



Republic of the Philippines
CITY COUNCIL
City of Manila

REGULAR SESSION NO. 81

11TH CITY COUNCIL

Begun and held in the City Council on Thursday,
the sixth day of August, Two Thousand Twenty

ORDINANCE NO. 8680

AN ORDINANCE PROHIBITING THE IMPROPER DISPOSAL OF ALL TYPES OF PANDEMIC RELATED WASTES, INCLUDING SPECIAL HOUSEHOLD INFECTIOUS WASTE AND PERSONAL PROTECTIVE EQUIPMENT LIKE FACE MASKS AND PROTECTING GEAR, MATERIALS AND PRODUCTS, BANNING THE DELIBERATE OR UNINTENTIONAL DISCARDING OF SUCH IN ALL PUBLIC PLACES OR SIMILAR AREAS AND IMPOSING THE APPROPRIATE PENALTIES THEREIN, OTHERWISE KNOWN AS "THE MANILA PANDEMIC WASTE DISPOSAL ACT OF 2020"

PRINCIPAL AUTHORS:

HON. NUMERO G. LIM, HON. DON JUAN "DJ" BAGATSING, HON. JOEL R. CHUA, Acting Presiding Officer, HON. ERNESTO C. ISIP JR., President Pro-Tempore, HON. WARDEE P. QUINTOS XIV, Acting Majority Floor Leader, HON. JOEL "JTV" VILLANUEVA, HON. LOUISITO N. CHUA, HON. KRYSTLE MARIE C. BACANI, HON. SCIENCE A. REYES, HON. JOEL M. PAR, HON. DARWIN B. SIA, HON. MACARIO M. LACSON, HON. ROMA PAULA S. ROBLES-DALUZ, HON. MA. THERESA F. BUENAVENTURA-QUIMPO, HON. IRMA C. ALFONSO-JUSON, HON. JOHANNA MAUREEN C. NIETO-RODRIGUEZ, HON. JOEY S. HIZON III, HON. TERRENCE F. ALIBARBAR, HON. PAMELA "FA" G. FUGOSO-PASCUAL, HON. SALVADOR PHILIP H. LACUNA, HON. PRISCILLA MARIE T. ABANTE-BARQUIA, HON. LARIS T. BORROMEO, HON. LUCIANO M. VELOSO, HON. ERICK IAN O. NIEVA, HON. MOISES T. LIM, HON. IRWIN C. TIENG, HON. EDWARD M. TAN, HON. RAYMUNDO R. YUPANGCO, HON. CHARRY R. ORTEGA, HON. RICARDO "BOY" A. ISIP JR., HON. ERNESTO G. DIONISIO, HON. CHRISTIAN PAUL L. UY, HON. CARLOS C. CASTAÑEDA, HON. LEILANI MARIE H. LACUNA and HON. DANIEL DAVE A. TAN.



PREAMBLE

WHEREAS, the Constitution of the Republic of the Philippines affirms the state policy to “protect and promote the right to health” and to “protect and advance the right of the people to a balanced and healthful ecology”;

WHEREAS, Manila City Ordinance No. 7866, Metro Manila Development Authority (MMDA) Regulation No. 96-009 as amended by Regulation No. 99-006 and R.A. 9003 or the Ecological Solid Waste Management Act prohibit littering and other acts detrimental to public health and the environment;

WHEREAS, the current COVID-19 pandemic has resulted in ultra massive consumption, as well as disposal of Personal Protective Equipment (PPE), same with hygiene and disinfectant products constantly used to contain contamination and prevent the spread of the deadly Coronavirus;

WHEREAS, amid the continuously disconcerting daily uptick of new Covid cases in the country, a very recent finding of a major environmental advocacy coalition has sounded the alarm over photo documentation of wanton discarding and rampant littering of used worn-out face masks and gloves, both of the disposable kind, mixed with empty bottle containers of alcohol spray cleanser, blatantly scattered, many in mounds, along sides metro avenues, some in heaps on the pavement or thickly clogged around fringes of gutters and drain-ways of a number of local government units in the capital region;

WHEREAS, causing further concern and consternation for the ecological watchdog advocates was seeing additional images identical to the aforementioned infectious PPEs, but this time sprawling lengthy the shores of Baseco white beach, possibly polluting the bayside, poisoning aquatic life and putting the locals there at risk of contagion, which clearly goes against the commitment, effort to fight this dreaded disease, clean up our city and save Manila Bay;

WHEREAS, the reckless disposal of such Covid protecting gear and products, probably highly contagious, does indeed pose a threat very harmful to the human health, as well as the surrounding ecology, and this ought to be stopped at once, for such recklessness, as with Covid viruses, simply has no place right now in the City of Manila: NOW, THEREFORE,

Be it ordained by the City Council of Manila, in session assembled, THAT:

SECTION 1. TITLE. - This legislative measure shall be known as the ***“MANILA PANDEMIC WASTE DISPOSAL ACT OF 2020”***.

SEC. 2. - It is imperative that this measure recognizes and adopts the General Guidelines of the Management of COVID-19 Related Healthcare Waste of the National Solid Waste Commission under the Department of Environment and Natural Resources (DENR).

As this Ordinance seeks to mandate for as separate (yellow) bin, special for the disposing of pandemic related waste only in each Barangay of the City of Manila, (to be provided by the City or the Barangay depending on the availability of funds), as well as, for any individual discarding such waste to be specially placed and sealed in a separate plastic bag, not to be mixed with the regular house rubbish or home trash (before being properly disposed in the aforementioned yellow bin).

SEC. 3. SCOPE & PROHIBITIVE ACTS. - It shall be unlawful to improperly dispose of, throw away, dispense with, discard or dump, deliberately or unintentionally, any type of Pandemic (COVID-19) related wastes, which includes Special Household Infectious Waste and Personal Protective Equipment (PPE) such as face masks, face-covers, face-shields, eye-shields, head/hair caps, hand gloves, and other protecting materials, items or gear, also disinfectant or hygiene products like hand sanitizer or alcohol containers, as well as, every form of wipes, tissues, towels, handkerchief or similar cloths and discarded test kits used to counter Coronavirus, among others.

Thus, this Ordinance shall prohibit strictly the improper disposal of such types of Pandemic (COVID-19) related wastes in all public places/open spaces, streets, roads, alleys, sidewalks, center-islands, overpasses, bridges, parks, malls, markets, squares, halls, transport, terminals, buildings, establishments, schools, churches, hospitals, banks, commercial business centers and similar areas, as well as, coastlines, shorelines, harbors, docks, rivers, waterways, esteros, canals, streams, gutters, drains, pipelines, restrooms, toilets, or water bodies.

SEC. 4. PENALTIES. - Any person or Barangay in violation of this Ordinance shall be fined with One Thousand Pesos (PhP. 1,000.00) for the first offense and Three Thousand Pesos (PhP. 3,000.00) for the second offense. Any subsequent offense shall be further fined with Five Thousand Pesos (PhP. 5,000.00) and/or face subsidiary imprisonment not exceeding one (1) month or both at the discretion of the court, and in case of a Corporation or corporate entity, the revocation of business permit and/or closure of business establishment.

SEC. 5. - The City shall establish an Inter-Agency Task-force for the Management of Pandemic Wastes with the Manila Department of Public Services as lead enforcement and implementing authority, which also shall include the local Liga ng mga Barangay and Sangguniang Kabataan Federation, the Manila Barangay Bureau, Manila Public Information Office, and the Chairperson of the Manila City Council, Committee on Environmental Protection, Ecological Preservation and Sanitation, Manila City Council to come up with the Implementing Rules and Regulations with a positive approach to coordinate and conduct a comprehensive city-wide, community-level and social media based information and educational campaign to promote awareness and compliance to this Ordinance.

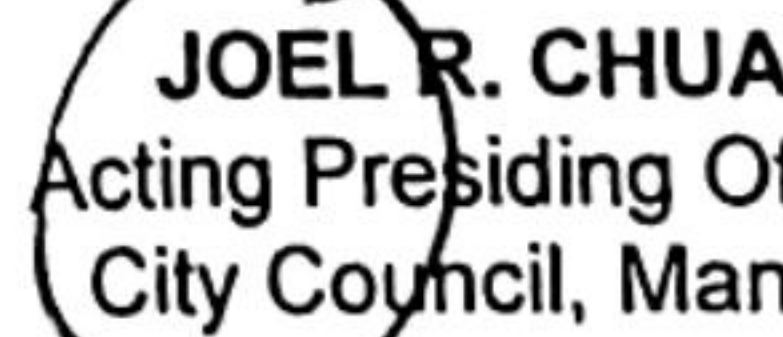
SEC. 6. REPEALING CLAUSE. - All other local laws, decrees, orders, issuances, rules, and regulations, which are inconsistent with the provisions of this Ordinance are hereby repealed, amended, or modified accordingly.

SEC. 7. SEPARABILITY CLAUSE. - If, for any reason or reasons, any part or provision of this Ordinance shall be held unconstitutional or invalid, other parts or provisions hereof, which are not affected thereby, shall continue to be in full force and effect.

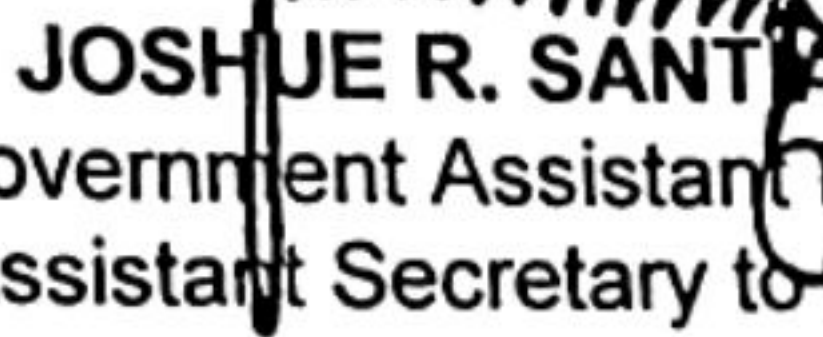
SEC. 8. EFFECTIVITY CLAUSE. - This Ordinance shall take effect immediately upon its approval and publication.

This Ordinance was finally enacted by the City Council of Manila on September 28, 2020.

PRESIDED BY:


JOEL R. CHUA
Acting Presiding Officer
City Council, Manila

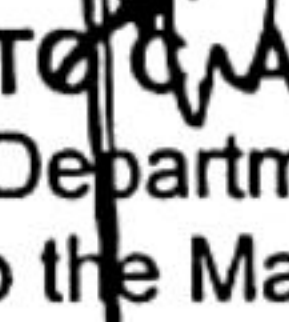
ATTESTED:


JOSHUE R. SANTIAGO, MPMG
City Government Assistant Department Head III
(Assistant Secretary to the City Council)

APPROVED BY HIS HONOR, THE MAYOR, ON OCT 20 2020.


FRANCISCO "Isko Moreno" DOMAGOSO
Mayor
City of Manila

ATTESTED:


BERNARDITO C. PANG
City Government Department Head III
(Secretary to the Mayor)

RNF jhb//rmd/kjm/jmt/eyes