



OFFICE OF THE SANGGUNIANG BAYAN

**EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF
SIAYAN, ZAMBOANGA DEL NORTE HELD AT THE MUNICIPAL SESSION HALL ON THE
7TH DAY OF SEPTEMBER 2020.**

PRESENT:

Hon. Primitivo D. Castillo, Presiding Officer,	Municipal Vice Mayor
Hon. Emelyn P. Tulawe, Presiding Officer Pro- Tempore	Sangguniang Bayan Member
Hon. Estrella S. Zapatos,	-do-
Hon. Oliver A. Romero, Floor Leader	-do-
Hon. Ma. Rosely G. Secretario,	-do-
Hon. Rico V. Jamisola,	-do-
Hon. Rey L. Anugon, Assistant Floor Leader	-do-
Hon. Maribel C. Okay, ABC President,	-do-
Hon. Phil A. Saraga, SK Fed. President,	-do-
Hon. Johnny C. Anugon, Sr., IPMR,	-do-

ABSENT:

Hon. Vanessa Lyn B. Atuy,	-do-
Hon. Alfredo R. Labastido R. Labastida	-do-

SUPPLEMENTARY INFORMATION

The Sangguniang Bayan had acted Municipal Ordinance No. 20-08, Series of 2020, dated January 27, 2020, entitled "AN ORDINANCE REGULATING THE USE OF PLASTIC CELLOPHANE AND SANDO BAGS AS PACKAGING MATERIALS AND UTILIZATION OF POLYSTYRENE, COMMONLY KNOWN AS STYROFOAM FOR FOOD AND BEVERAGES CONTAINERS IN THE MUNICIPALITY OF SIAYAN, ZAMBOANGA DEL NORTE."

Such Municipal Ordinance was officially submitted to the Sangguniang Panlalawigan in the Province of Zamboanga del Norte for review and appropriate action, unfortunately, it was returned without favourable action with advised under SP Resolution No. 584, dated August 3, 2020.

Considering the significant of said ordinance in its implementation for environmental protection and ecology of this municipality therefore it needs to be amended adopting the advises and recommendations of the Sangguniang Panlalawigan hence this re-enactment.

PREFATORY STATEMENT

WHEREAS, Article II Section 16 of the Philippine Constitution provides that the State shall protect and advanced the right of the people to a balance and helpful ecology and accord with the rhythm and harmony of nature.

WHEREAS, Section 3 of R.A. 7160 provides that the Local Government Units shall share with the national government the responsibility in the management and maintenance of ecological balance with their territorial jurisdiction.

WHEREAS, Section 458 of R.A. 7160 empowers the Sangguniang Bayan to protect the environment and impose appropriate penalties for acts which endanger the environment including such activities which results in pollution acceleration of eutrophication of rivers and lakes or of ecological imbalance.

WHEREAS, Plastic cellophane and sando bags and expendable polystyrene (EPS) Foams being non-biodegradable materials clog our canals, creeks, rivers and other water ways causing floods during rainy season and causing harm to these water ways and the surrounding communities.

WHEREAS, Plastic cellophane and sando bags and expendable polystyrene (EPS) Foams are widely used for a packaging of foods and beverages, however the used of plastics and polystyrene in food storage can carry health risk especially when hormone disrupting chemicals from some of these packaging materials leach into food and beverages.

WHEREAS, a certain specific study reveals that polystyrene can disrupt normal hormone functions of women, possibly contributing thyroid problems, menstrual irregularities, breast cancer and likewise prostate cancer for men, and according to the U.S. environmental protection Agency that the styrene is a suspected carcinogen and is also known as toxin that can affect kidney, gastro-intestinal and respiratory systems, among others.

WHEREAS, despite serious efforts of the municipality to segregate biodegradable, recyclable and reusable waste materials, plastics, polystyrene and other similar materials remain in the municipal waste stream and eventually remain as the common residual waste fraction.

WHEREAS, the municipality of Siayan, Zamboanga del Norte in its desire to regulate the "single use" single use of plastic cellophane and sando bags and eventual prohibition of the use, sale and provision of polystyrene of as food and beverage containers, and encourages the utilization of alternative packaging materials such as woven bags (bayong), cloth/paper bags and other similar organic packaging materials (e.g. banana leaves, taro leaves, etc.) and likewise advocates the "no plastic day" and "bring your own bag-(BYOB)" programs of the Municipal Government.

WHEREAS, it is in the best interest of the health, safety and welfare of the people of Siayan to minimize the use of plastic cellophane and sando bags and the eventual prohibition of the use, sale and provision of polystyrene as packaging materials for food and beverages.

BE IT ORDAINED by the Sangguniang Bayan in session assembled:

**"MUNICIPAL ORDINANCE NO. 20-22
Series of 2020**

SECTION 1. Title. This Ordinance shall be known as an **"AN ORDINANCE REGULATING THE USE OF PLASTIC CELLOPHANE AND SANDO BAGS AS PACAKAGING MATERIALS AND UTILIZATION OF POLYSTYRENE, COMMONLY KNOWN AS STYROFOAM, FOR FOOD AND BEVERAGES CONTAINERS IN THE MUNICIPALITY OF SIAYAN, ZAMBOANGA DEL NORTE AMENDING MUNICIPAL ORDINANCE NO. 20-08.**

SECTION 2. Definition of Terms. For purposes of this Ordinance, the following terms are defined as follows;

- a. **Alternative packaging materials-** refers to recyclable, reusable and /or biodegradable packaging materials that are used in containing, carrying, holding and/or transporting goods or products, has an alternative to plastic bag;
- b. **Bring Your Own Bag (BYOB) Program-** refers to the program adopt by supermarkets, convenient stores, department stores and other business establishments, whereby costumers are enjoyed to bring a reusable bag, paper bag, cloth bag or any other alternative packaging material for purposes of containing, carrying, holding and transporting goods and products bought.
- c. **Cloth bag-** refers to reusable packaging materials made of cloth use and packaging of flour, wheat and other similar goods.
- d. **Container/s-** refers to a type of material utilized for purposes of holding, inclosing, packaging and/or restraining edible food and beverage for human consumption.
- e. **Expanded polystyrene (EPS) Foam-** is thermoplastic petrochemical material which utilizes a styrene monomer and is processed by fusion or polymer spheres. It is a type of polystyrene product commonly use as containers for food and beverages.
- f. **Packaging-** shall refer to the packaging, and wrapping of products for purpose of carrying the same in a convenient manner.
- g. **Plastic bag-** refers to a type of bag made of thin, flexible, plastic film that is design to be provided or utilized at the point of sale for containing, carrying, holding and transporting goods.
- h. **Plastic wastes-** refer to any plastic packaging material thrown as wastes.
- i. **Plastic Cellophane-** is transparent, thin, film plastic sheet made of regenerated cellulose having low permeability to air, oil, greases, bacteria and water makes it useful for food packaging.
- j. **Reusable bag-** refers to a washable canvass bag or native bag "bayong" or any shopping bag use for carrying and transporting goods, which bags are made of organic or non-organic materials that can be used for several times.
- k. **Sando bags-** refers to a type of plastic packaging with handles for the purpose of carrying, holding and/or transporting goods and other produce. This term shall likewise be defined as one similar to the term plastic bag.
- l. **Single-use-** disposable or used for only one time.
- m. **Styrofoam-** is a trademark of a product made up of light resilient foam of polystyrene. For purposes of this Ordinance the term "Styrofoam" shall refer to the expanded polystyrene (EPS). Foam use as containers for food and beverages.
- n. **Woven bags-** refers to biodegradable packaging material made of woven native material e.g. pandan or buri leaves and other similar materials.

SECTION 3. Regulation on the Use, Sale or Provision of Plastic Bags. The following regulations shall be imposed as follows:

- a. Business establishments, fast foods outlets, market vendors, food kiosks, sari-sari stores, ambulant vendors, and the like are prohibited from using plastic cellophanes and sando bags as packaging materials for costumers.
- b. Stores and other retail establishments are mandated to use any alternative legally compliant packaging material for costumers such as but not limited to the materials mentioned in Section 4 hereof, in lieu of single-use plastic cellophanes and sando bags.

SECTION 4. Alternative Packaging Materials. The use of recyclable, reusable and/or biodegradable alternative packaging materials should be encouraged and promoted, such as: reusable woven bags (bayong), cloth bags, rattan baskets, shopping bags made from recycled waste paper and other bags made out of biodegradable materials (e.g. banana leaves, taro leaves, water lily, cornstalk, etc.) to be utilized as alternative packaging materials. All business establishment are encouraged to adopt the "Bring Your Own Bag" Program.

SECTION 5. Incentives for Using Usable Bags. To promote the use of usable bags, stores are hereby encouraged to implement the BYOB Program and to formulate appropriate incentives to consumers, which may include:

Green Lane- Stores may provide special counters serve as express lanes to be called as green lane to cater costumers who bring their own bags.

Section. 6. Prohibition on the Use, Sale or Provision of Styrofoam. Business establishments, restaurants, fast food outlets, food kiosks, catering services and the like shall not utilize, sale or provide Styrofoam or expanded polystyrene foam as containers for food and beverages.

SECTION. 7. Alternative Containers for Food and Beverage. The use of usable and/or paper-based containers for food and/or beverage and other alternative containers are encouraged and promoted.

SECTION. 8. Technical Working Group. For the purpose of this Ordinance, a technical Working Group shall be established with the following composition:

Chairperson	Municipal Mayor
Co-Chairperson	Municipal Vice Mayor
Vice Chairperson	SB Committee Chairman on Environment
Members	Municipal Environmental and Natural Resources Office (MENRO)
	SB Committee Chairman Market and Slaughter House
	SB Committee Chairman on Trade & Commerce

SECTION 9. Functions of the Technical Working Group. The Technical Working Group shall have the following functions:

- a. The formulation of the implementing rules & regulations as well as the guidelines in the proper implementation of this Ordinance.
- b. Identify the activities and programs to be conducted during the moratorium.
- c. Identify the environmental advocacies, programs and projects to be funded by the Municipal Government.
- d. Recommend measures for the proper implementations of this Ordinance.

SECTION 10. Monitoring of Ordinance. The Municipal Environmental and Natural Resources (MENRO) in coordination with the Law Enforcement Team (LET) shall monitor the effective implementation of the Ordinance and shall likewise prepare a periodic report on its progress and shall furnish the Sangguniang Bayan a copy of the same.

SECTION 11. Information, Education and Communication Campaign. Upon approval of this Ordinance, the Municipal Environmental and Natural Resources Office (MENRO), in coordination with the technical working group, shall conduct massive information, education and communication campaigns using quad media (Print, Radio, Television and Internet) and shall include the promotion of alternative biodegradable packaging materials. The information and education campaign shall include the production and distribution of related materials in consistent with the provisions of the Ordinance.

SECTION 12. Implementing Rules and Regulations. Within thirty (30) days from the approval of this Ordinance, the necessary rules and regulations shall be issued by the Technical Working Group for the proper and effective implementation of this Ordinance.

SECTION 13. Penalty. Business establishments, sari-sari stores, ambulant vendors, market vendors, food kiosks and the like that violates this ordinance shall be penalized in the following manner:

First Offense:	=P= 500.00
Second Offense	=P= 1,000.00

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SECTION 13. *Penalty.* Business establishments, sari-sari stores, ambulant vendors, market vendors, food kiosks and the like that violates this ordinance shall be penalized in the following manner:

First Offense:	=P= 500.00
Second Offense	=P= 1,000.00
Third Offense	=P= 2,500.00 and cancellation of license to operate.

SECTION 14. *Moratorium and Implementation.* All business establishments, sari-sari stores, ambulant vendors, market vendors, food kiosks and the like engaged in the use and/or selling of plastic bags and Styrofoam as packaging materials for food and beverages shall be given six (6) months from the date of effectivity of this Ordinance to disposed-off their remaining materials above-mentioned.

SECTION 15. *Separability Clause.* If any part of this Ordinance is declared not valid, unconstitutional or unlawful, such declaration shall not affect or impair the remaining provisions, sections or part thereof, which shall remain or continue to be in full force and effect.

SECTION 16. *Repealing Clause.* That Municipal Ordinance No. 20-08, series of 2020 is hereby repealed.

SECTION 17. *Effectivity.* This Ordinance shall take effect fifteen (15) days after approval of the Sangguniang Panlalawigan and publication in a local newspaper of general circulation and posting for three (3) consecutive weeks in all conspicuous places in the Municipal Hall or in the local bulletin board.

ENACTED this 7th day of September 2020.


I HEREBY CERTIFY to the correctness of the above-quoted ordinance.


WILFREDO Q. DOMPALES
Sangguniang Bayan Secretary

**CERTIFIED CORRECT
AS TO ITS PASSAGE:**


PRIMITIVO D. CASTILLO
Municipal Vice Mayor
(Presiding Officer)

APPROVED:


JOSECOR S. GEPOLONGCA
Municipal Mayor

SEP 11 2020