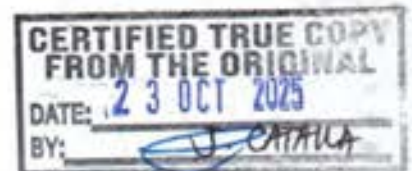




Republic of the Philippines
Province of Cavite

CITY OF BACOR
Office of the Mayor



EXECUTIVE ORDER No. 71 - 2023
Series of 2023

**AN ORDER ADOPTING THE IMPLEMENTING RULES AND
REGULATIONS OF CITY ORDINANCE NO. 2014-004
OTHERWISE KNOWN AS THE "2014 JUNKSHOP
REGULATION ORDINANCE OF THE CITY OF BACOR"**

WHEREAS, Section 16 of R.A.No. 7160 provides that every local government unit shall exercise the powers expressly granted, those necessarily implied there from, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare...xxx;

WHEREAS, the Sangguniang Panlungsod enacted and passed City Ordinance No. 2014-004 entitled, "2014 Junkshop Regulation Ordinance of the City Of Bacor," with the intent to regulate the establishment and operation of Junkshops within the city and incorporate the same in the Solid Waste Management Program of the City of Bacor.

WHEREAS, the Office of the City Mayor, in coordination with the concerned departments/agencies, issued the above-mentioned Implementing Rules and Regulations that shall govern the City Ordinance No. 2014-004 otherwise known as "2014 Junkshop Regulation Ordinance of the City Of Bacor";

NOW, THEREFORE, I, STRIKE B. REVILLA, City Mayor of Bacor, Cavite by virtue of the powers vested in me by law, do hereby order for the adoption and implementation of the Implementing Rules and Regulations of City Ordinance No. 2014-004 herein attached.

Section 1. Implementing Rules and Regulations (IRR).

Attached herein is the Implementing Rules and Regulations of City Ordinance No. 2014-004 which shall form part of this Executive Order. This shall be known as the "Implementing Rules and Regulations of 2014 Junkshop Regulation Ordinance of the City of Bacor".

All affected offices and departments are hereby ordered to adopt the said implementing rules and regulations and be guided accordingly.

Strict compliance and observance of all city government officials and employees to this IRR is hereby ordered.

Section 2. Repealing Clause

All previously issued orders and directives inconsistent with any provision found herein shall be deemed repealed, revoked or amended accordingly.

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AS**

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Section 3. Separability Clause.

In the event that any provision found herein shall be judicially or administratively declared illegal or infirm, the remaining provisions shall remain in full force and effect.

Section 4. Effectivity Clause.

This Executive Order shall take effect immediately upon its signing and remain in full force and effect until repealed, revoked or amended accordingly.

SO ORDERED.

Issued this 16th day of June 2023 in the City of Bacoor, Province of Cavite.


STRIKE B. REVILLA
City Mayor

cc:
Sangguniang Panlungsod
Business Permit and Licensing Department (BPLD)
City Environment and Natural Resources Office (CENRO).
City Administrator
And all City Government offices/departments/units concerned



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CITY OF BACOR

Office of the Mayor



**IMPLEMENTING RULES AND REGULATIONS OF CITY ORDINANCE NO. 2014-004
OR AN ORDINANCE REGULATING THE OPERATION AND ESTABLISHMENT OF
JUNKSHOPS WITHIN THE CITY OF BACOR AND PROVIDING PENALTIES FOR
VIOLATIONS HEREOF.**

RULE I. - GENERAL PROVISIONS

SECTION 1. TITLE – These Implementing Rules and Regulations shall be known and cited as the **"Implementing Rules and Regulations of City Ordinance No. 2014-004 (the "IRR"), "2014 Junkshop Regulation Ordinance of the City of Bacoor"**.

SECTION 2. PURPOSE – These Implementing Rules and Regulations are promulgated to prescribe the guiding framework and procedures for the effective implementation and enforcement of City Ordinance No. 2014-004 in order to expedite compliance therewith.

SECTION 3. CONSTRUCTION – These Rules and Regulations shall be construed and applied in accordance with and in furtherance of the policies and objectives of the Ordinance. Any item not specified in the provisions will be construed in accordance with the prefatory clauses of the Ordinance.

SECTION 4. SCOPE – The Ordinance shall cover all business establishments, corporations, partnerships, or sole proprietorships duly registered as a business enterprise with the Business Permits and Licensing Office (BPLO) operating in the City of Bacoor, Cavite.

SECTION 5. IMPLEMENTING OFFICIALS AND AGENCY – City and barangay officials shall be primarily responsible for the implementation of this Ordinance. The implementing agency, whose mandate shall commence upon the effectivity of the Ordinance, is the City Environment and Natural Resources Office (CENRO). These officers and agency shall, upon its request, be assisted by the Office of the City Mayor, Office of the City Administrator and the Office of the City Legal Service for policy formulation or recommendation in relation to the implementation of this IRR.

RULE II. - POLICIES AND OBJECTIVES

SECTION 6. DECLARATION OF POLICY – It is the declared policy of the City Government of Bacoor to promote health and safety, enhance the right of the people to a balanced ecology, preserve the comfort and convenience of their inhabitants, as well as to protect the environment and promote the general welfare.

SECTION 7. OBJECTIVES – In line with this policy, it is the objective of this Ordinance to regulate the establishment and operation of Junkshops within the city and incorporate the same in the Solid Waste Management Program of the City of Bacoor.





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Province of Cavite

CITY OF BACODR

Office of the Mayor



RULE III. - DEFINITION OF TERMS

SECTION 8. DEFINITION OF TERMS – For purposes of these Implementing Rules and Regulations, these terms are defined as follows:

8.1 Centralized Ecological Zone (CRM)-the only area within the City of Bacoor located within Greenvale Subdivision in Barangay San Nicolas, City of Bacoor Cavite where junkshops covered by this Ordinance shall be allowed to operate;

8.2 Junk -any waste of discarded recyclable materials regardless of origin, size, weight, nature, or composition which may include plastic styrofoam, iron, steel, aluminum, copper, brass, paper, gas machine or automobile parts or any other material commonly regarded as trash or garbage in the ordinary sense of the word;

8.3 Junk Dealer -a natural or juridical entity such as a corporation, partnership, sole proprietorship, cooperative engaged in either the business of selling or buying recyclable materials, the collection of recyclable materials from public or private properties, the operation of pushcarts used for the collection or transportation of recyclable materials or bulk buyers of recyclable materials from junk shops; and

8.4 Junk Shop - an establishment or place of business which is maintained, operated or used for storing, keeping, buying or selling old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber, debris, waste or junked, dismantled or wrecked automobiles or parts thereof, iron, steel, and other old or scrap ferrous or nonferrous material or for the maintenance or operation of an automobile graveyard.

8.5 Operator – natural or juridical entities (such as a corporation, partnership, sole proprietorship or cooperative) that manage or supervise the operation of a junk shop including its contents and premises;

8.6 Recyclable Material– any waste material retrieved from the waste stream and free from contamination that can still be converted into suitable beneficial use or for other purposes. Including, but not limited to, newspaper, ferrous scrap, metal, non-ferrous scrap, metal, used, all, corrugated cardboard, aluminum, glass, office paper, tin cans and other materials as may be determined by the National Solid Waste Management Commission;

RULE IV. – REGULATORY REQUIREMENTS

SECTION 9. REGULATION. – All junkshops, junk dealers, and junkshop operators covered by this Ordinance shall comply with the requirements mandated in this Ordinance.





SECTION 10. PERMIT TO OPERATE. – Junkshop operators are hereby required to secure a *Permit to Operate* from the CENRO before establishing or operating a Junkshop. For new Junkshops, the said permit shall be a requirement prior to the establishment of the said Junkshop. For junkshops already existing prior to the date of effectivity of this Ordinance, the said permit shall be obtained on or before the 20th day of January of every year following the date of effectivity hereof.

SECTION 11. CONTENTS OF THE PERMIT TO OPERATE. – *The Permit to Operate*, which shall be conspicuously displayed within the junkshop, shall indicate the following information:

- a.) The name of the Junkshop operator;
- b.) The address of the Junkshop operator and that of his junkshop;
- c.) Contact number, email address;
- d.) The initial capitalization of the junkshop;
- e.) The number of service vehicles being operated by the junkshop; and
- f.) The kind of junk materials that will be or is being traded, by the said junkshop.

SECTION 12. OTHER PERMITS REQUIRED. – After securing a *Permit to Operate*, the junkshop operator shall also be required to secure the following:

- a.) A Business Permit;
- b.) A Fire Inspection Certificate;
- c.) A Sanitary Permit;
- d.) A Health Certificate for all of his workers; and
- e.) A Local Clearance from the city government offices responsible for the issuance of the same.

All the said permits, certificate, and clearances shall be renewable every year and shall be made available during inspection.

SECTION 13. OTHER REQUIREMENTS. – All junkshops covered by the Ordinance shall observe the following guidelines:

- 13.1) *Signboard* – A signboard with a size not less than 3 feet by 3 feet and not exceeding 4 feet by 4 feet, shall be prominently displayed on the perimeter wall of the junkshop. The said signboard shall legibly indicate the following: the name of the junkshop, the name of its owner, its contact number, its business permit registration number, and the name of the junkshop organization it may be affiliated with if any.
- 13.2) *Parking Space* – Junkshops shall have its own parking space located within its premises or in an adjoining rented property sufficient for the use of delivery/pick-up trucks clients' vehicles: pushcarts, and pedicabs: Such parking spaces should not be



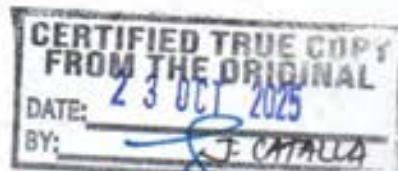
located along road sides, sidewalks, or open/abandoned lots but rather within the premises of the junkshop. In no instance shall the said parking spaces be used for the storage piling, cleaning, or sorting of recyclable materials and may only be used for the unloading or loading of such materials.

- 13.3) *Floor Area* - A junkshop, in order to be allowed to operate, must have a minimum floor area of fifty (50) square meters that must be enclosed on all sides, roofed, and properly ventilated.
- 13.4) *Piling of Recyclable Materials* - The junkshop operator must observe safety at all times and shall maintain an orderly system of piling recyclable materials within its premises. At no instance shall junkshop operators be allowed to pile recyclable materials in such a way that it becomes visible from the road or that it exceeds the height of the perimeter fence of the junkshop.
- 13.5) *Roof* - The roof of the junkshop shall not be used to store any recyclable material. No recyclable material or junk may be placed on the roof of any junkshop in order to prevent the said roof from being carried off by the wind.
- 13.6) *Fence* - The height of the perimeter fence and entrance gate of a junkshop shall not be less than 2 meters but not more than 3 meters measured from the level of the ground.
- 13.7) *Separate Area for Sorting, Weighing and Storage* - The junkshop operator must maintain separate areas for sorting, weighing, and storage of recyclable materials within its premises
- 13.8) *Septic Tank or Waste Water Treatment System* - Junkshops without a septic tank or waste water treatment system shall not be allowed to operate.
- 13.9) *Record of Recyclable Materials* - Junkshop operators are required to maintain a record of the type and volume of incoming and outgoing recyclable materials to be made available anytime for inspection by the CENRO or by any other duly authorized employee of the City of Bacoor.

SECTION 14. TIME OF OPERATION. - Junkshops shall only be allowed to operate between 6:00 am to 6:00 pm everyday including weekends and holidays.

SECTION 15. TIME OF PICK-UP OR DELIVERY. - The pick-up or delivery of junk materials from junkshops shall only be permitted between 10:00 am and 3:00 pm everyday including weekends and holidays so as not to obstruct the flow of vehicular traffic.





SECTION 16. PEDICABS OR PUSHCARTS OPERATED BY JUNKSHOP OPERATORS – The pedicabs or pushcarts being operated by Junkshop operators shall be registered with the barangay where the Junkshop is located. The operators of the said pedicabs and pushcarts shall be issued laminated identification cards by the barangay. The barangay shall paint a body number on the pedicabs and pushcarts as well as the name of the junkshop that operates it, and the barangay where it is registered. Freelance pushcart boys shall also be registered with the barangay before they are allowed to operate. The CENRO shall devise a color coding system for the pedicabs and pushcarts mentioned above for easier identification.

SECTION 17. CENTRALIZED ECOLOGICAL ZONE (CEZ) - All Junkshops covered by this Ordinance shall only be allowed to operate within the Centralized Ecological Zone (CEZ) to be located within Greenvalley Subdivision, Barangay San Nicolas, Bacoor City, Cavite. CENRO shall have the authority to determine and identify the CEZ areas.

SECTION 18. EFFECT OF VIOLATION OF PRECEDING PROVISIONS. - No permit, certificate, or clearance shall be issued in favor of any junk shop operator who violated or who is violating any of the provisions.

RULE V. – PROHIBITED ACTS AND PENALTIES

SECTION 19. PROHIBITED ACTS – The commission of the following prohibited acts shall result in the imposition of the penalties in the subsequent provision:

20.1) Operating a junkshop without the necessary permits, clearances or certificates;

20.2) Use of unregistered *pedicabs*/pushcarts in the collection or delivery or recyclable materials;

20.3) Using of sidewalks, roadsides, open or abandoned lots as weighing, storage, sorting, parking or dumping area;

20.4) Using the roof of the junkshop as a storage area or piling recyclable materials in excess of the height of the perimeter fence of the junkshop;

20.5) Dumping of any litter, trash or material from the junkshop in any open space, creek, river, or body of water;

20.6) Washing of recyclable materials without the required waste water treatment system;

20.7) The burning of junk or any material by any employee of the junkshop within or outside the junkshop;





20.8) Conduct of any activity that produces noise or air pollution including the emission of noxious odor;

20.9) Accepting or treating any toxic or hazardous waste;

20.10) Obstruction of vehicular and pedestrian traffic through the parking of any vehicle, pushcart, or *pedicab* along sidewalks and road sides;

20.11) Failure to display permits clearances certificates and signboards as mandated in this Ordinance;

20.12) Violation of the Anti-Fencing Law;

20.13) Operating a junkshop or selling recyclable materials outside of the Centralized Ecological Zone (CEZ); and

20.14) Any act analogous or similar to the foregoing.

SECTION 20. PENALTIES. – Commission of the acts enumerated in the preceding provision shall result in the imposition of the following penalties:

First Offense: Fine of Three Thousand Pesos (P3,000.00) plus a one-day seminar on environmental protection to be conducted by the CENRO;

Second Offense: Fine of Four Thousand Pesos (P4,000.00) plus two-day seminar on environmental protection to be conducted by the CENRO;

Third Offense: Fine of Five Thousand Pesos (P5,000.00) and cancellation of all permits, certificated and clearances issued by the city government in favor of the junkshop operator.

RULE VI. - FINAL PROVISIONS

SECTION 21. SEPARABILITY CLAUSE – If, for any reason or reasons, any provision in this IRR is declared invalid or unconstitutional by a court of competent jurisdiction, the remaining parts thereof not affected shall continue to be in force and effect.

SECTION 22. REPEALING CLAUSE – All existing Executive Orders, Memoranda, Circulars, Rules and Regulations inconsistent with the provisions of these Implementing Rules and Regulations are hereby repealed or amended accordingly.

SECTION 23. EFFECTIVITY CLAUSE – This IRR shall take effect immediately upon its approval.