AN ORDINANCE AMENDING MUNICIPAL ORDINANCE NO. 7-5-2011 ENTITLED: “AN ORDINANCE REGULATING THE PASSAGE AND/OR ENTRY OF ALL KINDS OF GARBAGE TRUCKS IN ALL THE STREETS AND THOURGHFARES OF THE MUNICIPALITY OF BACOOR, CAVITE, EXCEPT THOSE PROVIDING SERVICES TO THE MUNICIPALITY, AND PRESCRIBING PENALTIES FOR VIOLATIONS HEREOF.”

Approved by: Hon. Reynaldo D. Palabrica

WHEREAS, under Section 16 of Republic Act No. 7160 empowers local government units to exercise such powers necessary for its efficient and effective governance, and those which are essential to the promotion of the general welfare within their respective territorial jurisdiction.

WHEREAS, in compliance with the said mandate, the erstwhile Sangguniang Bayan of Bacoor passed Municipal
Republic of the Philippines
CITY OF BACOOR
Province of Cavite

OFFICE OF THE SANGGUNIANG PANLUNGSOD
Ordinance No. 7-S-2011 entitled: "AN ORDINANCE REGULATING THE PASSAGE AND/OR ENTRY OF ALL KINDS OF GARBAGE TRUCKS IN ALL THE STREETS AND THOROUGHFARES OF THE MUNICIPALITY OF BACOOR, CAVITE, EXCEPT THOSE PROVIDING SERVICES TO THE MUNICIPALITY, AND PRESCRIBING PENALTIES FOR VIOLATIONS HEREOF."

WHEREAS, the said municipal ordinance became effective in 2011 but its all-encompassing nature prevents its implementation by the City Government.

WHEREAS, the Sangguniang Panlungsod reviewed the implementation of the said municipal ordinance and concluded that there is a need to amend the same.

NOW THEREFORE, be it ordained by the Sangguniang Panlungsod of the City of Bacoor, in regular session duly assembled, that:

Sec. 1. The following provisions of Municipal Ordinance No. 7-S-2011 are hereby amended and shall henceforth read as follows:

"SECTION 1: TITLE. This Ordinance shall be known as the "Garbage Truck Entry Regulation Ordinance of the City of Bacoor."

SECTION 2: SCOPE. This Ordinance prohibits the passage and/or entry of all kinds of garbage trucks on any street, road, or thoroughfare within the territorial jurisdiction of the City of Bacoor, Cavite without first complying with the following provisions.

SECTION 3: DEFINITION OF TERMS.

1. Garbage – any solid or residual waste, animal or vegetable refuse including but not limited to biodegradable and non-biodegradable materials;

2. Garbage Trucks – any vehicle used in the transportation of garbage as defined herein regardless of its kind or size;

3. Streets and thoroughfares – refer to all kinds of streets and thoroughfares as defined herein either in transit to and from any disposal site or sanitary landfill located outside the City of Bacoor, Cavite or for garbage collection within its territorial jurisdiction;
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4. Impounding area – shall be the area designated by the City within its territorial jurisdiction which is utilized for material recovery facilities.

SECTION 4. PROHIBITIONS. A. It shall be unlawful for any garbage truck being used for the collection/disposal of the solid/residual waste including those collecting or having the solid/residual waste of the City of Bacoor to pass through, enter, or use any of the streets, roads and thoroughfares within the territorial jurisdiction of the City of Bacoor.

In order to allow the said garbage trucks to enter the territorial jurisdiction of the city, the driver, owner, operator, or officer-in-charge of the said trucks should first comply with all of the following requirements:

a) Presentation to any apprehending officer of the City of Bacoor of a “Permit To Dump” issued by the manager or administrator of the dumpsite where the said garbage truck is headed;
b) Obtain an official clearance from the barangay or barangays having jurisdiction over the roads to be traversed by the said garbage truck;
c) Payment of a “Road Access Fee” by the owner or operator of the said garbage truck amounting to Five Thousand Pesos (PHP 5,000.00) to the Office of the City Treasurer of the City of Bacoor on or before the 30th day of January following the date of effectiveness of this Ordinance;
d) Obtain an official clearance from the City Environment and Natural Resources Office (CENRO) stating that: (1) the said garbage truck and its contents are in compliance with the pertinent provisions of RA 9003, and (2) the garbage being hauled by the truck is properly sealed containers;
e) Secure a Mayor’s Permit every year and;
f) Passing through hours shall only be between 12:00 a.m. until 3:00 a.m. everyday.

B. It shall be unlawful for the driver, owner, operator, or officer-in-charge of trucks used or operated by any privately-owned garbage collection corporation, partnership, or sole proprietorship including junk shops, recycling plants, and any similar establishments to use, enter, or pass through any of the roads, streets, or thoroughfares of the city without first complying with all of the following requirements:

c) Establishment of a CENRO-approved covered garbage segregation area located at least twenty (20) meters away from any waterway, body of water, or residential area.
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b) Establishment of a materials recovery facility (MRF) within the property owned by the said corporation, partnership, or sole proprietorship;

c) Secure quarterly clearance from the City Health Office and the City Engineering Office that the said facility is clean, well-maintained, and compliant with the provisions of this ordinance and of other pertinent ordinances or laws;

d) Secure annual clearance from the barangay having jurisdiction over the area where the facility is located; and

e) Secure business permit and Mayor’s permit every year.

SECTION 5. PENALTIES. Penalties for the violation of this
Ordinance shall be imposed in the following manner:

a. The driver or person – in charge of the garbage
truck who violates the provisions hereof shall be
penalized as follows:

1st Offense - A fine of Three Thousand Pesos
(P3,000.00);

2nd Offense - A fine of Four Thousand Pesos
(P4,000.00);

3rd Offense - A fine of Five Thousand Five Hundred
Pesos (P5,000.00);

Successive Offenses: Imprisonment of not less
than one (1) month but not more than three (3)
months at the discretion of the court.

b. In any of the foregoing instances, the garbage
truck used in violation of this Ordinance shall be
impounded in the area to be designated by the
Office of the City Mayor as impounding area. The
said vehicle shall be released only after the
registered owner/s of the same- or its duly
authorized representative—pays an impounding
fee of Two Thousand Five Hundred Pesos (PHP
2,500.00) per day and a fine of Two Thousand Five
Hundred Pesos (P2,500.00). The solid/residual
wastes contained inside any impounded truck,
which is not properly disposed within a period of
two (2) days after its impounding, shall be
unloaded and re-loaded to any garbage truck
accredited by the City, with or without the
presence of the driver or registered owner or
authorized representative thereof, for proper
disposal to a sanitary landfill to avoid
decomposition and emission of bad odor in the
SECTION 6. AUTHORITY OF THE CITY MAYOR TO ISSUE GUIDELINES. The implementing agency of the Office of the Mayor is hereby forthwith authorized to issue implementing guidelines consistent with the provisions of this ordinance. Provided, that such implementing guidelines shall include a mechanism wherein exemptions from compliance herewith may be allowed. Provided further, that a set of guidelines on the routes that may be used by garbage trucks exempted from the coverage of this Ordinance may also be included in the said implementing guidelines.

SECTION 7. INFORMATION DISSEMINATION. A massive information dissemination campaign shall be launched by the City Mayor to ensure the successful implementation of this Ordinance. To this end, the Public Information Office (PIO) shall design such information materials that may be needed to inform all private parties and other local government units that may be affected hereby. Billboards and signboards informing the public of this Ordinance shall be installed in conspicuous places particularly in the strategic boundaries of the City of Bacoor, Cavite. The PIO is hereby mandated to use all available means, subject to availability of funds, to including television, radio and print media to effectively disseminate information regarding this Ordinance.

SECTION 8. SEPARABILITY CLAUSE. If any provision or section of this Ordinance is declared invalid or unconstitutional, the other parts or provision thereof not so declared as such shall remain valid and in effect.

SECTION 9. REPEALING CLAUSE. Any ordinance or part thereof inconsistent with the provision of this ordinance shall be deemed repealed or modified accordingly.

SECTION 10. EFFECTIVENESS. This ordinance shall take effect upon its approval and posting in at least two (2) conspicuous places within the City.

UNANIMOUSLY ENACTED on the 27th day of January 2014 during the 23rd regular session of the Sangguniang Panlungsod of the City of Bacoor, Cavite.
Republic of the Philippines  
CITY OF BACOOR  
Province of Cavite  

OFFICE OF THE SANGGUNIANG PANLUNGSOD  

I hereby certify that the foregoing ordinance was duly approved in accordance with law and that the same is true and correct.

Certified by:  

HON. CATHERINE S. EVARISTO  
City Vice Mayor/Presiding Officer

Attested by:  

ATTY. KHALID A. ATEGA JR.  
Sangguniang Panlungsod Secretary

Approved by:  

HON. STRIKE B. REVILLA, PhD  
City Mayor

City Ordinance No. 2014-001, 27 January 2014