrails, fowl innards, spoiled, fruits, leftovers, egg shells, rice/fish/meat washings, etc. that should be collected and kept in covered containers as hog/chicken/duck/pets/fish feeds.

Fermentable – fruit peelings, spoiled or over-ripe fruits, juices e.g. Buko juice, etc. are made into vinegar, wine or “nata-de-coco’, nata-de-piña”, etc.

Fertilizer materials – all compostables or biodegradables such as garden waste (leaves, twigs, weeds), animal waste (manure, carcasses), human waste (feces, urine, blood, all excreta, soiled wipes, pads, diapers) remove plastic potions etc. are made into compost for organic gardening.

Filling materials - if efforts are exerted to find, not only the maximum but also the optimum use of waste, hardly any will be left as filling material. Such materials may be compacted, mixed with rice chaff and “binders” and use for appropriate construction projects.

Fine crafts – many of the non-biodegradable could be used as materials for handicrafts, cottage industries, art works, toys and other livelihood projects such as papier-mache, paper basketry, tin craft, metal craft, plastic twine, or rope braids, feather crafts, wooden crafts, even “lahar” craft. Styrofoam melted in small amount of gasoline solvent provides cheap glue of “binder” for many of the projects.

Functional facilities/equipment – useful equipment/facilities devised or created from discards, throwaways, junks, scraps, e.g. chairs, tables, doormats, play equipment from rubber tires, roofing from milk cans, flower pots, “planters” from plastic bags, sacks, containers, etc.



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Green charcoal – another form of fuel or grass charcoal, manufactured from compostable, organic, cellulosic material with the use of enzymes to break down the lignin or binding materials, after which it is molded and dried then used in charcoal-fed stoves.

Hazardous waste- special types of waste containing the chemical, biological and radiological elements, which are harmful to human health.

Incineration - the controlled process by which combustibles wastes are burned and changes into gases and residues that contain little or no combustible materials.

Landfill leachate – the downward seeping of water through the landfill carrying with it the dissolved water-soluble contents of the waste, which may be collected by the underground drainage of water system.

Putrescible – substances that decomposes at a certain temperature in contact with air and moisture; generally containing nitrogen.

Recycling – the reuse, retrieval, re-commission of element/matter for any and for all purposes necessary to healthful and productive living; the process by which wastes materials are transformed into new products in such a manner that the original products.

Solid waste – this includes anything thrown away, such as garbage, rubbish, trash, litter, junk, and refuse from any source (homes, businesses, farms, industries, or institutions); this is a discarded material with insufficient liquid content to flow. Examples are those non-liquid, waste resulting from the domestics, commercial, agricultural, and industrial activities, which can be divided into several components under two broad categories.

Solid waste management – the purposeful, systematic control of the generation, storage, collection, transport, processing, recycling, recovery, and final disposal of solid waste.

Sorting at source – the segregation or separation of waste at the point of generation or at the very place where they are produced into biodegradable and non-biodegradable.

Recycling of domestic waste – the full utilization of domestic waste into factory-returnable (around 50-60%), feed (about 20%), fertilizer (about 30%), fuels, fine crafts, fermentable, etc. with left for filling material. (Proportion varies with the kind of community, the more affluent the more factory returnable). This includes both man-devised and nature designed recycling schemes. **Zero waste resource management system**- is an ecological method of handling waste that does not degrade the environment nor pollute air, water, and soil and facilitates their sanitary retrieval, reuse or recycling.

Article 3

Solid Waste Management Functions

Section 5. Creation of Municipal Solid Waste Management Board – The Municipal Solid Waste Management Board (MSWMB) shall serve as the lead body in the implementation of the Municipal Solid Waste Management Plan and shall be under the office of the Municipal Environment and Natural Resources Office (MENRO).



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Section 6. Functions of Municipal Solid Waste Management Board- The Municipal Solid Waste Management Board shall have the following functions and responsibilities:

- a) Develop the Municipal Solid Waste Management Plan that shall ensure the long-term management of solid waste, as well as integrate the various solid waste management plans and strategies of the barangays in its area of jurisdiction. In the development of the Solid Waste Management Plan, it shall conduct consultations with the various sectors of the community;
- b) Adopt measures to promote and ensure the viability and effective implementation of solid waste management programs in the component barangays of Paluan, Occidental Mindoro.
- c) Monitor the implementation of the Municipal Solid Waste Management Plan through its various political subdivisions and in cooperation with the private sector and the NGOs;
- d) Adopt specific revenue-generating measure 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 plans of the respective component barangays;
- f) Oversee the implementation of the Municipal Solid Waste Management Plan;
- g) Review every two (2) years or as the need arises the Municipal Solid Waste Management Plan for purposes of ensuring its sustainability, viability effectiveness and relevance in relation to the local and international developments in the field of solid waste management;
- i. Develop the specific mechanics and guidelines for the implementation of the Municipal Solid Waste Management Plan; Recommend to appropriate local government authorities specific measure or proposals for franchise or build-operate-transfer agreements with duly recognized institutions, pursuant to RA 6967, to provide either exclusive or non-exclusive authority for the collection, transfer, storage, processing, recycling, or disposal of municipal solid waste. The proposal shall take into consideration appropriate government rules and regulations on contracts, franchises and build-operate-transfer agreements.
- j. Provide Necessary logistical and operational support to its component cities and municipalities in consonance with subsection (f) of Section 17 of the Local Government Code;
- k. Recommend measures and safeguards against pollution and for the preservation of the natural ecosystem; and
- l. Coordinate the efforts of its component barangays in the implementation of the Municipal Solid Waste Management Plan.

Article 4

The Municipal Integrated Solid Waste Management Plan

Section 7. Incorporation by Reference – The Municipal Solid Waste Management Plan shall be adopted and approved by the Office of the Sangguniang Bayan through and incorporated by reference.



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Section 8. Implementation – The Municipal Integrated Solid Waste Management Plan shall be implemented in accordance with the implementation schedule, strategies and guidelines contained in the said Plan.

Article 5
Segregation of Solid Waste

Section 9. Mandatory Segregation of Solid Waste – The segregation of solid waste shall be mandatory. Segregation shall primarily be conducted at the source, including but not limited to, household, institutional, industrial, commercial and agricultural sources.

Section 10. Categories of Solid Waste – Solid waste shall be segregated into the following categories:

- a) Compostable or Biodegradable
 - b) Recyclable
 - c) Residual
 - d) Special Waste
- (Refer to MENRO if there is additional)

Section 11. Requirements for Segregation and Storage of Solid Waste – The source solid waste as listed above shall have separate receptacles or containers (i.e., sacks, bins, boxes, cans, bags, and other similar containers) for each type of solid waste. Each solid waste receptacle, depending on its use, shall be properly marked or identified for on-site collection as “compostable”, “recyclable”, “residual” or “special waste.” The receptacles shall be properly covered, secured or protected to prevent spillage or scattering of the waste and to ensure its containment.

Section 12. Additional Requirements for Premises Containing Six (6) or More Residential Units – The owner or person in charge of premises containing six (6) or more residential units shall provide for the residents a designated area and containers in which to accumulate source separated recyclable materials for collection. In addition, such owner or,

Section 13. Additional Requirements for All Commercial, Institutional and Industrial Establishments – The owners or heads of all commercial, institutional, and industrial establishments shall provide a Materials Recovery Facility (MRF) within their premises for proper separation of recyclable materials and collection by the municipality. In addition, such owner or head of the institution shall notify all workers, employees, and entities working in the premises of the requirements of segregation. No scavenging or unauthorized collection in designated segregation containers or areas shall be allowed.

Section 14. Additional Requirements in Agricultural Areas – Owners of agricultural areas and farmers shall be required to provide a compost area for proper disposal of agricultural wastes. (Bottles of medicines or sachet with chemicals)

Section 15. Additional Requirements for Public Conveyances – Public Conveyances, such as, but not limited to, tricycles, boats, vans, and other similar vehicles are likewise required to have two receptacles for separated residual and biodegradable wastes.



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Article 6

Collection and Transportation

Section 16. Guidelines – The collection and transportation of solid waste shall be undertaken in accordance with the guidelines and mechanisms prescribed in the Municipal Solid Waste Management Plan. The minimum requirements prescribed in RA 9003 and its IRR shall likewise be complied with. The information on collection of solid wastes, such as the schedule, types of waste to be collected and other relevant information shall be disseminated by the MENRO, to the general public through the MSWMB.

Section 17. Non-collection of Unsegregated Solid Waste – Only segregated wastes and only the types of waste that are scheduled for collection on a particular day and time shall be collected. Unsegregated wastes shall not be collected.

Section 18. Storage – All wastes for collection must be stored in sealed/tied receptacles and brought outside households, institutions, commercial and industrial establishments and other sources during collection time only. Otherwise, the presence of these wastes outside of the scheduled collection time may be considered as a violation of the anti-littering provision of this ordinance.

Section 19. Transport – The collected biodegradable and recyclable wastes shall be dropped off at the Municipal Materials Recovery Facility (MRF). Only the residual and special wastes shall be brought to the disposal site.

Section 20. Collection Vehicles – Only collection vehicles covered with nets, tarpaulins and other similar materials shall be allowed to transport solid waste from the collection area to the disposal site. To ensure proper maintenance and to avoid unnecessary breakdowns that eventually disrupt the collection system, collection trucks shall undergo regular cleaning and maintenance. For this purpose, the existing municipal motor pool shall be utilized.

Section 21. Training and Equipment – All personnel directly involved with the collection of solid waste shall be provided with the necessary training by the MENRO/MSWMB to ensure proper handling and management of waste. Personal protective equipment and paraphernalia such as but not limited to helmet, gloves, masks and safety boots shall also be provided to protect them from health hazards posed by handling solid wastes. They will also undergo regular medical check-ups.

Article 7

Establishments of Materials Recovery Facility

Section 22. Municipal MRF – The establishment and operation of the Municipal MRF shall be in accordance with the strategy and guidelines prescribed in the Municipal Solid Waste Management Plan. Likewise, the minimum requirements for establishment and operation prescribed in RA 9003 and its IRR shall be complied with.



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Section 23. Barangay MRFs – in addition to the municipal MRF, other MRF shall be established in the barangays or clusters of barangays. The barangay MRFs shall be established and operated in accordance with the strategy and guidelines prescribed in the Municipal Solid Waste Management Plan. Likewise, the minimum requirements for establishment and operation prescribed in RA 9003 and its IRR shall be complied with.

Article 8
Disposal Facility

Section 24. Sanitary Landfill – a Sanitary Landfill shall be established by the Municipality in accordance with the schedule and guidelines prescribed in the Municipal Solid Waste Management Plan. In the establishment and operations of the sanitary landfill, the requirements and guidelines set out in the IRR of RA 9003 and the said plan shall be complied with.

Article 9
Regulation for Junk Shop Operations

Section 25. Junk Shops- All junk shop owners and ambulant junk buyers operating within the municipality shall secure the necessary permit/accreditation from the MENRO prior to their operation. Ambulant junk buyers from other municipalities are required to pay the amount of P500.00 before issuance of the permit /accreditation certificate, which shall be effective for the period of one (1) year from Issuance thereof.

Article 10
Education

Section 26. Information, Education and Communication – An IEC program shall be implemented by the municipality pursuant to the strategies, mechanisms, and guidelines contained in the Municipal Solid Waste Management Plan. The Office of the Sangguniang Bayan shall appropriate the necessary funds to support the implementation of the IEC program. The appropriation shall be based on the budget to be submitted by the MSWMB/MENRO for the purpose.

Article 11
Financing of Solid Waste Management Project

Section 27. Funding – The funds for the implementation of the Municipal Solid Waste Management Plan shall be sourced from the twenty (20%) development fund and other available sources including funds from funding agencies.

Article 12
Procurement of Services, Materials and Equipment

Section 28. Procurement – The procurement of services, materials and equipment for SWM activities as provided in the Municipal Waste Management Plan shall follow the procedures set out in the implementing rules and regulations of the Revitalized Procurement Act of 2003 (RA9183). The Municipal Bids & Awards Committee (MBAC) shall ensure that transparent, competitive and participatory procedures shall be followed in the bidding and award of the contracts and there shall be periodic assessment of the performance of the contractors.



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Article 13

The Municipal Solid Waste Management Fund

Section 29. Establishment of the Fund – A special account for the Municipality of Paluan – Municipal Solid Waste Management Fund shall be created and administered by the MSWMB.

Section 30. Management of the Fund – The MSWMB shall develop pertinent guidelines on the management of the fund, provided that the report for the status of the Fund shall be done in transparent manner, provided further that a report on the Fund shall be issued annually to the Office of the Sangguniang Bayan by the MSWMB in collaboration with the Commission on Audit within four (4) months after the end of each fiscal year.

Section 31. Sources of the Fund – The Municipal Solid Waste Management Fund shall be sourced from the following:

- a) Donations, endowments, grants, and contributions from domestic and foreign sources;
- b) The Municipal allocation or share in the fines collected pursuant to Republic Act No. 9003 and its Implementing Rules and Regulation.
- c) Fees collected from provision of solid waste services such as collection, recycling, and transport, among others;
- d) Subcontracting fees including management, transport and others;
- e) The amount allocated for solid waste management from the 20% Municipal Development Fund non-infrastructure portion, which amount shall be determined based on needs; and
- f) Other fees and penalties imposed by provisions of this ordinance, including its implementing rules and regulations.

Section 32. Use of the Fund – The Municipal Solid Waste Management Fund shall be used to support the implementation of the Municipal Solid Waste Management Plan, including endeavors that will enhance its implementation. These may include activities/projects, namely:

- a) Regular operating and maintenance expenses of the MENRO excluding salaries and wages. However, expenses may include per diems and honoraria in accordance with the regulations of the Commission on Audit and other existing rules and regulations;
- b) Products, facilities, technologies and processes to enhance proper solid waste management;
- c) Research activities;
- d) Information, education, communication and monitoring activities; and
- e) Capability-building activities.



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HON. MARI MAE TAGUMPAY- MARTINEZ

HON. RONALDO I. TORRELIZA

HON. JONELL G. TRIA

HON. ELORDE A. MARASIGAN

Ex-Officio SB Members :

HON. ROMELITO D. TALENTO
LnB President

HON. VIC ANTHONY M. VELANDRIA, III
SKF President

HON. RYAN L. PARISAN
IPMR

Attested:

(As to the authenticity of signatures and documents)

JEFFREY V. HUERTAS
Secretary to the Sanggunian

Article 14
Special Provision

Section 36. Issuance of Ecological Solid Waste Management Clearance – All commercial, industrial, and institutional establishments and agricultural businesses shall secure an Ecological Solid Waste Management (ESWM) Clearance/Certificate which shall be issued by the MENRO as a prerequisite for the application of a Mayor's Permit or its renewal. The ESWM Clearance/Certificate shall serve as a proof that the owner/manager has undergone orientation on ESWM conducted by the MENRO.

Section 37. Certification Fee – For the issuance of ESWM Clearance/Certificate, the applicant shall pay the corresponding solid waste management fees (environmental protection fees) and special waste fee as provided in this Ordinance, provided that no Mayor's Permit shall be Issued without payment of such fees.

Article 15
Solid Waste Management Fees
(Special Collection for Special Wastes)

Section 38. Special Collection fee for Establishments Generating Special Wastes – The Municipality of Paluan shall impose a special collection for special wastes generates by residential homes/areas, agricultural areas, commercial, industrial, institutional, manufacturing establishments, and other similar establishments, enterprises and businesses, including hospitals, clinics, morgues and the like: Provided, that the special collection fee shall be collected only by the municipality upon their request for collection of special wastes which shall be determined first by the MENRO: Provided, further, that no collection of such wastes shall be made without payment of the corresponding special collection fee. Those establishments, enterprises, and businesses not mentioned above shall pay the amount of Five Hundred Pesos (Php500.00) per cubic meter upon their request for collection of special wastes.

Section 39. Adjustment of Fees – The fees imposed herein shall be subject to increase every five (5) years from the effectivity of this Ordinance. Any subsequent increase or decrease of fees shall be made through an appropriate ordinance enacted by the Office of the Sangguniang Bayan and approved by the Municipal Mayor based on results of assessments or studies and conducted for the purpose, and recommendation of the MENRO.

Article 16
Prohibitions and Penalties

Section 40. Prohibited Acts – In addition to the prohibitions contained in the above provisions, the following acts are likewise prohibited and will be fined Two Thousand Five-Hundred Pesos (Php 2,500.00) with an additional community service:

1. Littering or throwing of waste matters in public places.
2. Dumping of garbage in public and private places.
3. Non-segregation of solid waste at source.
4. Unscheduled bringing out of waste.



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Municipality of Paluan

OFFICE OF THE SANGGUNIANG BAYAN

APPROVED BY:

HON. MICHAEL D. DIAZ
Municipal Mayor

Certified Correct and Duly Enacted:

HON. JASMIN T. FERNANDEZ
Municipal Vice Mayor/Presiding Officer

SB Members:

Absent

HON. ROCKY C. MASANGKAY

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5. Unauthorized dumping of solid waste at the disposal facility.
6. Improper dumping of solid waste at the disposal facility.
7. Transport of solid waste without nets or covering materials on the collection vehicles.
8. Open burning of solid waste.
9. Burning of agricultural waste.

Section 41. Fines and Penalties - The following fines and penalties shall be imposed for violation of this ordinance.

Offense = (Php 2,500.00) with an additional community service.

If a violator is a corporation firm or other corporate entities, the maximum penalty of Two Thousand Five Hundred (Php 2,500.00) Pesos shall be imposed upon the manager, director or persons responsible for its operation.

Article 17
Enforcement Mechanisms

Section 43. Enforcement – This ordinance shall be enforced by the Philippine National Police (PNP) and deputized SWM enforcers. The Deputized SWM enforcers shall consists of three groups, namely:
a) regular enforcers
b) Auxiliary enforcers and;
c) Deputized volunteers.

Section 44. Composition and Functions of Regular Enforcers – The regular enforcers shall consist of the SWM enforcement personnel from the MPDO, MEO, MHO, Mayor’s Office, MAO, and MENRO. Among the functions to be performed by the regular enforcers are the following:

1. Coordinate the actions and activities of the auxiliary enforcers and deputized volunteers;
2. Apprehend violators of the ordinance and issue citation tickets;
3. Prepare and submit monthly reports to the MENRO: and
4. Perform other related functions as may be required.

Section 45. Composition and Functions of Auxiliary Enforcers – The auxiliary enforcers shall consist of Barangay Officials and Barangay Tanods and shall be tasked to enforce specific regulations provided in the ordinance and its implementing rules and regulations in their respective barangay. The functions to be performed by the auxiliary enforcers are the following:

1. Apprehend violators of the ordinance within their areas of jurisdiction and issue citation tickets. The Head of the MSWMB shall prescribe the provisions and/or regulations of the ordinance that may be enforced by the auxiliary enforcers;
2. Immediately return the copies of issued citation tickets to the MENRO:
3. Prepare and submit monthly reports to the MENRO; and
4. Perform other related functions as may be required.



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Section 46. Volunteer Enforcers/Deputized Volunteers – To Supplement the regular and auxiliary enforcers, a corps of volunteer enforcers/deputized volunteers shall be formed. Volunteers may be members of civil society organizations (POs, NGOs, youth groups, other similar groups or organizations.), and other concerned citizens. The MENRO shall prescribe the requirements or qualifications needed for volunteers and the criteria for selection. In determining such requirements or qualifications, the MENRO shall take into account, at the very least, the apprehending, recording and reporting responsibilities of volunteer enforcers/deputized volunteers.

Section 47. Functions of Deputized Volunteers – The functions of deputized volunteers are as follows:

1. Apprehend violators of the ordinance and issue citation tickets. The Head of the MSWMB shall prescribe the specific provisions and/or regulations of the ordinance that may be enforced by the deputized volunteers;
2. Immediately return the copies of issued citation tickets to the MENRO;
3. Prepare and submit monthly reports to the MENRO; and
4. Perform other related functions as may be required.

Section 48. Recruitment – To initiate the process of recruitment, the MENRO may hold an LGU-wide information dissemination and orientation regarding the need for volunteers, their roles and responsibilities, and the criteria for selection. The MSWMB will then evaluate and screen the applicants. The results of the screening may be posted in strategic places.

Section 49. Deputation – The process of deputation shall start with the training of regular enforcers, auxiliary enforcers and the selected volunteers. The MENRO shall organize the training to be conducted and may seek the assistance or engage the services of qualified persons or organizations in developing the training modules, training materials and evaluation criteria as well as in conducting the actual training. The trainings shall, at the minimum, cover the following topics:

1. Key Components of the Municipal Solid Waste Management Plan;
2. ISWM ordinance of the municipality;
3. Roles and functions of enforcers;
4. Legal Considerations in Making Apprehensions;
5. Procedure for apprehension and issuance of citation tickets;
6. Reporting requirements;
7. Values formation.

Section 50. Evaluation of Volunteers – Volunteers shall be evaluated after the training and those who pass shall go through a probationary period of one (1) month as temporary enforcers. After the probationary period, they shall again be evaluated and those who pass shall be deputized by the Municipal Mayor. The deputation shall be effective for a period of one (1) year, after which, the deputized volunteers shall again be evaluated to determine their fitness to serve.



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Section 51. Monitoring and Evaluation – Enforcement activities shall undergo periodic monitoring and evaluation. Enforcers are expected to regularly report on their performance using pre-agreed performance indicators. The extent of compliance with ordinances and regulations shall then be determined from such resorts and from regular “feedbacking” sessions among enforcers. The municipality shall also consult with various sectors to get their assessment and to identify with them areas for improvement.

Section 52. Strategy – Enforcement activities on the first year of implementation of the Municipal Solid Waste Management Plan will be geared towards the inculcation of proper solid waste management. Enforcement activities will also strengthen the IEG campaign. Based on the experience gathered in the first year, a detailed enforcement plan for the succeeding years will be prepared by the MENRO.

Three months after the conduct of IEC campaigns, provisions and /or regulations of the ordinance shall be strictly implemented and fines and penalties will be fully imposed against violators. There shall be regular inspection on establishments to make sure that solid wastes are properly segregated and stored, and that collection rules are followed. There shall be a random checking of vehicles to see if waste receptacles are provided. No business permit shall be issued or renewed until establishment owners or their duly authorized representatives attend the required annual SWM seminar.

Article 18
Community Involvement

Section 54. Public Notification - The Constituents of Paluan shall be regularly informed of acts performed and activities undertaken in connection with the implementation of the Municipal Solid Waste Management Plan of Paluan. For this purpose, notices of such acts and activities shall be posted regularly in a bulletin board at the entrance of the Municipal Hall, at the Office of MPDC/MENRO, MEO, in all barangay halls, at the public market and other public places. The MENRO Office shall be responsible for the posting of the above information.

Section 55. Public Participation – The MENRO Office shall ensure that public participation is maximized in the implementation of the Municipal Solid Waste Management Plan of Paluan. For this purpose, the MENRO or the Municipal Solid Waste Management Board, as the case may be, shall conduct public consultations with concerned stakeholders on matters that would affect the latter in connection with the implementation of specific components on the said plan. The results of such public consultations shall be taken into consideration prior to the actual implementation of the particular component of the plan.

Article 19
Appropriation

Section 56. Appropriation – To effectively carry out the implementation of the Municipal Solid Waste Management Plan and the implementation and enforcement of this ordinance hereby appropriated from the 20% Development Fund for the first year of its implementation. The budget for the subsequent years of implementation, which shall be based on such plan, shall be submitted by the MENRO and shall be included in the Annual Municipal Budget Ordinance.



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Article 20
Miscellaneous Provisions

Section 57. Separability Clause – If any provision of this Ordinance or the application of such provision to any person or circumstances is declared invalid, the remainder of the Ordinance or the application of such provision to other persons or circumstances shall not be affected by such declaration.

Section 58. Repealing Clause – Other ordinances, executive orders, rules and regulations or parts thereof which are inconsistent with this Ordinance are hereby repealed or modified accordingly.

Section 59. Effectivity – This Ordinance shall take effect immediately after a copy hereof is posted and published in a newspaper of general circulation.

ENACTED by the Sangguniang Bayan of Paluan, Occidental Mindoro this 2nd day of **September, 2024**.



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