



Republic of the Philippines  
**SANGGUNIANG PANLUNGSOD**  
City of Mandaluyong

ORDINANCE NO. 668, S-2017

AN ORDINANCE ADOPTING THE OMNIBUS SOLID WASTE MANAGEMENT CODE OF THE CITY OF MANDALUYONG AND PROVIDING PENALTY FOR VIOLATION THEREOF, SUBJECT TO ALL LAWS AND EXISTING LEGAL RULES AND REGULATIONS

P R E F A T O R Y

WHEREAS, Republic Act No. 9003, otherwise known as the Ecological Solid Waste Management Act of 2000, provides that the Policy of the State is to adopt a systematic, comprehensive and ecological solid waste management program which shall ensure the proper segregation, collection, transport, storage, treatment and disposal of garbage and adoption of the best environmental practices in Solid Waste Management;

WHEREAS, Section 3 of the Local Government Code (LGC) provides that, local government units shall share with the National Government the responsibility in the management and maintenance of ecological balance within their territorial jurisdiction, subject to the provisions of this Code and national policies;

WHEREAS, the Sangguniang Panlungsod of the City of Mandaluyong recognizes the need to have a Solid Waste Management Code for the City, providing therein a systematic Solid Waste Management process for household, business establishments and institutions, incorporating thereby waste related ordinances, executive orders and regulations;

WHEREAS, the Local Government Code of 1991 empowers the local government units to enact/approve ordinances which shall ensure an efficient and effective system of solid waste and garbage collection and disposal, including the prohibition on littering and the placing or throwing of garbage, refuse and other filth and waste;

WHEREAS, under Section 16 of the General Welfare Clause of the LGC, xxx within their respective territorial jurisdictions, local government units shall ensure and support, among other things, the preservation and enrichment of culture, promote health and safety, enhance the right of the people to a balanced ecology, encourage and support the development of appropriate and self-reliant scientific and technological capabilities xxx maintain peace and order, and preserve the comfort and convenience of their inhabitants;

WHEREAS, this Ordinance enjoins all residential, commercial, industrial establishments, as well as private and government institutions and condominium projects to adhere to the provisions on segregation at source, recycle, reuse and reduce;

WHEREAS, the Barangays play a vital and important role in the proper implementation of this Ordinance;

WHEREAS, Section 55 of Republic Act No. 9904 or the Magna Carta for Homeowners and Homeowners Associations, provides, that Homeowner's Associations shall complement, support and strengthen LGUs in providing vital services to their members and help implement local government policies, programs, ordinances, and rules;

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WHEREAS, Presidential Decree No. 856 or the Sanitation Code of the Philippines provides that the health of the people being of paramount importance, all efforts of public services should be directed towards the protection and promotion of health, and thus, the formulation of refuse disposal under Chapter 18 of the same Code;

WHEREAS, Section 5 of Administrative Order No. 341, S-1997, prescribes that the local government units, in coordination with concerned agencies, shall ensure continued promotion of strategic health messages in key settings in provinces, cities, municipalities and barangays. Through multi-sectoral consultations, advocacy, networking, capability building and community action, they shall also be responsible in building and sustaining a health supportive environment based on the standard health indicators for each key setting;

WHEREAS, the objective of this Ordinance is to instill discipline to every Mandaleños, at home, at work or wherever they may be, to adhere to the City's mission statement "Mandaleño Disiplinado" espoused by Honorable Mayor CARMELITA A. ABALOS;

WHEREAS, in the implementation of this Ordinance, it is an objective that only refuse wastes or residue wastes are the only ones to be collected by the City, thereby in effect, lessening environmental funding and expenses, and divert the savings generated therefrom to more sustainable programs of the City.

NOW, THEREFORE, BE IT ENACTED, as it is hereby ENACTED, by the Sangguniang Panlungsod of Mandaluyong, by virtue of the powers vested in it by law, in session duly assembled, that:

CHAPTER 1  
GENERAL PROVISIONS

- SECTION 1. SHORT TITLE. This Ordinance shall, otherwise, be known as the "OMNIBUS SOLID WASTE MANAGEMENT CODE OF THE CITY OF MANDALUYONG".
- SECTION 2. PURPOSE. This Code is enacted to prescribe the procedures and guidelines for the implementation of Republic Act No. 9003 or the Ecological Solid Waste Management Act of 2000 in order to facilitate compliance therewith and achieve the objectives thereof.
- SECTION 3. SCOPE. This Code shall lay down the powers and functions of the City Environmental Management Department, Solid Waste Management Board, the Barangays and all concerned agencies, private establishments, private individuals and other stakeholders and the rights and duties of the people with respect to the implementation of Republic Act No. 9003.
- SECTION 4. CONSTRUCTION. This Code shall be liberally construed to carry out the national policy of adopting a systematic, comprehensive and ecological Solid Waste Management Program consistent with the pursuit of sustainable development.
- SECTION 5. DEFINITION OF TERMS. As used in this Ordinance, the following terms shall mean:

- a. BIO-DEGRADABLE – anything that originate from living things, whether animal, plant or human, which decomposes and reduced into fine particles by microorganism or enzymes, e.g. paper, wood, fruits, peels, left over, seed, fish, fowl innards and the like;
- b. BULKY WASTE – refers to 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;
- c. CEMD – refers to the City Environmental Management Department, which is a department under the Office of the City Mayor tasked to monitor and implement the provisions of this Ordinance;
- d. CITY CONTRACTED GARBAGE COLLECTOR – refers to an entity whose business is engaged in garbage collection, who passed all qualification standards set by this Ordinance thereafter contracted by the City to collect and dispose household solid waste in the manner set forth herein;
- e. COLLECTION – the gathering/collecting of stored waste, setting it out and hauling them to transfer stations or to other facilities;
- f. COLLECTION EQUIPMENT – vehicle used in the gathering of stored waste set out for collection;
- g. COLLECTION SCHEDULE – Designated time given for the collection of waste in the route;
- h. COMMERCIAL ESTABLISHMENTS – shall refer to structures or establishments engaged in trade, commerce and services in the City of Mandaluyong;
- i. COMMERCIAL WASTE – consists of waste from premises used mainly for the purposes of a trade or business or for the purpose of sport, recreation, education or entertainment, but, excluding household, agricultural or industrial waste;
- j. CONDOMINIUM UNIT – an interest in real property consisting of a separate interest in a unit in a residential, industrial or commercial building and an undivided interest in common, directly, or indirectly in a land in which it is located and in other common areas of the building. (Republic Act No. 4726, Section 2)  

Entities regarded under this term, shall also refer to Condominium Corporation, an association of condominium owners, a board of governors elected by condominium owners or a management agent elected by the owners or by the Board, whose function includes maintenance, utility, improvement, provides restriction and limitation in the utilization and upkeep of the common area.
- k. CONSTRUCTION/DEMOLITION DEBRIS – Solid waste arising from construction and demolition of structure, such as earth mounds, dilapidated concrete, pieces of stones, rocks and woods, metal and plastic scraps, produced or emanated from a private activity of a particular construction;
- l. CREEKS – a stream, brook, an inlet in a shoreline, or a sheltered waterway;

- m. DISCHARGE OR SET OUT – putting or setting out of stored waste set out for collection;
- n. DRAINAGE – the means of removing surplus water or liquid waste;
- o. ENVIRONMENTAL FRIENDLY MATERIALS – refers to eco-friendly products that do not harm the environment whether in their production, use or disposal. These products help preserve the environment by significantly reducing the pollution they could produce. It also pertains to materials which are biodegradable, recyclable and reusable;
- p. ENVIRONMENTAL POLICE – shall refer to a person authorized by law, such as those deputized by the City or Barangay to enforce all general and local laws pertaining to the protection of the environment;
- q. ENVIRONMENTAL SERVICE FEE – refers to the one-time City imposed fees for regulatory purposes as polluter payback mechanism of the City. This is determined by the Local SWM Board/Local SWM Cluster Board based on wastes' distinction as to residential, market, commercial, industrial, construction/demolition, street waste, agricultural, agro-industrial, institutional, and special waste. The Fund shall be used to support endeavors, which enhance the implementation of this Ordinance such as putting up of facilities, developing technologies and processes to enhance proper solid waste management activities, giving of awards, incentives, research programs, information, education, communication and monitoring activities, technical assistance, and capability building activities;
- r. GARBAGE – for purposes of this 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 likes;
  - 3. Candy or food wrappers, cigarette butts and similar trash;
  - 4. Unused clothing, shoes, slippers and similar items;
  - 5. Any or all of the 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 waste or animal wastes; and
  - 7. Waste or refuse emanating from the conduct of business, industrial or commercial activities.
- s. GARBAGE SERVICE CHARGE – refers to the cost of service or the amount charged by the City for servicing a private entity whether commercial, industrial, and condominium establishments for specifically requesting a special collection for the disposal of their waste or refuse, after notice and coordination with the City Environmental Management Departments and payment of proper fees to the City Treasurer or its duly authorized representatives;
- t. IMMEDIATE SURROUNDING – frontage or immediate vicinity of the house or establishment;
- u. INDUSTRIAL WASTE – refers to the waste produced by industrial activity which includes any material that is rendered useless during a manufacturing process such as that of factories, and other manufacturing industries;


- v. INSTITUTIONAL ESTABLISHMENT – refers to government and private institutions situated in the City. Government institutions refer to establishments with public service purpose, which creation was funded by the government, such as, but not, limited to national government and local government offices and buildings, barangay halls, day care centers, health centers, public schools, colleges, universities, and hospitals. Private institutions refer to any establishments privately owned with a purpose of institutionalizing the business or practice such as private schools, colleges, universities and religious establishments;
- w. JUNK DEALER – any person engaged in recovering recyclable materials as a trade or business;
- x. LITTER – waste improperly set out or scattered, with a volume of one (1) liter (1,000 ml) or less;
- y. MARKET WASTE – refers to wet and dry wastes produced by private or public markets in the City of Mandaluyong, in the conduct of its daily business activity;
- z. MATERIAL RECOVERY FACILITY – includes a solid waste transfer station or sorting station, drop off center, a composting facility and recycling facility;
- aa. NON-BIODEGRADABLE – anything which comes from a non-living source which does not easily decompose, e.g. cans, metals, glass, bottles, plastics, styrofoam, rubber, cloth, fibers, feather, leather, hard shells and bones;
- bb. OPEN DUMPS – shall refer to disposal area wherein the solid wastes are indiscriminately thrown or disposed of without due planning and consideration for environment and health standard;
- cc. PICK UP TO TRUCK – a process whereby a garbage is collected by authorized collector, carried on to the garbage truck and straight to the disposal area. It does not pass through a storage or transfer area;
- dd. PRIVATE GARBAGE COLECTOR – refers to a private entity, who is engaged in the collection of wastes in general, accredited and regulated by the City, contracted by commercial, condominiums, and industrial establishments to collect their wastes/garbage;
- ee. PUSH CART/PEDICAB – refers to a three or four wheeled-vehicle (motorized, or non-motorized) used for the collection of household wastes or recyclable materials to be brought to Materials Recovery Facility, junk dealers, or garbage truck for disposal as the case may be, provided that these vehicles have been validly registered with the CEMD;
- ff. RECYCLE – shall refer to the process of using materials into new products to prevent waste of potentially useful materials. It is to breakdown used items to make raw materials for the manufacture of new product;
- gg. REUSE – shall refer to the action or practice of using something again, whether for its original purpose or to fulfill a different function;

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- hh. SEGREGATION – solid waste management practice of separating different materials found in solid waste in order to promote recycling and reuse of resources and to reduce the volume of waste for collection and disposal;
- ii. SEGREGATION AT SOURCE – it is a Solid Waste Management practice of separating at the point of origin of different kind of wastes found in a particular household or establishment in order to promote recycling and reuse of resources and to reduce the volume of waste for collection and disposal;
- jj. SEGREGATIONAL SERVICE SYSTEM – a system of collecting garbage using “waste-coded” trucks (nabubulok/di nabubulok) based on the kind of wastes/refuse to be collected on specified days. the procedure of which is to be determined by the Solid Waste Management Board;
- kk. SCAVENGING – the act of opening stored waste set out for collection and disposal to retrieve recyclable or reusable materials;
- ll. 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 sweeping, clean and green activities, and the clearing of typhoon-wrought debris:
  - 1. Any solid or semi-solid material resulting from human and animal activities that are considered useless, unwanted or hazardous;
  - 2. Any material that becomes waste only when a specific owner ceases to have use for it.
- mm. SOLID WASTE MANAGEMENT – refers to the discipline associated with the control of generation, storage, collection, transfer and transport, processing and disposal of solid waste in a manner that is accord with the best principles of public health, economics, engineering, conservation, aesthetics, and other environmental considerations and that is also responsive to public attitudes;
- nn. SOLID WASTE MANAGEMENT BOARD – refers to the City’s policy-making body empowered to oversee and regulate the implementation of Republic Act No. 9003;
- oo. SPECIAL COLLECTION – refers to a garbage collection activity distinct from the regular garbage collection schedule set by the CEMD, after it is specially requested by an individual or entity, or a clean-up activity in occasion of calamity, as the case may be;
- pp. SPECIAL WASTE – shall refer to household hazardous wastes such as paints, thinners, household batteries, lead-acid batteries, spray canisters and the like. It also includes wastes from residential and commercial sources that comprise of bulky wastes, consumer electronics, white goods, yard wastes that are collected separately, batteries, oil, and tires. These wastes are usually handled separately from other residential and commercial wastes;
- qq. SPECIFIED WASTE COLLECTION AREA – refers to a temporary specific place designated in a Barangay Resolution where residents may temporarily deliver their household wastes for pick up by the City garbage collector. Specific time and period of termination for the use of the area is indicated in the Barangay Resolution;


- rr. STORAGE – shall refer to interim containment of solid wastes after generation and prior to collection for ultimate recovery or disposal. It is also a temporary isolation of wastes from the environment to prevent health hazard and to facilitate collection;
- ss. TRANSFER STATION – shall refer to those facilities utilized to receive solid waste, temporary storage, sorting place, separate, convert or otherwise process the materials in the solid wastes or to transfer the solid waste directly from smaller to larger vehicles for transport;
- tt. TOXIC & HAZARDOUS SUBSTANCE – waste that is harmful to human beings, plants and animals and the environment, by reason of its quantity, concentration or physical, chemical or infectious characteristics such as hospital wastes and industrial wastes. It can be presented in the following kinds: (Republic Act No. 6969)
  - 1. short-term acute hazards such as acute toxicity by ingestion, inhalation or skin absorption, corrosivity or other skin or eye contact hazard or the risk of fire or explosion; or
  - 2. long-term environmental hazards, including chronic toxicity upon repeated exposure, carcinogenicity, which may in some cases result from acute exposure but with a long latent period, resistance to detoxification process, such as biodegradation, the potential to pollute underground or surface waters, or aesthetically objectionable properties such as offensive odors.
- uu. VACANT LOT – any lot that is idle, abandoned, where there are no permanent buildings erected whether residential, commercial and industrial, not intended for open spaces, parks, playground, road, alleys and the like; That is available for sale or rent.
- vv. YARD WASTE – refers to wood, small or chipped branches, leaves, grass clipping, garden debris, vegetable residue that is recognizable as part of a plant or vegetable and other material accumulated by reason of trimming, pruning and weeding of plants and trees.

CHAPTER II  
SOLID WASTE MANAGEMENT SYSTEM

SECTION 6. BASIC CONCEPTS. For this Chapter, the basic policies under the Ecological Solid Waste Management Law or Republic Act No. 9003 are hereby adopted. As such, it is, hereby declared as policy of the City to adopt a systematic, comprehensive and ecological solid waste management program which shall:

- 6.1 Empower the Barangay, as it is mandated and incumbent upon it to promote and campaign the principles herein embraced, to educate and inform the public within their jurisdiction about the Ordinance, prioritize programs for environment and allocate the required funding thereto, and to devise innovative ways to improve further implementation;
- 6.2 Ensure the protection of public health and environment;
- 6.3 Utilize environmentally-sound methods that maximize the utilization of valuable resources and encourage resource conservation and recovery;

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- 6.4 Set guidelines and targets for solid waste avoidance and volume reduction through source reduction and waste minimization measures, including composting, recycling, re-use, recovery, green charcoal process, and others, before collection, treatment and disposal in appropriate and environmentally sound solid waste management facilities in accordance with ecologically sustainable development principles;
- 6.5 Ensure the proper segregation, collection, transport, storage, treatment and disposal of solid waste through the formulation and adoption of the best environmental practice in ecological waste management excluding incineration;
- 6.6 Promote improved solid waste management and resource conservation techniques, more effective institutional arrangement and improved methods of waste reduction, collection, separation and recovery;
- 6.7 Encourage greater private sector participation in Solid Waste Management;
- 6.8 Inform and educate individuals the deterrent factors brought about by waste generation and each one's role to alleviate the environmental condition of the City in terms of Solid Waste Management;
- 6.9 To encourage improvisation and ingenuity by the use of scrap recyclable materials as a means of livelihood;
- 6.10 To enlighten all stakeholders and all individual waste producers that they have a stake in the deterioration or improvement of this City's environmental condition;
- 6.11 To institutionalize the use of Material Recovery Facility (MRF) in every barangays as provided by Republic Act No. 9003, be it cluster sharing, leased or exclusively owned MRF. In this way, systems of material recovery will be promoted such as ingenious recycling of wastes to a livelihood means, composting and other mechanisms to reuse, reduce and recycle wastes.

**CHAPTER III**  
**SEGREGATION AND SORTING-OUT OF SOLID WASTE**

**SECTION 7. MANDATORY SEGREGATION OF SOLID WASTES.** Segregation of wastes shall primarily be conducted at source, to include household including condominiums, institutional, governmental structures, industrial, and commercial sources. These entities, including owners, lessees, tenants, officers, and administrators of such are required to separate, sort out their solid waste, refuse or garbage in a manner provided for in the following sections.

**SECTION 8. SEGREGATED AND SORTED COLLECTION OF SOLID WASTES.** The following shall be the minimum requirements for segregation and storage of solid waste for household, condominiums, commercial, institutional and industrial establishments pending collection:

- 8.1 There shall be a separate and properly labelled container for each type of waste (compostable, recyclable and special waste) from all sources depending on its use, or any classification as may be determined by the Solid Waste Management Board;

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- 8.2 The City garbage collector or privately contracted garbage collector must provide for a separate truck for collection of each kind of waste. It shall be unlawful for a garbage collector to combine altogether in one truck the segregated waste at source. Such violation shall be meted with a penalty as prescribed in this Ordinance and Contract of Service;
- 8.3 In case of a building containing six (6) or more units, it is the obligation of household owners, lessors, persons-in-charge such as, managers, department heads/chiefs, administrators, unit owners, association officers, or any person responsible for the operation and administration of the said establishment, as the case may be, shall:
  - 8.3.1 Abide by the provisions set forth in 8.1 and 8.2;
  - 8.3.2 Contract their own private garbage contractor, in the case of condominiums, commercial, and industrial should they qualify to the limits set forth in Chapter V;
  - 8.3.3 Provide for the residents a designated area and containers in which to accumulate source separated recyclable materials to be collected by private or government recycling entity, as the case may be;
  - 8.3.4 Notify the occupants of each buildings of the requirements of this Ordinance and the regulations promulgated pursuant thereto.

SECTION 9. NO SEGREGATION/NO COLLECTION POLICY. It shall be unlawful for any person, or any establishment, whether private or government, to possess unsegregated garbage during the time of garbage collection.

The City garbage collector or contractor shall not, in anyway be under any obligation to collect unsegregated wastes, as provided for by this Ordinance.

CHAPTER IV  
STORAGE, DISCHARGE, COLLECTION, TRANSFER  
AND TRANSPORT OF WASTES

SECTION 10. STORAGE OF WASTE.

- 10.1 Segregated waste shall be stored only at source;
- 10.2 Waste shall be stored and set out for collection in a closed trash bag or any appropriate container to avoid the entry of insect, pest and vermins, escape of bad odor; and spillage of leachate;
 

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.
- 10.3 Household Toxic and Hazardous Waste (THW) shall be placed in a separate appropriate container and shall be disposed of in a specific manner in accordance with Republic Act No. 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 11. DISCHARGE OR SET OUT OF WASTE FOR COLLECTION.

- 11.1 On collection day, the waste may be placed within the immediate surrounding of the owner's property or premises. It is unlawful for any person to hang and leave their garbage in a plastic *sando* bags on fences or gates if garbage trucks has not arrived. Setting out of garbage must comply with the procedures set forth in Section 8.1;
- 11.2 Waste shall be set out for collection only within the scheduled date and time of collection.

The day, time and pick up points of garbage in the 27 barangays of the City shall be decided by the Barangays concerned after coordination with CEMD and the same shall be publicly announced and given widest dissemination by means of mass information, social media, placards, posters and similar means.

The Solid Waste Management Board shall then institutionalize the pick-up schedules by a Board Resolution and adopted by the Sanggunian.

- 11.3 No burning of waste shall be allowed at source at all times.

SECTION 12. WASTE COLLECTION SYSTEM AND STANDARDS.

- 12.1 The City Government shall be responsible in collecting the residue from the wastes segregated.

The collection shall be door to door on the specified collection day for compostable (biodegradable) and recyclable (non-biodegradable) wastes as the case maybe, without fail. The City shall share this responsibility with the Barangays in accordance with the Local Government Code.

- 12.2 COLLECTION DATE/SCHEDULES. On a case to case basis and depending on the desired dates, the respective Barangays, can come-up with their own schedule of waste collection after proper coordination with the CEMD, such that:

12.2.1 Compostable (Biodegradable) shall be collected every Mondays, Wednesdays and Fridays;

12.2.2 Recyclables (Non-Biodegradable) shall be collected every Tuesdays and Thursdays;

12.2.3 The remaining days of the week may be allotted to a bigger and more populated barangay as a collection day of a specific type of waste or special waste collection for other Barangays which should be arranged with the CEMD.

In special cases, SPECIAL WASTE COLLECTION may be requested by the Barangay concerned. These schedules may be modified after confirmation from the CEMD.

- 12.3 In the case of condominiums, commercial, industrial and institutional establishments which contracted a private garbage collector, coordination and accreditation from the CEMD shall be necessary for regulatory purposes.

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- 12.4 Trucks with separate compartments for compostable and non-compostable wastes may collect on the same day as the other kind, provided, that different kinds of wastes are securely placed in the compartment of such kind, which is individually covered and compacted to avoid the mixing, and over spilling of different kind of waste. Overloading of each kind of waste in separate compartment is prohibited;
- 12.5 All trips during collection shall be required to have a TRIP TICKET indicating the name of the Barangay and the route that the trip will cover or it covered, thereafter the latter shall sign and issue corresponding confirmation or proof that such trip was made. A pro-forma template shall be designed by the SWMB.
  - 12.5.1 Only the authorized commissioned garbage collector shall be allowed to handle the waste from the generators;
  - 12.5.2 Any individual or group, unless authorized by the City Environmental Management Department (CEMD) or the Barangay, shall be disallowed to open and retrieve recyclable or re-useable materials or stored waste set out for collection from the designated pick up points.

Authorization must be based on a valid ground and when public health and safety so warrants the re-opening of stored waste.
- 12.6 Selling, scavenging and sorting or "pag-bubulasi" by the garbage collection crew or any person shall not be allowed at all times. The contractor shall be held liable for the violation of this provision for which may cause the suspension or rescission of the Contract with the City Government;
- 12.7 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 ANNUAL compliance with necessary Health Certificate issued by the Local Health Officer. They must possess an up-to-date Health Certificate issued by the City Health Officer;
- 12.8 The garbage collector shall empty and return all containers to the designated collection area with care. Paper and other temporary containers shall be collected;
- 12.9 Collection of solid waste shall be done in a manner which prevents damage to the container and spillage or scattering of solid waste within the collection vicinity;
- 12.10 Recyclables collected shall be transported directly to the Materials Recovery Facility, otherwise to prescribed disposal site contracted by the City garbage collector;
- 12.11 Scrap buying and selling by junk dealers are not allowed to collect recyclable materials during the scheduled time of collection.

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SECTION 13. GARBAGE TRUCKS AND EQUIPMENT STANDARDS. The following shall be the minimum standards and requirements for the qualification of garbage trucks and equipment to be used in the collection of solid wastes in the City and those that is provided for by Presidential Decree No. 856:

- 13.1 All collectors and other personnel directly dealing with collection of solid waste shall be equipped with personal protective equipment to protect them from the hazards of handling wastes;
- 13.2 Necessary training shall be given to the collectors and personnel to ensure that the solid wastes are handled properly and in accordance with the guidelines pursuant to this Ordinance;
- 13.3 All garbage trucks and equipment shall be registered with the CEMD to ensure regulation such as accreditation, proper markings, safety and sanitation of the vehicle;
- 13.4 Roadworthiness of garbage trucks must be proved during bidding in the selection of service providers in conformity to the standards set forth by the Land Transportation and Franchising Regulatory Board (LTFRB), Metro Manila Development Authority (MMDA) and Department of Transportation and Communication (DOTC) for publicly contracted service vehicles;
- 13.5 All garbage trucks 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 (8 inches) in height;
- 13.6 All garbage trucks shall be in good body condition, and equipped with tools and spare tires. No sacks, filthy named tarpaulin, nor any eyesore materials must be seen hanging in the truck;
- 13.7 All garbage trucks shall meet the emission standard set by the DENR, including smoke-belching standards;
- 13.8 Garbage trucks and all equipment shall be kept clean, sanitized and properly maintained and shall be washed after each disposal;
- 13.9 Garbage trucks shall be designed to consider road size, condition and capacity to ensure the safe and efficient collection and transport of solid wastes;
- 13.10 The waste compartment shall have a cover to ensure the containment of solid wastes while in transit;
- 13.11 All trucks shall have separate complete taillights, flasher, side mirror, plate number, tailgate, wiper and horn;
- 13.12 All trucks shall be equipped with proper cleaning and clearing tools, e.g. brooms, dustpans, spade, shovels, etc. for cleaning and collecting spillage garbage caused by the collector's improper handling;
- 13.13 Owners and operators of trucks shall sanitize, disinfect and deodorize the collection trucks before leaving the dispatching area and after its disposal.

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SECTION 14. WASTE TRANSFER AND TRANSPORT STANDARD. Requirements for the Transfer and Transport of Solid Waste are the following:

- 14.1 Transfer stations shall be classified as such by the Sangguniang Panlungsod;
- 14.2 Transfer stations shall be designed and operated for efficient waste handling capacity and in compliance with the environmental standards;
- 14.3 No waste shall be stored in designated station beyond 24 hours (Section 25 of Republic Act No. 9003);
- 14.4 Temporary transfer stations of wastes by garbage collectors, whether City contracted or private garbage collector, shall secure the following certifications/permits:
  - 14.4.1 Permit from the Barangay;
  - 14.4.2 Clearance from the City Environmental Management Department;
  - 14.4.3 Environmental Compliance Certificate issued by the DENR;
  - 14.4.4 Sangguniang Panlungsod Resolution classifying the location as a transfer station. The Resolution shall also signify no opposition from the nearby residents after the required public hearing.
- 14.5 The use of separate collection trucks and/or separate schedules shall be required for specific types of wastes. Otherwise, vehicles used for the collection and transport of solid wastes shall have the appropriate compartments to facilitate efficient storing of sorted wastes while in transit;
- 14.6 Contractors shall not park their garbage collection truck and other equipment along any of the streets and major thoroughfares within the City limits, nor shall it use any property within the City of Mandaluyong, whether public or private as transfer station for garbage hauled by it without written authority from the City after compliance of the requirements in the preceding section;
- 14.7 SPECIFIED DROP-OFF/PICK-UP POINT.
  - 14.7.1 Designation of dumping area for a specified time and day in a specific area in every Barangay is strictly prohibited as it is contrary to the provision of Republic Act No. 9003 and the Anti-dumping law.

However, while in the implementation stage and during Barangay enhancement and education training program is in effect, a specified Drop-off/Pick-up point, which is temporary, shall be approved by the Sangguniang Pambarangay by way of a Resolution which indicates the exact place, day and time of collection. The same shall be coordinated with the CEMD when approved for its proper collection which should not be more than 24 hours.



The Barangay Resolution must specify a definite period as to the termination of the use of specified drop off/pick-up area which term shall not be more than one (1) year. At its termination, the period or term shall not be renewed and transferred to another location.

14.7.2 While the specified waste collection Resolution is in effect, no wastes shall be allowed to be disposed in the said area if not in conformity with the kind of waste to be collected on that particular day, as in Section 12.2.1 and 12.2.2 of this Ordinance;

**CHAPTER V**  
**CONDOMINIUMS, COMMERCIAL, INDUSTRIAL**  
**AND INSTITUTIONAL WASTES**

SECTION 15. CONDOMINIUMS. Privately constructed condominiums, Government condominium projects such as those under National Housing Authority or tenement or BLISS, Non-government organization housing projects such as, but not limited to Bahay Kalinga, Habitat for Humanity, Rotaries, Foundations and the likes not exceeding 500 persons occupying the entire building shall be serviced by the City garbage collector.

SECTION 16. Condominiums exceeding the requirements in the immediately preceding paragraph are required to contract their own private garbage collectors accredited by the City Environmental Management Department.

SECTION 17. COMMERCIAL ESTABLISHMENTS. Commercial establishments where trade or business is being conducted exceeds 200 sqm. or generates more than 1-2 tons of commercial wastes a day, as defined in this Ordinance shall contract their own private garbage collector.

SECTION 18. INDUSTRIAL ESTABLISHMENT. Industrial wastes produced by industrial establishments and as defined in this Ordinance, shall contract their own private garbage collector as such is not ordinarily produced by household or commercial establishments. The same is regarded as special wastes which may be hazardous to health and environment.

SECTION 19. INSTITUTIONAL ESTABLISHMENT.

19.1 Public and private schools, colleges and universities are herein encouraged to formulate innovative practices of recycling wastes to lessen waste generation. It is, likewise, mandated that segregation of wastes be strictly complied with in their respective premises;

19.2 Except public schools/colleges/universities, all private schools, colleges and universities with a population of more than 5,000 shall contract a private garbage collector accredited by the CEMD;

19.3 Government housing projects, public markets, government offices and buildings, religious establishments and government educational institutions shall be serviced by the City contracted garbage collector without any fees or charges.

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19.3.1 Construction debris generated from government funded infrastructure projects shall be collected by the public works private contractor during and after completion of the projects. The City has no obligation to collect debris of public works performed by private contractors under Section 35.

SECTION 20. MANNER OF COLLECTION. The same provision as herein provided in Chapters III, IV, V, VI shall apply to all establishments mentioned in this Chapter as to the manner of garbage set-out, segregation and collection and disposal whether a City-serviced or privately-contracted garbage collector.

The respective home owners or unit owner's associations may provide for their own guidelines as to garbage set-out which is in conformity with this Ordinance.

CHAPTER VI  
MARKET WASTES AND USE OF MARKET PLASTIC BAGS

SECTION 21. Market wastes of all kinds, whether from private or public markets, flea markets, stalls or ambulant stores shall conform with the manner of segregation, sorting and disposal as herein provided in Sections 7, 8, 9, 10, 11 and 12.

SECTION 22. The same shall abide with the kind of waste to be collected on a particular date/day. No segregation, no collection policy shall be strictly implemented to all kinds of market wastes.

SECTION 23. Privately owned markets shall contract their own private garbage collector accredited by the City and which manner of collection shall conform to this Ordinance.

SECTION 24. Use of plastic bags and *sando* bags, as carry on for wet and dry goods are strictly prohibited pursuant to Ordinance No. 523, S-2013, except for primary single linings such as, *plastic labo*, film paper, meat wrapper, and the likes, may be used to preserve the freshness of the item.

SECTION 25. The use of recycled bags, such as, but not limited to improvised recyclable bags, *sako*, *bayong*, eco-bags and the likes, shall be required to be utilized by customers. In no case shall the vendor must provide for the use of plastic bags in order to accommodate customer's request.

SECTION 26. Market or stall owners both private and public are also required to provide labelled receptacles for each type of waste in conspicuous areas.

SECTION 27. FLEA MARKETS OR "TALIPAPA".

27.1 Flea markets or "*talipapa*" shall be regarded as commercial/business establishment, hence, limitations under Sections 8, 9, 10, 11 as to manner of waste collection and requirement for commercial establishment in Section 21 shall apply;

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27.2 The same shall be subjected provisions on the use of plastic bags and periodic inspection by the CEMD for compliance of this Ordinance and for licensing purposes.

### CHAPTER VII JUNK SHOPS

SECTION 28. OBLIGATIONS AND LIABILITIES. Junk shop operators operating within the City of Mandaluyong, shall:

- 28.1 Provide an area of not less than 50 sqm. for the sorting and storing of each type of recyclable materials and maintain an area of operation and immediate surroundings clean and sanitary;
- 28.2 Record the volume of each type of recyclable materials collected everyday and submit a written report monthly to the CEMD for the purpose of monitoring;
- 28.3 Have their own private garbage collector accredited by the City in the hauling of their residuals;
- 28.4 Collect only recyclables within the City.

SECTION 29. No junk shop shall transport materials recovered from outside Mandaluyong and sort the same within its vicinity.

SECTION 30. All junk materials shall be confined only within its junkshop premises and in no case shall it become obstructive to encroach sidewalks or the main streets.

### CHAPTER VIII PERIODIC REPORTING

SECTION 31. Entities mentioned in Chapters VI, VII, VIII, are required to provide the CEMD of its waste generation volume report every month. Computation shall be based on .742/KG/PERSON/DAY.

Non-fulfillment of this reportorial obligation will cause the non-renewal of their business license or non-accreditation of its private garbage collection.

### CHAPTER IX MAINTENANCE OF CLEAN AND SANITARY FRONTAGE AND IMMEDIATE SURROUNDING

SECTION 32. Household owners, caretaker, tenants, business establishment owners, managers, building administrators, or any person responsible for the operations and administration of an establishment or household within the City of Mandaluyong are required to maintain their frontage and immediate surrounding clean and sanitary.

- 32.1 Littering, throwing, dumping or scattering of waste, refuse or garbage matter, papers, cigarette butts and the likes, in any place in the streets or public building or property, including, roads, sidewalks, canals, esteros or parks, and establishments, or causing or permitting the same are strictly prohibited;

32.2 INSTALLATION OF PROVISIONAL WALLS. Owners of vacant lots within the City of Mandaluyong are enjoined to keep their lots enclosed by a provisional wall made of indigenous materials such as *sawali*, G.I. sheets, barbed wire, interlinked wire and the likes with a height in accordance with the requirement of the National Building Code to prevent it from becoming a dumping area of refuse.

SECTION 33. BULKY WASTE.

- 33.1 For segregation purposes, it will suffice that Bulky Waste shall be stored and placed in a separate container or in area within the perimeter of the owner's premises, specifically avoiding obstruction of sidewalks, street and flow of traffic;
- 33.2 All bulky wastes shall be reported with the City Environmental Management Department (CEMD) within 24 hours from the time of accumulation of bulky waste in their property, yard or immediate surroundings for its proper collection and disposal;
- 33.3 A bulky waste is to be regarded as special collection, hence, garbage service charge shall be applicable and payment thereof shall be made to the City Treasury before collection of garbage. The garbage collection charge is provided in Section 44.

SECTION 34. TREES, FALLEN BRANCHES AND YARD WASTES. Trees that branched out to areas which pose grave danger to the public, such as those that have reached out to the electrical cables, or roots penetrated through walls and premises of another, or those that needs trimming, pruning and weeding or accumulation in their immediate surroundings of woods, small or chipped branches, leaves, grass clipping, garden debris and vegetable residue are regarded as special collection and must be coordinated with the CEMD to facilitate its prompt action and proper disposal.

If such are found within private property which cannot be categorized as household solid wastes as defined in this Ordinance, the same shall be requested with the CEMD after approval and proper payment of garbage service charge to the City Treasury or any of its authorized representatives.

SECTION 35. CONSTRUCTION DEBRIS.

- 35.1 The City is under no obligation to collect and dispose any kind of construction debris generated or emanated from the construction of a private individual, project, or entity. Under related national laws and pertinent local ordinances, an occupancy permit and locational clearance will not be issued unless construction debris, as well as its immediate surroundings of the constructed building, are cleared out;
- 35.2 In case of a building contractor hired by the owner to construct buildings or structures in his/her area, the said building contractor shall be required to provide receptacles/storage for the construction debris/materials that may accumulate on account of the construction activity, pending its collection and disposal;

- 35.3 During construction and prior to the completion of the project, if debris is conspicuous and obstructive that it posts danger to the public or has become nuisance to the community, the Engineering Department may issue an order temporarily suspending the construction of the project until such debris has been cleared out;
- 35.4 Remnants of calamities, residue of government projects in its cleaning-up phase, as the case maybe, shall be serviced by the City's garbage contractor after proper notice to the CEMD and its approval.

SECTION 36. INSTALLATION OF TRASH RECEPTACLES IN PUBLIC UTILITY VEHICLE. All owners/operators/drivers of buses, jeeps, tricycles and taxis for public use, operating within or traversing through the territorial jurisdiction of the City of Mandaluyong shall provide trash receptacles in their vehicles in accordance with (13.8 of Section 13, Chapter VI) Ordinance No. 572, S-2014.

**CHAPTER X  
PERMITS AND ACCREDITATION**

SECTION 37. PERMITS AND ACCREDITATION OF PRIVATE GARBAGE HAULERS.

- 37.1 Private garbage collectors contracted by commercial, industrial and condominium establishment, must be accredited by the City through the CEMD for regulation purposes;
- 37.2 Garbage contractors must pass the standards set forth in Section 13;
- 37.3 Private garbage collector must secure a license with the City Business License and Permit Department (BPLD) to regulate their doing business in the City and to be renewed annually;
- 37.4 Garbage collector's license fee shall be in accordance to the schedule of license rates used by the BPLD;
- 37.5 It shall, likewise, comply with the Sanitation Permit with the City Health Department.

SECTION 38. When an establishment opted the service of an accredited private garbage collector, the terms and conditions of parties as to waste management, collection and disposal standards shall be in conformity to the provisions of this Ordinance.

SECTION 39. Condominium, commercial, and industrial establishments may request a special collection after approval from the CEMD, following the appropriate payment of garbage service charge to the City Treasury or to any of its duly authorized representative.

SECTION 40. Should the CEMD decline to service the said request due to non-availability of trucks, it may refer to the applicant an accredited private garbage collector in order to service such request. The contract shall then be between the private garbage collector and the requesting private entity. In no case that the said request shall remain unserved. Failure to have the garbage collected on time or after a considerable length of time such that it made the surrounding unsanitary and unhealthy to the residents and to the environment, shall be penalized accordingly.

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**CHAPTER XI**  
**COLLECTION OF GARBAGE SERVICE CHARGE AND**  
**SOLID WASTE MANAGEMENT FEE**

Local government units may impose and collect such reasonable fees and charges for the service rendered (Section 153, LGC), in an amount reasonably commensurate to such service (Article 244a, LGC).

**SECTION 41. SOLID WASTE MANAGEMENT FEE (SWM Fee).** The City may impose fees for the collection and transport of non-recyclable and special wastes and for the disposal of these into the sanitary landfill. The level and procedure for exacting fees shall be defined by the Local SWM Board based on wastes' distinction as to residential, market, commercial, industrial, construction/demolition, street waste, agricultural, agro-industrial, institutional, and special waste. These fees shall then be supported by pertinent SWM Board Resolution and approved by the Sanggunian.

41.1 **BASIS OF SWM SERVICE FEES.** Reasonable SWM service fees shall be computed based on but not limited to the following minimum factors:

- a. Types of solid waste to include special waste;
- b. Amount/volume of waste;
- c. Distance of the transfer station to the waste management facility;
- d. Capacity or type of LGU constituency;
- e. Cost of construction;
- f. Cost of management;
- g. Type of technology.

42.2 The Barangay may impose fees for collection and segregation of biodegradable, compostable and reusable wastes from households, commerce, other sources of domestic wastes, and for the use of Barangay MRFs. The computation of the fees shall be established by the respective Barangay SWM boards to be approved by the Sangguniang Pambarangay. The manner of collection of fees shall be determined by respective Barangay Councils subject to the rules and regulation of the Commission on Audit;

43.3 **FUND PROCEEDS.** The proceeds of the Fund shall be used to support endeavors which will enhance the implementation of this Ordinance. These shall include the following activities:

- a. Products, facilities, technologies and processes to enhance proper solid waste management;
- b. Awards;
- c. Incentives;
- d. Research programs;
- e. Information, education, communication and monitoring activities;
- f. Technical assistance;
- g. Capability building activities.

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SECTION 44. GARBAGE SERVICE CHARGE. Garbage service charge are charges imposed by the City for SPECIAL COLLECTION upon specific request for the disposal of garbage, which may be of a specific type, as in Sections 7, 8, 10 and 11. It shall be paid by person/persons responsible for the generation thereof or by the requesting party. It is, likewise, applicable to those requests for collection which is separate and distinct from the regular garbage collection schedule.

As such, those requests for special trips and collection will be charged based on the following:

44.1 RESIDENTIAL WASTES:

Mini dump truck – P5,000.00  
10-wheeler truck – P7,000.00

44.2 COMMERCIAL WASTES:

Mini dump truck – P 7,000.00  
10-wheeler truck – P10,000.00

44.3 CONDOMINIUM WASTES:

Mini dump truck – P 7,000.00  
10-wheeler truck – P10,000.00

44.4 INDUSTRIAL/MANUFACTURING ESTABLISHMENTS:

Mini dump truck – P 7,000.00  
10-wheeler truck – P10,000.00

44.5 BULKY WASTE:

Mini dump truck – P5,000.00  
10-wheeler truck – P7,000.00

SECTION 45. After approval of the request by the CEMD, payment of the above-mentioned charges shall be with the City Treasurer or his/her duly authorized representative. Thereafter, upon presentation of receipt to the CEMD collection of garbage may be granted.

CHAPTER XII  
ESTABLISHMENT OF MATERIALS RECOVERY FACILITY  
AND MATERIALS RECOVERY SYSTEM

SECTION 46. MATERIALS RECOVERY FACILITY. Pursuant to Article 4 Section 32 or Republic Act No. 9033, there shall be a Materials Recovery Facility (MRF) established in every Barangay or cluster of barangays. The facility shall be formed or created in a barangay-owned or leased land or any suitable open space to be determined by the Barangay, through its Sangguniang Pambarangay. For this purpose, the Barangay or cluster of barangays shall allocate a certain parcel of land for the MRF. The MRF shall receive segregated wastes and the resulting residual wastes shall be collected and transferred to a disposal facility or sanitary landfill.

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SECTION 47. GUIDELINES FOR ESTABLISHMENT OF MATERIALS RECOVERY FACILITY. Materials Recovery Facilities shall be designed to receive, sort, process and store compostable and recyclable material efficiently and in an environmentally sound manner. The facility shall address the following considerations:

- 47.1 Every Barangay is mandated to allocate a fund for the purchase of Materials Recovery Facility out of the Development Fund of the Barangay. Likewise, expenses for its maintenance, lease of land or allowances for personnel for continuous service of MRF shall be included in their Annual Investment Plan;
- 47.2 The building and/or land layout and equipment must be designed to accommodate efficient and safe materials processing, movement, and storage;
- 47.3 The building must be designed to allow efficient and safe external access and to accommodate internal flow;
- 47.4 Should the City construct, operate or expand a Solid Waste Management Facility, or hire or lease the service of a private contractor or enter into a Joint Venture Agreement with a private partner, such project cannot commence without obtaining an Environmental Compliance Certificate from the DENR pursuant to Presidential Decree No. 1586 and other permits and clearances by the contractor;
- 47.5 The City may require services of an individual who has expertise in the treatment of hazardous waste in the handling, transporting, and waste disposal.

SECTION 48. MATERIALS RECOVERY SYSTEM. In cases where a particular barangay or cluster of barangays cannot comply with the requirement of Republic Act No. 9003 due to constraints in funding or land area or location deficient, a "System" may be established momentarily in the said Barangay, until such time a funding, clustering or location is feasible. A System may be a technology, concept, way of life, discipline, or mechanism developed by the said Barangay or its inhabitants in compliance with the requirement of Republic Act No. 9003 in respect to the provision of MRF.

SECTION 49. PRIVATE AND BARANGAY PUSHCARTS OR PEDICABS.

- 49.1 All Barangay operated pushcarts or pedicabs, engaged in recycling business and garbage collection, are required to register with the CEMD for purposes of monitoring and regulating pushcart or pedicab operations;
- 49.2 The same must secure an endorsement from the Barangay, prior to its registration where the said pushcarts/pedicabs are only allowed to collect;
- 49.3 Pushcart operators or pedicab drivers shall be provided with ID cards, uniform, cart body number or Barangay plate number for proper identification.

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SECTION 50. Pushcarts/Pedicabs used without registration as required in this Chapter shall be reported to the CEMD, and the latter to conduct investigation and require its registration. Refusal to register will render the pushcart/pedicab a violation of this Ordinance and shall be punished accordingly. It shall be an invalid MRS and, thus, shall be prohibited to conduct recycling/collection activity.

Conducting recycling and collection activity by pushcarts or pedicabs without the proper registration is unlawful and shall be penalized accordingly.

CHAPTER XIII  
USE OF ENVIRONMENT-FRIENDLY MATERIALS

SECTION 51. All food chains, restaurants, supermarkets, eateries, public/private market and other similar establishments within the City of Mandaluyong, shall abide by the phase out of non-biodegradable materials scheme as provided by Ordinance No. 523, S-2013, or the "Phasing Out of the Use of Styrophors and Plastics in all Commercial Establishments in the Conduct of their Business". These establishments are mandated to replace their packaging materials with environment-friendly and biodegradable materials.

SECTION 52. The mentioned establishments in this Chapter, shall be required to submit a written updated inventory report at the end of each year on the number of their stocks of plastics, styrofoams, plastic caps and the likes that are being used as food and product packages to the CEMD for monitoring purposes.

CHAPTER XIV  
CREATION OF THE CITY SOLID WASTE MANAGEMENT BOARD  
AND BARANGAY SOLID WASTE MANAGEMENT COMMITTEE

SECTION 53. The City Solid Waste Management Board shall prepare, submit and implement a plan for the safe and sanitary management of solid waste generated in areas under geographic and political coverage.

The City Solid Waste Management Board shall be composed of the following as members:

- 53.1 City Mayor as the Chairman;
- 53.2 One (1) representative of Sangguniang Panlungsod preferably chairpersons of either the Committees on Environment or Health;
- 53.3 President of the Association of Barangay Councils in the City;
- 53.4 Chairperson of the Sangguniang Kabataan Federation;
- 53.5 A representative from NGOs whose principal purpose is to promote recycling and the protection of air and water quality;
- 53.6 A representative from the recycling industry, or junk shop owner;
- 53.7 A representative from the manufacturing or packaging industry; and

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53.8 A representative of each concerned government agency possessing relevant technical and marketing expertise as may be determined by the Board.

The City Solid Waste Management Board may, from time to time, call on any concerned agencies or sectors as it may deem necessary.

Provided, that representatives from NGOs, recycling and manufacturing or packaging industries shall be selected through a process designed by themselves and shall be endorsed by the government agency representatives of the Board.

SECTION 54. The City Solid Waste Management Board shall have the following duties and responsibilities:

- 54.1 Develop the City 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;
- 54.2 Adopt measures to promote and ensure the viability and effective implementation of Solid Waste Management Programs in its component Barangays;
- 54.3 Monitor the implementation of the City Solid Waste Management Plan through the Barangay and in cooperation with the private sector and the NGOs;
- 54.4 Adopt specific revenue-generating measures to promote the viability of its Solid Waste Management Plan;
- 54.5 Convene regular meetings for purposes of planning and coordinating the implementation of the Solid Waste Management Plans of the respective component Barangays;
- 54.6 Oversee the implementation of the City Solid Waste Management Plan;
- 54.7 Review every two (2) years or as the need arises the City Solid Waste Management Plan for purposes of ensuring its sustainability, viability, effectiveness and relevance in relation to local and international developments in the field of Solid Waste Management;
- 54.8 Develop the specific mechanics and guidelines for the implementation of the City Solid Waste Management Plan;
- 54.9 Recommend measures and safeguards against pollution and for the preservation of the natural ecosystem; and
- 54.10 Coordinates the efforts of its component barangays in the implementation of the City Solid Waste Management Plan.

SECTION 55. CREATION OF A BARANGAY SOLID WASTE MANAGEMENT COMMITTEE. Pursuant to the mandate of Rule VI, Section 7 of the Implementing Rules and Regulations of Republic Act No. 9003, a Barangay Solid Waste Management Committee shall be created and mandated to:



- 55.1 Formulate Solid Waste Management Program consistent with the City plan;
- 55.2 Strategize segregation and collection of biodegradable, compostable, reusable wastes;
- 55.3 Establish Materials Recovery Facility (MRF);
- 55.4 Allocate Barangay funds or generate sources of funds;
- 55.5 Organize core coordinators;
- 55.6 Submit Monthly Report to City.

SECTION 56. MEMBERSHIP OF THE BARANGAY SOLID WASTE MANAGEMENT COMMITTEE. The Barangay SWM Committee shall be composed of the Barangay Captain as the Chairperson with the following as Members:

- 56.1 One (1) Kagawad;
- 56.2 SK Chair;
- 56.3 Presidents of Homeowners Associations;
- 56.4 Public/private school principals or representatives;
- 56.5 One (1) Parents and Teachers Association president or representative;
- 56.6 One (1) religious organization representative;
- 56.7 One (1) business community representative;
- 56.8 One (1) environmental NGO representative;
- 56.9 President of Market Vendors Association;
- 56.10 One (1) representative from junkshop owners.

CHAPTER XV  
UNLAWFUL ACTS

SECTION 57. The following acts are unlawful:

- 57.1 Possession of unsegregated and unsorted wastes and causing or permitting the collection thereof as provided for in Sections 7, 8 and 9;
- 57.2 The mixing of source-separated recyclable material with other solid waste in any vehicle, box, container or receptacle used in solid waste collection or disposal (Section 8.2 );
- 57.3 Improper storage, discharge of wastes as provided for in Sections 10 and 11;
- 57.4 Improper storage and packing of Household Solid Wastes and Toxic and Hazardous Substances (Sections 10.2 and 10.3);
- 57.5 The open burning of solid waste (Section 11.3);
- 57.6 Violation of the Waste Collection System as in Section 12 of this Ordinance by the garbage collection crew or by any individual;
- 57.7 Violation of Section 12.3 of a private garbage collector contracted by a commercial, industrial, institutional or condominium corporation for non-registration and non-accreditation of their trucks and services to the CEMD for regulatory purposes;



- 57.8 Violation of Section 12.5.2 by any individual or garbage contractor crew for opening and retrieving recyclable materials or stored wastes set out for collection from designated pick up points without a valid ground and an authority from the Barangay or CEMD;
- 57.9 Selling, scavenging, sorting or "pag-bubulasi" by the collection crew or any person of stored waste set out for collection at the designated pick-up points. (Section 12.6);
- 57.10 Collection of garbage by unauthorized garbage collector. (Section 12.5.1);
- 57.11 Scrap buying and selling by junk dealers and other person during the garbage collection time. (Section 12.11);
- 57.12 Trucks that overloads of each kind of wastes whether in a separate or single compartment which causes spillage, litter and scattering of dirt in the streets. (Section 12.4);
- 57.13 Violation of Waste Transfer and Transport standards (Section 14);
- 57.14 Designation of dumping area for a specified time and day in a specific area in every Barangay is strictly prohibited as provided for in Section 14.7;
- 57.15 The manufacture, distribution or use of non-environmentally acceptable packaging materials (Sections 24, 25, 51 and 52);
- 57.16 Failure to report/coordinate with CEMD within 24-hours from the time of accumulation of bulky waste for immediate action. (Section 31);
- 57.17 Littering, throwing, dumping of waste matter in public places, such as roads, sidewalks, canals, esteros or parks, and establishment, or causing or permitting the same (Section 32.1);
- 57.18 Open dumping, burying of biodegradable or non-biodegradable materials in flood-prone areas;
- 57.19 Failure to maintain clean and sanitary the frontage and immediate surrounding. (Chapter IX);
- 57.20 Failure to provide trash receptacle in their vehicle by operators/drivers of public utility vehicles. (Section 36) ;
- 57.21 Failure or refusal to register pushcart/pedicab used. (Sections 49 and 50);
- 57.22 Violation of the obligations of junk shop operators, as provided in Chapter VII;
- 57.23 Non-compliance with Reportorial obligation (Chapter VIII).

CHAPTER XVI  
PENAL PROVISION

SECTION 58. The following schedule of fines and penalties shall be imposed upon conviction:

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SPECIFIC VIOLATIONS	FINES/PENALTIES (Fine or Penalty or both at the discretion of the court)	
POSSESSION OF UNSEGREGATED AND UNSORTED WASTES AND CAUSING OR PERMITTING THE COLLECTION THEREOF AS PROVIDED FOR IN SECTIONS 7, 8 AND 9;	FIRST OFFENSE :	Warning
	SECOND OFFENSE :	Reprimand and attend seminar on waste segregation
	THIRD OFFENSE :	Payment in the amount of not less than One Thousand Pesos (P1,000.00) but not more than Five Thousand Pesos (P5,000.00) and/or imprisonment of not less than fifteen (15) days to not more than six (6) months.
THE MIXING OF SOURCE-SEPARATED RECYCLABLE MATERIAL WITH OTHER SOLID WASTE IN ANY VEHICLE, BOX, CONTAINER OR RECEPTACLE USED IN SOLID WASTE COLLECTION OR DISPOSAL (SECTION 8.2)	ANY INDIVIDUAL – Payment in the amounts not less than One Thousand Pesos (P1,000.00) but not more than Five Thousand Pesos (P5,000.00). The additional penalty of imprisonment of a minimum period of one (1) year, but not to exceed three (3) years shall be imposed for second or subsequent violations.	
	GARBAGE COLLECTOR OFFENDER – Provisions of Republic Act No. 9003 shall be applicable and/or Suspension or Rescission of Contract.	
IMPROPER STORAGE, DISCHARGE OF WASTES AS PROVIDED FOR IN SECTIONS 10 AND 11	FIRST OFFENSE :	Warning
	SECOND OFFENSE :	Reprimand and attend seminar on waste segregation
	THIRD OFFENSE :	Payment in the amount of not less than One thousand Pesos (P1,000.00) but not more than Three Thousand Pesos (P3,000.00) and/or imprisonment of not less than fifteen (15) days to not more than six (6) months.
IMPROPER STORAGE AND PACKING OF HOUSEHOLD SOLID WASTES AND TOXIC AND HAZARDOUS SUBSTANCES (SECTIONS 10.2 AND 10.3)	FIRST OFFENSE :	Warning
	SECOND OFFENSE :	Reprimand and attend seminar on waste segregation
	THIRD OFFENSE :	Payment in the amount of not less than One Thousand Pesos (P1,000.00) but not more than Five Thousand Pesos (P5,000.00) and/or imprisonment of not less than fifteen (15) days to not more than six (6) months.
THE OPEN BURNING OF SOLID WASTE (SECTION 11.3)	Payment in the amount of not less than One Thousand Pesos (P1,000.00) but not more than Three Thousand Pesos (P3,000.00) and/or imprisonment of not less than one (1) day to not more than fifteen (15) days.	
VIOLATION OF THE WASTE COLLECTION SYSTEM AS IN SECTION 12 OF THIS ORDINANCE BY THE GARBAGE COLLECTION CREW OR BY ANY INDIVIDUAL.	GARBAGE CONTRACTOR – Payment in the amount indicated in the contract for any violations committed thereto and/or Suspension or Rescission of Contract.	

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	<p>GARBAGE COLLECTOR'S CREW – the owner, manager or president of the contracting garbage company will be held liable solidarily liable for the violation of its crew.</p> <p>ANY INDIVIDUAL – a fine in the amount of not less than One Thousand Pesos (P1,000.00) but not more than Three Thousand Pesos (P3,000.00) and/or imprisonment of not less than fifteen (15) days to not more than six (6) months or both.</p>
<p>VIOLATION OF SECTION 12.3 OF A PRIVATE GARBAGE COLLECTOR CONTRACTED BY A COMMERCIAL, INDUSTRIAL, INSTITUTIONAL OR CONDOMINIUM CORPORATION FOR NON-REGISTRATION AND NON-ACCREDITATION OF THEIR TRUCKS AND SERVICES TO THE CEMD FOR REGULATORY PURPOSES</p>	<p>Causing the Private Garbage Collector to register with the CEMD.</p> <p>Fine of Five Thousand Pesos (P5,000.00) and/or imprisonment of not less than fifteen (15) days to not more than six (6) months or both.</p>
<p>REFUSAL TO REGISTER DESPITE DUE NOTICE</p>	<p>Fine of Five Thousand Pesos (P5,000.00) and/or additional penalty of prohibition to conduct business of garbage collection in the City.</p>
<p>VIOLATION OF SECTION 12.5.2 BY ANY INDIVIDUAL OR GARBAGE CONTRACTOR CREW FOR OPENING AND RETRIEVING RECYCLABLE MATERIALS OR STORED WASTES SET OUT FOR COLLECTION FROM DESIGNATED PICK UP POINTS WITHOUT A VALID GROUND AND AN AUTHORITY FROM THE BARANGAY OR CEMD;</p>	<p>GARBAGE CONTRACTOR – Payment in the amount indicated in the contract for any violations committed thereto and/or Suspension or Rescission of Contract.</p> <p>ANY PERSON – a fine in the amount of not less than One Thousand Pesos (P1,000.00) but not more than Three Thousand Pesos (P3,000.00)</p> <p>GARBAGE COLLECTOR'S CREW – the owner, manager or president of the contracting garbage company will be held accountable to disciplinary measures to its personnel;</p> <p>GARBAGE COMPANY is solidarily liable for the violation of its crew.</p> <p>ANY INDIVIDUAL – imprisonment of not less than fifteen (15) days to not more than six (6) months or both.</p>
<p>SELLING, SCAVENGING, SORTING OR "PAG-BUBULASI" BY THE COLLECTION CREW OR ANY PERSON OF STORED WASTE SET OUT FOR COLLECTION AT THE DESIGNATED PICK-UP POINTS. (SECTION 12.6);</p>	<p>CITY GARBAGE CONTRACTOR – Payment in the amount indicated in the contract for any violations committed thereto and/or Suspension or Rescission of Contract.</p> <p>ANY PERSON/PRIVATE GARBAGE COLLECTOR CREW – a fine in the amounts not less than One Thousand Pesos (P1,000.00) but not more than Three Thousand Pesos (P3,000.00) and/or imprisonment of not less than fifteen (15) days to not more than six (6) months or both.</p> <p>GARBAGE COLLECTOR'S CREW – the owner, manager or president of the contracting garbage company will be held accountable to disciplinary measures to its personnel;</p> <p>GARBAGE COMPANY is solidarily liable for the violation of its crew.</p>
<p>COLLECTION OF GARBAGE BY UNAUTHORIZED GARBAGE COLLECTOR. (SECTION 12.5.1)</p>	<p>Payment in the amount of not more than Five Thousand Pesos (P5,000.00) and/or imprisonment of not less than fifteen (15) days to not more than six (6) months or both.</p>
<p>SCRAP BUYING AND SELLING BY JUNK DEALERS AND OTHER PERSON DURING THE GARBAGE COLLECTION TIME. (SECTION 12.11);</p>	<p>Payment in the amount of not more than Five Thousand Pesos (P5,000.00) and/or imprisonment of not less than fifteen (15) days to not more than six (6) months or both.</p>

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TRUCKS THAT OVERLOADS OF EACH KIND OF WASTES WHETHER IN A SEPARATE OR SINGLE COMPARTMENT WHICH CAUSES SPILLAGE, LITTER AND SCATTERING OF DIRT IN THE STREETS. (SECTION 12.4);	CITY GARBAGE COLLECTOR – Payment in the amount specified for violation of the provisions of the Contract and/or additional penalty of Suspension or Rescission of Contract.	
	PRIVATE GARBAGE COLLECTOR – Payment in the amount of not more than Five Thousand Pesos (P5,000.00) and/or imprisonment of not less than fifteen (15) days to not more than six (6) months.	
VIOLATION OF WASTE TRANSFER AND TRANSPORT STANDARDS (SECTION 14);	PRIVATE GARBAGE COLLECTOR – Payment in the amount of not less than Five Thousand Pesos (P5,000.00) and/or imprisonment of not less than fifteen (15) days to not more than six (6) months.	
	CITY CONTRACTED GARBAGE COLLECTOR – Payment in the amount specified for the violation of the provisions in the Contract and/or additional penalty of Suspension or Rescission of Contract.	
DESIGNATION OF DUMPING AREA FOR A SPECIFIED TIME AND DAY IN A SPECIFIC AREA IN EVERY BARANGAY IS STRICTLY PROHIBITED AS PROVIDED FOR IN SECTION 14.7;	PRIVATE INDIVIDUAL – Payment in the amount of not less than Five Thousand Pesos (P5,000.00) and/or Imprisonment of not less than fifteen (15) days to not more than six (6) months	
	PUBLIC OFFICIAL – Payment in the amounts not less than Five Thousand Pesos (P5,000.00) and/or Administrative Sanction.	
THE USE OF NON-ENVIRONMENTALLY ACCEPTABLE PACKAGING MATERIALS (SECTIONS 24, 25, 51 AND 52);	Provision on penalty under Ordinance No. 523, S-2013 shall be applicable.	
FAILURE TO REPORT/COORDINATE WITH CEMD WITHIN 24 HOURS FROM THE TIME OF ACCUMULATION OF BULKY WASTE FOR IMMEDIATE ACTION. (SECTION 31);	FIRST OFFENSE :	Warning
	SECOND OFFENSE :	Reprimand and attend seminar on waste segregation.
	THIRD OFFENSE :	Payment in the amount of not less than One Thousand Pesos (P1,000.00) but not more than Three Thousand Pesos (P3,000.00) and/or imprisonment of not less than fifteen (15) days to not more than six (6) months.
LITTERING, THROWING, DUMPING OF WASTE MATTER IN PUBLIC PLACES, SUCH AS ROADS, SIDEWALKS, CANALS, ESTEROS OR PARKS, AND ESTABLISHMENT, OR CAUSING OR PERMITTING THE SAME (SECTION 32.1);	FIRST OFFENSE :	Warning
	SECOND OFFENSE :	Reprimand and attend seminar on waste segregation.
	THIRD OFFENSE :	Payment in the amount of not less than One Thousand Pesos (P1,000.00) but not more than Three Thousand Pesos (P3,000.00) and/or imprisonment of not less than fifteen (15) days to not more than six (6) months.
FAILURE TO MAINTAIN CLEAN AND SANITARY THE FRONTAGE AND IMMEDIATE SURROUNDING. (CHAPTER IX);	FIRST OFFENSE :	Warning
	SECOND OFFENSE :	Reprimand and attend seminar on waste segregation.

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	THIRD OFFENSE :	Payment in the amount of not less than One Thousand Pesos (P1,000.00) but not more than Three Thousand Pesos (P3,000.00) and/or imprisonment of not less than fifteen (15) days to not more than six (6) months.
FAILURE TO PROVIDE TRASH RECEPTACLE IN THEIR VEHICLE BY OPERATORS/DRIVERS OF PUBLIC UTILITY VEHICLES. (SECTION 36);	Ordinance governing waste management in public utility vehicle shall apply.	
FAILURE TO REGISTER PUSHCART/PEDICAB USED. (SECTION 49 AND 50);	FIRST OFFENSE :	Warning
	SECOND OFFENSE :	Reprimand and attend seminar on waste segregation
	THIRD OFFENSE :	Payment in the amount of not less than One Thousand Pesos (P1,000.00) but not more than Three Thousand Pesos (P3,000.00) and/or imprisonment of not less than fifteen (15) days to not more than six (6) months.
VIOLATION OF THE OBLIGATIONS OF JUNK SHOP OPERATORS, AS PROVIDED IN CHAPTER VII;	Payment in the amount of not less than Five Thousand Pesos (P5,000.00) and/or imprisonment of not less than fifteen (15) days to not more than six (6) months	
NON-COMPLIANCE WITH REPORTORIAL OBLIGATION (CHAPTER VIII)	FIRST OFFENSE :	Warning
	SECOND OFFENSE :	Reprimand and attend seminar on waste segregation.
	THIRD OFFENSE :	Payment in the amount of not less than One Thousand Pesos (P1,000.00) but not more than Three Thousand Pesos (P3,000.00) and/or imprisonment of not less than fifteen (15) days to not more than six (6) months

SECTION 59. If the offender is a MINOR the penalty provided above shall be imposed upon the head of the family or the person who actually instigated the unlawful act.

SECTION 60. If the offense is committed by a CORPORATION, PARTNERSHIP, or other JURIDICAL ENTITY, duly organized in accordance with law, the chief executive officer, president, general manager, managing partner or such other officer-in-charge shall be liable for the commission of the offense penalized under this Ordinance.

SECTION 61. Local government OFFICIAL and officials of government agencies concerned who fail to comply with and enforce rules and regulations promulgated relative to this Ordinance shall be charged administratively in accordance with Republic Act No. 7160 and other existing laws, rules and regulations.

SECTION 62. If the offender is an ALIEN, he shall, after service of the sentence prescribed above, be deported without further administrative proceedings as provided in the IRR of Republic Act No. 9003.

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SECTION 63. The fines herein prescribed shall be increased by at least ten percent (10%) every three (3) years to compensate for inflation and to maintain the deterrent function of such fines.

SECTION 64. NO CONTEST PROVISION. The No Contest Provision shall be governed by Ordinance No. 599, S-2015 (AN ORDINANCE ESTABLISHING THE PROCEDURE IN THE IMPLEMENTATION OF A CITY ORDINANCE) as to the implementation and availment of such relief.

SECTION 65. COLLECTION AND ADMINISTRATION OF FINES.

65.1 Collection and disposition of fines shall be in accordance with Ordinance 599, S-2015.

65.2 In no case, however, shall the Fund be used for the creation of positions or payment of salaries and wages.

65.3 SOLID WASTE MANAGEMENT FUND. There is hereby created, as a special account in the City Treasury, a Solid Waste Management Fund to be administered by the Solid Waste Management Board. Such fund shall be sourced from the following:

65.3.1 Fines and penalties imposed, proceeds of permits and licenses issued by the CEMD and BPLD, donations, endowments, grants and contributions from domestic and foreign sources;

65.3.2 Amounts specifically appropriated for the Fund under the annual General Appropriations Act.

#### CHAPTER XVII ENFORCEMENT

SECTION 66. DEPUTIZED INDIVIDUALS FOR THE ENFORCEMENT OF THIS ORDINANCE. The following are deputized to enforce this Ordinance:

1. Enforcement Unit of the CEMD;
2. Barangay ECO AIDES;
3. Task Force Ordinance;
4. Those deputized by the City Mayor;
5. City Ordinance Enforcement Division.

SECTION 67. CLOSURE OR SUSPENSION OF AN ESTABLISHMENT. The BPLD shall have the authority to order the closure or suspension of an establishment, aided by the CEMD, after proper investigation, hearing and determination of guilt conducted by the latter. The latter shall then recommend the closure of the erring establishment.

SECTION 68. IEC AND DIALOGUE WITH THE BARANGAY. The Solid Waste Management Board shall conduct an Information and Education Campaign (IEC) with homeowners, establishments, religious establishments and communities to educate them on the implementation of this Ordinance. It shall likewise hold a dialogue with the Barangay to aid them in the proper implementation and documentation of the same.

CONDUCT OF PUBLIC INFORMATION, EDUCATION  
AND COMMUNICATION (IEC) CAMPAIGNS

SECTION 69. The City Government has the duty to educate and inform its citizens about the source reduction, recycling and composting programs. It shall ensure that information on waste collection services, Solid Waste Management and related health and environmental concerns are widely disseminated among the public in whatever means available including the use of tri-media and social media. It shall coordinate with related government agencies and if possible waste management awareness be integrated in special activities in all private and public schools.

SECTION 70. The City Government shall encourage participation and cooperation of private sectors as well as the Barangay and all stakeholders on matters relative to the implementation of this Ordinance.

CHAPTER XVIII  
PROVISION FOR APPROPRIATION AND  
INITIAL IMPLEMENTATION

SECTION 71. For the initial implementation of this Ordinance, including its mass introduction and launching for the first year after its approval, it is hereby appropriated the amount of Three Million Pesos (P3,000,000.00) specifically intended for public information, education and campaign. The amount shall cover the purchase of vital materials and equipment to be used for the effective information dissemination. The amount is subject to amendment should it be found to be insufficient or excessive.

SECTION 72. The Solid Waste Management Board, shall include in their yearly appropriation the expenses to be incurred for continued public Information, Education and Campaigns (IEC).


SECTION 73. The City Mayor may issue subsequent rules, implementing guidelines and system of procedures in accordance to this Ordinance and related laws.

CHAPTER XIX  
FINAL PROVISION

- SECTION 74. REPEALING CLAUSE. Mandaluyong City Ordinance No. 572, S-2014, is hereby repealed.
- SECTION 75. SEPARABILITY CLAUSE. Should any section or provisions of this Ordinance shall 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 which are not so declared unconstitutional or invalid thereby shall continue to be in full force and effect.
- SECTION 76. EFFECTIVITY CAUSE. This Ordinance shall take effect after the conduct of Information Dissemination Campaign for a period of three (3) months, which shall start immediately fifteen (15) days after its publication in two (2) newspapers of general circulation in Metropolitan Manila.

ENACTED on this 5<sup>th</sup> day of July, 2017 in the City of Mandaluyong.

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

  
MA. TERESA S. MIRANDA  
Sanggunian Secretary

ATTESTED BY:

  
LUISITO E. ESPINOSA  
Councilor & Acting  
Presiding Officer

APPROVED:

  
CARMELITA A. ABALOS  
City Mayor

Date: AUG 08 2017



