

Full text of the No Plastic Rule in Muntinlupa

BY [ALABANGBULLETIN](#) · JUNE 25, 2011

SUBJECT: IMPLEMENTING RULES AND REGULATIONS OF ORDINANCE 10-109 OF

THE CITY GOVERNMENT OF MUNTINLUPA

Pursuant to the provisions of Section 6, Article II of the Philippine Constitution and Section 458 of RA 7160, otherwise known as the Local Government Code of 1991, the City Government of Muntinlupa hereby adopts and promulgates the following Rules and Regulations.

RULE I. GENERAL PROVISION

SECTION I. TITLE

These Rules shall be known as the Implementing Rules and Regulations of City Ordinance No. 10-109.

SECTION 2. PURPOSE

These Rules are promulgated to prescribe the guidelines for the implementation of City Ordinance No. 10-109.

SECTION 3. SCOPE

These rules and regulation shall lay down the powers and functions of the Environmental Sanitation Center, barangay officials and other office or agency, the right and obligation of the stakeholders and the rights and duties of the people with respect to the program.

SECTION 4. CONSTRUCTION

These Rules and Regulations shall be liberally construed to carry out the policy of regulating the use of plastic and Styrofoam/styrophor to prevent serious ecological imbalance consistent with the pursuit of a sustainable development.

RULE II. DECLARATION OF POLICY

It is the policy of the State to adopt an ecological and environment-friendly principle to protect and advance the right of the people to a balanced and healthy ecology in an environmentally sound manner.

RULE III. DEFINITION OF TERMS

For the purpose of these Implementing Rules and Regulations, the following words shall have the following meaning:

a) Cloth bag [a.k.a. katsa] – refers to e reusable packaging material made of cloth [biodegradable] used in the packaging of flour, wheat and other similar goods

b) Dry goods – refers to any product that do not require refrigeration or freezing to maintain freshness such as textiles and clothing

c) Dry market – generally refers to the store of products that do not require refrigeration or freezing to maintain freshness

d) Plastic bags – also known as sando bags, pouch, plastic shopping bags and plastic firm bags. It is a type of flexible packaging material made of thin, plastic film that is used for containing and transporting food and other products [commercial or industrial]. It also refer to thin-gauge packaging medium that is used as bag or wrap.

e) Styrofoam/styrophor – refers to a kind of packaging material used as food containers, disposable cups, plates, etc

f) Plastic waste – refers to any plastic material thrown as waste

g) Primary packaging material – refers to those types of packaging for containing wet produce, snack foods, frozen foods, hardware etc

h) Secondary packaging material – refers to those types of packaging materials for wet goods to provide support to any primary packaging and intended for convenience of the handler, as well

i) Wet foods – refers to any product that requires refrigeration or freezing to maintain freshness such as fish, meat, poultry products, fruits, vegetables, beverages and cooked foods in carinderias/eateries

j) Wet market –generally refers to the store of products that requires refrigeration or freezing to maintain freshness. These include the wet section in public markets, supermarkets, mini marts, restaurants and carinderias/eateries.

k) woven bags – [a.k.a. bayong], refers to biodegradable packaging material made of woven pandan, buli leaves, water liliy and other similar materials

RULE IV. SCOPE OF APPLICATION

This Ordinance shall be applicable to and observed in all household, industrial, commercial or business establishments, refuse collector, junk dealers and all persons, whether living or sojourning in the city.

SECTION 5. PROHIBITION ON THE USE OF PLASTIC BAGS ON DRY GOODS.

No business establishment shall utilize plastic bags as packaging materials on dry goods.

SECTION 6. REGULATING THE USE OF PLASTIC BAGS ON WET GOODS.

No business establishment dealing on wet goods shall use plastic bags as primary packaging material.

SECTION 7. PROHIBITION ON THE USE OF STYROFOAM/STYROPHOR.

No business establishment shall use Styrofoam/styrophor and other similar container for food, produce and other products.

SECTION 8. PROHIBITION ON THE SELLING OF PLASTIC BAGS.

No business establishment shall offer or sell plastic to be used as secondary packaging material or as primary packaging material or primary packaging material on dry goods.

SECTION 9. PLASTIC WASTES NOT TO BE COLLECTED.

Plastic bag discarded or other similar plastic waste material must be cleaned and dried prior to submission to their respective barangays for proper collection and disposal.

RULE V. PUBLIC INFORMATION AND INFORMATION CAMPAIGN

SECTION 10. INFORMATION, EDUCATION AND COMMUNICATION CAMPAIGN.

Upon approval of this Ordinance, the City shall conduct training and seminars for information dissemination, public education and communication campaigns using quad media [print, radio, television, and internet] and such campaign shall encourage the participation of other government offices in Muntinlupa and private sectors, including NGOs and Pos, academe, environmental groups in promoting alternative biodegradable packaging materials.

SECTION 11. MONITORING COMPLIANCE WITH THE ORDINANCE.

1. a. *The Environment Sanitation Center [ESC] shall monitor the effective implementation of this Ordinance. The ESC shall prepare semi-annual report on the progress of the implementation of this Ordinance.*
1. b. *Before the implementation of this Ordinance, the Environment Sanitation Center [ESC] is mandated to conduct the study on the feasibility of providing alternative receptacles for the disposition and marketing of products so as not to affect the flow of trade and commerce in the City.*
1. c. *The ESC is hereby mandated to provide a program wherein livelihood projects shall be implemented for the manufacture and distribution of eco-friendly receptacles made of water lilies and other environmentally friendly materials in replacement of plastic containers and bags. The livelihood projects must be coordinated with respective office concerned to help the association of women organization residents of Muntinlupa and earn additional income.*

RULE VI. IMPLEMENTATION OF THE ORDINANCE

SECTION 12. IMPLEMENTING RULES AND REGULATIONS [IRR]

1. a. *Within thirty [30] days from the approval of this Ordinance, the necessary rules and regulations shall be issued by the City Mayor for the proper and effective implementation of this Ordinance.*
1. b. *This Ordinance shall be implemented after one year from date of approval and a publication in a newspaper of general circulation.*

SECTION 13. MORATORIUM

All business establishments and/or individuals are hereby given one [1] year moratorium to comply with this Ordinance from the date of passage and/or until they comply upon.

SECTION 14. PROHIBITED ACTS

Business establishments and/or individuals are prohibited from:

1. a. *Selling and providing plastic bags to consumers as secondary packaging material on wet goods;*
1. b. *Selling and providing plastic bags to consumer as secondary packaging materials on dry goods;*
1. c. *Selling and providing Styrofoam/styrophor as container; and*
1. d. *Disposing plastic waste*

RULE VII. FINES AND PENALTIES

SECTION 15. PENALTIES

Any establishment who shall violate any of the prohibited acts stated above shall be punished through the imposition of the following penalties:

First Offense – PhP 500.00

Second Offense – PhP1, 000.00

Third Offense – PhP1, 500.00

Fine and/or imprisonment of not more than six [6] months upon the discretion of the court and in the case of a business establishment, cancellation of its license to operate for a period of one [1] year.

RULE VIII. FINAL PROVISIONS

SECTION 16. SEPARABILITY CLAUSE

If any part of this Ordinance is declared juridically as unconstitutional or unlawful, such declaration shall not affect the other parts of sections hereof that are not unlawful or unconstitutional.

SECTION 17. REPEALING CLAUSE

All previous ordinances inconsistent with this Ordinance shall be deemed repealed or modified accordingly.

RULE IX. EFFECTIVITY

These Implementing Rules and Regulations shall take effect fifteen [15] days from the date of publication in the Official Gazette or in at least two [2] newspapers of general circulation.

A P P R O V E D: September 13, 2010

SGD.

HON ALDRIN L. SAN PEDRO

City Mayor