

**TITLE 10**  
**ENVIRONMENT AND NATURAL RESOURCES**

**Chapter I**  
**Use of Premium Hardwood as Source of Fuel<sup>1</sup>**

Section 1. The use of premium hardwood as a source of fuel in the city is hereby prohibited, except as hereinafter provided.

Section 2. As used in this ordinance, the term premium hardwood refers to narra, molave, dao, kamagong, ipil, acacia, akle, apawit, banuyo, batikuling, hetis, bolangeta, teak, tindalo, and manggis.

Section 3. Ipil-ipil, madre de cacao, coconut charcoal, rice husks, corn cobs, and other fruit tree cuttings are acceptable in place of the premium hardwood.

Section 4. Special permit shall be established by any person in cutting, gathering or collecting of branches and recoverable wood waste of premium hardwood, such as timber ends, tops and stumps, to be used as firewood, if gathered or collected in forest areas or private lands. No special permit is required in cutting, harvesting, transporting and sale of firewood, pulpwood or timber produced from ipil-ipil, falcata and other species if planted in private lands or tax declared alienable and disposable lands with corresponding application for free patent or acquired through court proceedings. Only a certification from Community Environment and Natural Resources Office (CENRO-DENR) to the effect that that said forest products came from private land aforementioned.

Section 5. Any establishment having in its possession within its premises premium hardwood which in their physical appearance are to be used as fuel will be in violation of this ordinance.

Section 6. Any person or persons who shall sell these prohibited premium hardwood to any commercial or industrial enterprises shall be liable and shall be punishable under Section 7 hereof.

Section 7. Any violation of this ordinance shall subject the offender/s to the following fines:

First offense	-	Two Thousand Pesos (₱2,000.00)
Second offense	-	Three Thousand pesos (₱3,000.00)
Third offense	-	₱5,000.00 or not more than six (6) months imprisonment or both at the discretion of the court.

Section 8. All premium hardwood sold as a fuel to commercial and industrial establishments shall be subject for confiscation either from the supplier and/or user and expenses incurred shall be charged to the offender.

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<sup>1</sup>[Ordinance No. 19, Series of 1990.](#)

Section 9. That in case of a corporation/partnership and other juridical persons, the manager or any person acting in that capacity shall be liable for the violation.

**Chapter II**  
Nailing, Bolting or Wiring of Sign on Tree  
Within Lands of the Public Domain<sup>2</sup>

Section 1. It shall be unlawful for any person or manager of private, government agencies to nail or bolt structures of any kind, flag signs, directional signs, advertisements, information campaign materials, placards including the stringing of streamers with wires, electric cords and cable TV wires, on any tree existing within lands of the public domain in General Santos City.

Section 2. In violation of this ordinance shall subject the offender/s to the following penalties:

First Offense	.....	Two Thousand Pesos (P2,000.00)
Second Offense	.....	Three Thousand Pesos (P3,000.00)
Third Offense	.....	Five Thousand Pesos (P5,000.00) or not more than six (6) months imprisonment, or both at the discretion of the court.

**Chapter III**  
Quarry of Aggregates at Silway River<sup>3</sup>

Section 1. For purpose of this Ordinance, the following terms are hereby defined, thus:

- a) Offender – refers to a person actually extracting aggregates in the prohibited areas, likewise include owner/operator and driver of equipment used in the extraction.
- b) Aggregates – refer to all particles present in the river like sand, gravel, boulder and ordinary earth.

Section 2. The quarrying of aggregates along Silway River particularly within the vicinity of public structures like the Upper Silway concrete bridge and Lower Silway Bridge, is hereby regulated.

Section 3. No extraction or removal of aggregates shall be allowed within a distance of one (1) kilometer upstream and downstream of any public structure unless prior written clearance from the city government is obtained.

Section 4. In violation of this ordinance shall subject the offender/s to the following penalties:

1 <sup>st</sup> Offense	.....	P2,000.00
2 <sup>nd</sup> Offense	.....	P3,000.00 or failure to pay the amount shall cancel the permit to quarry.

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<sup>2</sup>[Ordinance No. 05, Series of 1991.](#)

<sup>3</sup>[Ordinance No. 13, Series of 1992.](#)

3<sup>rd</sup> Offense . . . . . ₱5,000.00 or an imprisonment of not more than six (6) months or both at the discretion of the court, and shall be ground for the revocation of permit to quarry.

#### **Chapter IV**

##### **Discharge of Waste Water Effluent and Other Solid Waste in Sarangani Bay<sup>4</sup>**

Section 1. The discharge of waste water effluent and other waste into the Sarangani Bay, rivers and irrigations is strictly prohibited if the analysis result does not meet the national standard set forth by the Department of Environment and Natural Resources (DENR).

Section 2. All fish canneries, piggeries and other related establishments are hereby required to facilitate and have their waste water effluent be analyzed by the DENR and the City Government through the City Environment and Natural Resources Office (CENRO) and City Health Office at least every quarter and shall be inspected as often as necessary.

Section 3. The DENR, CENRO and City Health Office are authorized to check, supervise and collect water samples from the effluent discharge of all identified polluting establishments in the City Government quarterly.

Section 4. The establishment which has complied with the standard requirements shall be issued a certificate of compliance by the City Government quarterly.

Section 5. The DENR, regional and national offices shall coordinate all related activities and decisions with the City Government.

Section 6. Establishments which violate or whose waste water analysis result does not comply with the set standards shall be subjected to the following penalty:

₱1,500.00 per day/per offense from date of violation as determined by either the DENR, CENRO, or City Health Office and upon prior notice of such violation until compliance of the requirements.

Section 7. That the DENR, CENRO and the City Health Office shall promulgate guidelines to implement the provisions of this ordinance subject to approval by the Sangguniang Panlungsod.

#### **Chapter V**

##### **Mass Tree Planting Month<sup>5</sup>**

Section 1. The Month of June is hereby declared as Mass Tree Planting Month in the City of General Santos.

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<sup>4</sup>[Ordinance No. 14, Series of 1993.](#)

<sup>5</sup>[Ordinance No. 13, Series of 1999.](#)

## **Chapter VI** **Bonsai Plant Material<sup>6</sup>**

Section 1. No person shall uproot plants, trees, or shrubs of any kind, size, specie, or variety from land of the public domain within General Santos City to be used as bonsai materials.

Section 2. Any person found guilty violating this Ordinance shall suffer a penalty of fine of Two Thousand Pesos (₱2,000.00) for the first offense, three thousand pesos (₱3,000.00) for the second offense, Five Thousand Pesos (₱5,000.00) and imprisonment of one (1) month and one (1) day to six (6) months for the third offense, without prejudice to the confiscation of the bonsai or bonsai plant materials in favor of the government.

Where the violator of this Ordinance does not contest his/her apprehension and elect to pay the fine imposed under this Section, the enforcement officer shall forthwith issue citation ticket to the person apprehended without resort to the Court. The citation ticket shall state or contain (1.) the name, signature, age and address of the person apprehended, (2.) the material facts obtaining in the commission or omission of the crime defined and penalized under this Ordinance, (3.) the amount of fine which is payable in favor of the City Government of General Santos, and (4.) notice requiring the person apprehended for extra-judicial settlement of his/her violation by paying the prescribed amount of fine at the Office of the City Treasurer within seventy-two (72) hours from issuance thereof, otherwise, appropriate complaint shall be filed against him/her before the Court of law.

Section 3. Within thirty (30) days after the effectivity of this Ordinance, the Office of the City Mayor, in coordination with the Offices of the City Agriculture and City Environment and Natural Resources, Department of Environment and Natural Resources, and the association of bonsai growers, are hereby mandated to formulate rules and regulations for the efficient and smooth implementation of this Ordinance.

## **Chapter VII** **Declaration of Air Shed Areas<sup>7</sup>**

Section 1. The following designated areas in General Santos City are hereby declared as air shed for comprehensive air pollution management and control:

1. Hadano Park II, Barangay Labangal;
2. Davao – Buayan Junction, Barangay Lagao;
3. National Highway, Filipino-American Road Junction, Barangay Calumpang;
4. Pioneer –Quezon Avenue, Barangay Dadiangas West; and
5. Founding Mayors Park – Public Market, Barangay Dadiangas South.

Section 2. Observation and evaluation on air quality shall be carried out 24-hour averaging time and averaged over three moving calendar months per specified air sheds pursuant to law.

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<sup>6</sup>[Ordinance No. 09, Series of 2003.](#)

<sup>7</sup>[Ordinance No. 12, Series of 2004.](#)

Section 3. An information board indicating the ambient air quality result shall be installed in the designated air shed.

Section 4. An amount shall be appropriated for the implementation of this Ordinance.

## **Chapter VIII** Ecological Solid Waste Management<sup>8</sup>

### Article 1 General Provisions

Section 1. It is hereby declared the policy of the City to adopt and implement a comprehensive, integrated and ecological solid waste management program which shall:

- (a) Ensure the protection of public health and environment of the city;
- (b) Set guidelines and targets for solid waste management through volume and source reduction, waste minimization and diversion measures, including composting, recycling, re-use, recovery, green charcoal processes, and other solid waste management technologies, to be undertaken by either households, barangays, puroks, institutions, academe, non-government organizations (NGOs), national government agencies (NGAs), industries, commercial and business establishments, transport and agriculture sectors prior to collection, treatment and disposal activities in appropriate and environmentally sound solid waste, management facilities in accordance with ecologically sustainable development principles;
- (c) Utilize environmentally sound methods that maximize the utilization of valuable resources and encourage resources recovery;
- (d) Ensure proper segregation at source, collection, transport, storage, treatment and disposal of solid waste;
- (e) Promote research and development programs to improve solid waste management and resource conservation techniques, more effective institutional arrangement, and indigenous and improved method of waste reduction, collection, separation and recovery;
- (f) Encourage greater private sector participation in solid waste management;
- (g) Retain primary enforcement and responsibility for solid waste management implementation with the city and the barangays while establishing collaborative efforts among national government agencies, non-governmental organizations, puroks, business sector, academe, institutions, civic and religious organizations and other stakeholders;
- (h) Institutionalize participation of stakeholders in the development and implementation of ecological solid waste management programs and projects consistent with this Ordinance;
- (i) Strengthen the integration of ecological solid waste management and resource conservation and recovery topics into the academic curricula of formal and non-formal education in order to promote environmental awareness and action among its constituents; and
- (j) Promote the use of environmentally acceptable packaging materials.

### Article 2

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<sup>8</sup>[Ordinance No. 08, Series of 1997](#), as amended by [Ordinance No. 12, Series of 2008](#).

## Definition of Terms

Section 2. For purposes of this Ordinance, the following terms shall mean:

- (a) Agricultural waste - refer to waste generated from planting and harvesting of crops, trimming and pruning of vegetation and waste or run-off materials from farms or fields and including animal manure;
- (b) Bulky waste - refer to waste materials which cannot be appropriately placed in a waste container due to either its bulky size, shape or other physical attributes. These include large worn-out or broken household, commercial and industrial items such as furniture, lamps, bookcases, filing cabinets, and other similar items;
- (c) Collection - refers to the act of removing solid waste from the source or from a communal storage point;
- (d) Composting - refers to the controlled decomposition of organic matter by microorganisms, mainly bacteria and fungi or vermi into a humus-like product;
- (e) Constructor - refers to a person, company or corporation engaged in construction business;
- (f) Controlled dump - refers to a disposal site at which solid waste is deposited in accordance with the minimum prescribed standards of site operation;
- (g) Deputation - refers to the act of vesting authority on persons to enforce and implement specific provisions of this ordinance;
- (h) Disposal - refers to the discharge, deposit, dumping, spilling, leaking or placing of any solid waste into or in any land;
- (i) Disposal site - refers to a site where solid waste is finally discharged and deposited;
- (j) Ecological solid waste management - refers to the systematic administration of activities which provide for segregation at source, segregated transportation, storage, transfer, processing, treatment and disposal of solid waste and all other waste management activities which do not harm the environment;
- (k) Environmentally acceptable - refers to the quality of being re-usable, biodegradable or compostable, recyclable and not toxic or hazardous to the environment;
- (l) Recycled Crafts - refer to products made from wastes, such as paper mache, art works, decors, toys, paper basketry, tin/metal/feather/wooden crafts, plastic twine or rope braids;
- (m) Fermentation - refers to the process of converting fruits and vegetables into vinegar, wine, or other similar products;
- (n) Generation - refers to the act or process of producing solid waste;
- (o) Generator - refers to a person, natural or juridical, who last uses a material and makes it available for disposal or recycling;
- (p) Green charcoal - refers to compostable waste used as fuel in charcoal stoves (e.g. sawdust, grass straws, paper, woodchips);
- (q) Hazardous waste - refer to solid waste or combination of solid waste which because of its quantity, concentration, or physical chemical, infectious characteristics may:
  - i. cause, or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness; or
  - ii. which may pose a substantial potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of, otherwise managed.
- (r) Junkshop - refers to a recycling center that purchases or otherwise accepts recyclable materials from the public for the purpose of recycling such materials;

- (s) Leachate - refers to the liquid produced when waste undergo decomposition, and when water percolates through solid waste undergoing decomposition. It is a contaminated liquid that contains dissolved and suspended materials;
- (t) Litter - refers to waste that are thrown or deposited in places other than the designated or appropriate waste receptacle;
- (u) Materials recovery facility - includes a solid waste transfer station or sorting station, drop-off center, a composting facility, and a recycling facility;
- (v) Open burning - refers to the thermal destruction of waste by means of direct exposure to fire. Furthermore, this definition shall apply to traditional small-scale methods of community sanitation "siga";
- (w) Open dump - refers to a disposal area wherein the solid wastes are indiscriminately thrown or disposed of without due planning and consideration for environmental and health standards;
- (x) Person - refers to any being, natural or juridical, susceptible of rights and obligations, or of being the subject of legal relations;
- (y) Probiotics - refer to microorganisms that hasten the decomposition process of biodegradable wastes;
- (z) Receptacles - refer to individual containers used for the temporary storage of solid waste;
- (aa) Recovered material - refers to material and by-products that have been recovered or diverted from solid waste for the purpose of being collected, processed and used as a raw material in the manufacture of a recycled product;
- (bb) Recyclable material - refers to 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 oil, corrugated cardboard, aluminum, glass, office paper, tin cans and other materials as may be determined for said purpose;
- (cc) Recycled material - refers to post-consumer material that has been recycled and returned to the economy;
- (dd) Recycling - refers to the treating of used or waste materials through a process of making them suitable for beneficial use and for other purposes, and includes any process by which solid waste materials are transformed into new products in such a manner that the original products may lose their identity, and which may be used as raw materials for the production of other goods or services; Provided, That the collection, segregation and re-use of previously used packaging materials shall be deemed recycling under this ordinance;
- (ee) Resource conservation - refers to the reduction of the amount of solid waste that are generated or the reduction of overall resource consumption, and utilization of recovered resources;
- (ff) Resource recovery - refers to the collection, extraction or recovery of recyclable materials from the waste stream for the purpose of recycling, generating energy or producing a product suitable for beneficial use: *Provided, That*, such resource recovery facilities exclude incineration;
- (gg) Re-use - refers to the process of recovering materials intended for the same or different purpose without the alteration of physical and chemical characteristics;
- (hh) Sanitary landfill - refers to a waste disposal site designed, constructed, operated and maintained in a manner that exerts engineering control over significant potential environmental impacts arising from the development and operation of the facility;
- (ii) Segregation - refers to a 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;

- (jj) Segregation at source - refers to a solid waste management practice of separating, at the point of origin, 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;
- (kk) Social Marketing - refers to the strategy used for the Information, Education, Communication (IEC) campaign of the ESWM program; It involves "the analysis, planning, execution and evaluation of programs designed to influence the voluntary behavior of target audiences to improve their personal welfare and that of society;
- (ll) Solid waste - refer to all discarded household, commercial waste, non-hazardous institutional and industrial waste, street sweepings, construction debris, agricultural waste, and other non-hazardous/non toxic solid waste. Unless specifically noted otherwise, the term "solid waste" as used under RA 9003 and adopted in this Ordinance shall not include:
  - 1) Waste identified or listed as hazardous waste of a solid, liquid, contained gaseous or semisolid form which may cause or contribute to an increase in mortality or in serious or incapacitating reversible illness, or acute/chronic effect on the health of persons and other organisms;
  - 2) Infectious waste from hospitals such as equipment, instruments, utensils, and fomites of a disposable nature from patients who are suspected to have or have been diagnosed as having communicable diseases and must therefore be isolated as required by public health agencies, laboratory wastes such as pathological specimens (i.e., all tissues, specimens of blood elements, excreta, and secretions obtained from patients or laboratory animals), and disposable fomites that may harbor or transmit pathogenic organisms, and surgical operating room pathologic specimens and disposable fomites attendant thereto, and similar disposable materials from outpatient areas and emergency rooms; and
  - 3) Waste resulting from mining activities, including contaminated soil and debris.
- (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 in 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 facility - refers to any resource recovery system or component thereof: any system, program, or facility for resource conservation; any facility for the collection, source separation, storage, transportation, transfer, processing, treatment, or disposal of solid waste;
- (oo) Source reduction - refers to the reduction of solid waste before it enters the solid waste stream by methods such as product design, materials substitution, materials re-use and packaging restrictions;
- (pp) Speaker's Bureau - refer to the groups/teams who will initiate, conduct and promote the IEC campaign and advocacy of the ESWM Program;
- (qq) Special waste - refer to household hazardous waste such as paints, thinners, household batteries, lead-acid batteries, spray canisters and the like. These include waste from residential and commercial sources that comprise of bulky waste, consumer electronics, white goods, yard waste that are collected separately, batteries, oil, and tires. These waste are usually handled separately from other residential and commercial waste;
- (rr) Storage - refers to the interim containment of solid waste after generation and prior to collection for ultimate recovery or disposal;



- (ss) SWM Schematic Diagram - refers to the description of waste flow, location of support facilities, and other related activities for the appropriate handling of solid wastes for all business establishments;
- (tt) Vandalism - refers to the willful malicious destruction of public or private property;
- (uu) Vermi-composting technology - refers to the method of using night crawlers (earthworms) as processors of biodegradable wastes into compost;
- (vv) Waste diversion - refers to activities which reduce the amount of solid wastes that will be disposed of to the waste disposal facilities;
- (ww) Waste reduction - refers to the act of reducing the volume of wastes through either source reduction, waste diversion or both;
- (xx) White goods - refer to large worn-out or broken household, commercial, and industrial appliances such as stoves, refrigerators, dishwashers, clothes washers and dryers collected separately. White goods are usually dismantled for the recovery of specific materials (e.g. copper, aluminum, etc.);
- (yy) Yard waste - refer to wood, small or chipped branches, leaves, grass clippings, garden debris, vegetables residue that is recognizable as part of a plant or vegetable and other materials identified by the concerned department.

### Article 3

#### The City 10-year Ecological Solid Waste Management Plan

Section 3. The City Solid Waste Management Plan adopted and approved by the Sangguniang Panlungsod through Resolution Nos. 154 and 182, Series of 2008, is hereby incorporated by reference.

Section 4. The City Solid Waste Management Plan shall be implemented in accordance with the implementation strategies and schedule contained in the said Plan as well as implementing guidelines and mechanisms that may be formulated hereafter.

### Article 4

#### Segregation of Wastes

Section 5. The segregation of waste shall be mandatory. Segregation shall primarily be conducted at the source to include households, commercial, institutional, market areas, industrial sources, transport facilities and utilities, agricultural areas and construction business. In addition to the fine to be imposed for non-segregation as prescribed in this ordinance, unsegregated waste shall not be collected.

Section 6. Solid waste shall be segregated into the following categories:

- a) Biodegradable
- b) Recyclable
- c) Residual
- d) Special Waste (Hazardous or Toxic Waste)

Section 7. The sources of solid waste as listed above shall have separate and appropriate receptacles for each type of solid waste. The following shall be the minimum standards and requirements for segregation and storage of solid waste prior to collection:

- (a) The solid waste receptacle, depending on its use, shall be properly labeled as "biodegradable", "recyclable", "residual" or "special waste". In addition the said receptacles shall be color coded as follows:

- Biodegradable wastes = green
- Recyclable Non-Biodegradable wastes = orange
- Residual wastes = yellow
- Special wastes (Hazardous or Toxic Waste)= blue

- (b) The receptacles shall be properly covered, secured or protected to prevent spillage or scattering of the waste and to ensure its containment; and
- (c) For bulky waste, it will suffice that the same be placed in a designated area prior to collection.

Section 8. The owner or person in charge of premises containing six (6) or more residential units shall provide for the residents a designated area and containers in which to accumulate source separated recyclable materials. In addition, such owner or person in charge shall notify the residents or occupants of such premises of the requirements of segregation.

Section 9. The owners or heads of all commercial, institutional, industrial and agri-industrial establishments shall provide a designated area and containers in which to accumulate and temporarily store source-separated recyclable materials. In addition, such owner or head of the establishment shall notify all workers, employees, and entities working in the premises of the requirements of segregation.

#### Article 5 Mandatory Solid Wastes Diversion

Section 10. There shall be a diversion of thirty percent (30%) of all solid waste generated by sources in the twenty six (26) barangays within 2 years from the effectivity of this Ordinance, through re-use, recycling and composting activities and other resource recovery activities: Provided, that the waste diversion goals shall be increased every three (3) years thereafter: Provided further, That nothing in this section prohibits the barangays from implementing the re-use, recycling and composting activities designed to exceed the goal.

#### Article 6 Collection and Transport

Section 11. Segregated collection and transport of solid waste shall be mandatory. There shall be different collection schedules for the different types or categories of solid waste. The collection of different types of waste on the same schedule may be allowed, provided that, separate collection vehicles or vehicles with compartments are used.

Section 12. Requirements for the transport of solid waste:

- (a) The use of separate collection schedules and/or separate collection trucks, compactors, haulers, units shall be required for specific types of wastes. Otherwise, vehicles used for the collection and transport of solid waste shall have the appropriate compartments to facilitate efficient storing of segregated waste while in transit;
- (b) Vehicles shall be designed to consider road size, condition and capacity to ensure the safe and efficient collection and transport of solid wastes; and

- (c) The waste compartment shall have a cover to ensure the containment of solid waste while in transit.

Section 13. The following shall be the minimum standards and requirements for the collection crew:

- (a) All collectors and other personnel directly dealing with collection of solid waste shall be equipped with personal protective equipment (PPE) to protect them from the hazards of handling solid waste;
- (b) Appropriate training shall be given to collectors and personnel to ensure the sanitary and proper handling of solid wastes; and
- (c) Collection of solid waste shall be done in an efficient and proper manner to prevent damage to the receptacle and spillage or scattering of solid waste within the collection vicinity.

Section 14. A public address and/or sound system shall be installed on all collection vehicles.

Section 15. Segregated solid waste shall be brought out from the premises only during the collection schedule. Generators shall be informed of the collection schedule and the designated collection points.

Section 16. Consistent with the provisions of RA 9003, Barangay Local Government Units (BLGUs) shall be responsible for the collection and transport of the biodegradable and recyclable waste generated within their respective Barangays. For residual and special waste, the City Government shall make arrangements with the Barangay LGUs for the collection and transport of the same.

Section 17. The Barangay LGUs shall prepare their respective schedules for the segregated collection and transport of the segregated waste to be done by the Barangay LGU. The collection schedule shall be thoroughly disseminated by the respective Barangay LGUs to the sources covered by the said collection services.

Section 18. The office of the City Government responsible for waste management shall prepare the schedules for the segregated collection and transport of solid waste. The collection schedule shall be thoroughly disseminated by the City to the Barangay LGUs and all sources covered by the collection services. Residual and special wastes shall be collected by the city from the respective MRF of each barangay and brought to the city's disposal facility: Provided, that the barangay LGU with the capability to collect residual and special wastes shall perform the said services within the barangay and shall dispose the collected waste to the city disposal facility.

Section 19. Private individuals/entities/groups/cooperatives and Barangays that engage in solid wastes collection must comply with this ordinance. *Provided, That,* they are to secure accreditation from the office of the City Government responsible for waste management prior to operation to ensure that it is in accordance with this Ordinance. Provided, further that said accreditation is not equivalent to license or permit required by the city.

Section 20. Constructors, in coordination with the office of the City Government responsible for waste management shall be responsible for the disposal of construction wastes and debris.

Section 21. Owners and/or managers of business complexes, establishments, institutions and industries shall be responsible for the transport of their waste to the disposal facility. *Provided, That*, only segregated waste shall be allowed in the disposal facility.

#### Article 7 Materials Recovery and Processing

Section 22. Materials Recovery Facilities (MRF):

- a) Individual barangays or clusters of barangays shall establish a Materials Recovery Facility (MRF) for recovery and storage of recyclables and/or composting activities within six (6) months from the effectivity of this Ordinance. Barangays may also coordinate with accredited junkshops within their respective areas that will serve as the MRF of the barangay;
- b) Commercial, industrial and institutional establishments such as, but not limited to, city hall, schools, malls, markets, hospitals, churches, ports, and other major waste generators shall be required to establish operational MRFs; and
- c) The city shall establish an MRF within its sanitary landfill complex with composting facility and storage of recyclable waste recovered and delivered.

Section 23. The guidelines prescribed in Rule 11 of the Implementing Rules and Regulations (IRR) of RA 9003 shall be complied with in the establishment and operation of MRFs.

Section 24. Barangay MRF can be operated by a barangay-based cooperative, a private entity or individual, NGO, purok council, academe or by the barangay government itself or a joint venture of the mentioned entity or group.

Section 25. The office of the City Government responsible for waste management shall provide technical assistance to barangays in the design, operation and management of MRFs including linkages to the recycling sector.

Section 26. Barangay LGUs shall undertake composting of biodegradable waste collected from sources within the barangay. Barangays without adequate space for composting may enter into arrangements with other barangays, the City Government, or private entities for the composting of their biodegradable waste. Such arrangements may include the payment of fees for the services provided.

Section 27. Schools, industrial establishments and commercial establishments shall undertake composting of biodegradable waste that they generate. Those without adequate space for composting may enter into arrangements with their Barangay LGU, the City Government, or private entities for the composting of their biodegradable waste. Such arrangements may include the payment of fees for the services provided.

Section 28. As part of the implementation of the City Solid Waste Management Plan, households shall be encouraged to undertake backyard composting.

Section 29. The office of the City Government responsible for waste management shall provide technical assistance on composting to barangays, schools, industrial and commercial establishments, households, and such other generators of biodegradable waste that will undertake composting activities.

#### Article 8 Disposal

Section 30. All residual and special waste shall be disposed of in the sanitary landfill of the city.

Section 31. Private entities and waste collectors in the City may be allowed to dispose their waste in the disposal facility of the City provided, that only residual and special waste may be disposed therein. Provided, further, that tipping fees may be charged for the disposal of such waste.

#### Article 9 Education and Public Information

Section 32. The office of the City Government responsible for waste management shall develop and implement an information, education and communication (IEC) program including the creation of IEC team/s in accordance with the City 10-year Ecological Solid Waste Management Plan.

Section 33. There shall be an integration of Ecological Waste Management in the primary, elementary, and high school curricula, and as special program for college, both in government and private institutions through the Department of Education (DepEd), Technical Education Skills Development Authority (TESDA) and non-formal education. This aims to develop, enhance, and instill awareness, knowledge, attitudes, skills and participation in relation to the solid waste management program of the city.

#### Article 10 Social Marketing Strategies

Section 34. There shall be an intensive and massive information, education, advocacy campaign, and social marketing on solid waste management in the city.

Section 35. There shall be development and reproduction of modules, primers, flyers, leaflets, handouts, posters and stickers to be made available at all times for public awareness. The IEC materials may include billboards, signage and streamers at strategic locations of the twenty six (26) barangays of the city.

Section 36. Mechanisms and strategies for no plastic campaign. — The office of the City Government responsible for waste management shall formulate mechanisms and strategies for the phasing out of the use of plastic bags, plastic cups and utensils, straw and styrofoam.

Section 37. There shall be a promotion of SWM through print, broadcast, TV and cinema plugging. There shall also be literary/musical contest and waste recyclable fair during the celebrations of Environmental Month, World Earth Day and Ocean Month.

Section 38. There shall be a creation of speaker's bureau in the twenty six (26) barangays of the city.

Section 39. The CPIO shall be involved closely with the office of the City Government responsible for waste management for the social marketing activities of the program.

Section 40. There shall be a sustainable and continuing capability building for all technical staff and personnel directly involved in the planning and implementation of the solid waste management program.

Section 41. There shall be proper and close coordination by the city with concerned agencies, both national and local, NGOs, academe, private sector, business, religious, civic and other organizations to attain the goals of the solid waste management program.

Section 42. There shall be a creation of a center for the waste management program within the office of the City Government responsible for waste management where data, studies, books, references, compilations, video films, program documents, maps and other related materials will be kept and be made available for research and other similar activities.

#### Article 11 Incentives and Rewards

Section 43. The office of the City Government responsible for waste management shall develop an incentive and reward system for exemplary and innovative solid waste management practices, technologies, processes and techniques or activities in re-use, recycling, and reduction in accordance with the 10-year Ecological Solid Waste Management Plan of the city.

Section 44. Deputized volunteers shall be entitled to 10% of the fines paid for every twenty-five (25) apprehensions. The 10% incentive will be drawn from the gross amount collected where the apprehensions are undertaken.

Section 45. The barangay where the fined prohibited acts are committed shall be entitled to 50 percent of the fine collected whether apprehended by a regular or auxiliary enforcers under Section 50 of this ordinance as their share to finance the solid waste management of said barangay.

#### Article 12 Monitoring and Evaluation System

Section 46. The office of the City Government responsible for waste management shall formulate a solid waste management monitoring and evaluation system for barangays, commercial, industrial and institutional establishments.

Section 47. The office of the City Government responsible for waste management shall provide technical assistance to barangays, commercial, industrial and institutional establishments and other major point sources in the development of internal monitoring and evaluation systems.

#### Article 13 Prohibited Acts

Section 48. The following acts are prohibited and shall be penalized:

- a) Littering, throwing, dumping of waste matters in public places such as streets, roads, thoroughfares, canals, drainage, parks and plazas, establishments, churches, rivers and seas or causing or permitting the same;
- b) Non-segregation of solid waste;
- c) Non-maintenance of cleanliness and orderliness of the surroundings and road-rights-of-way of households and commercial, institutional, and industrial establishments including vacant lots, by their owners or operators or managers;
- d) Undertaking activities or operating equipment or collecting or transporting waste and other matters in violation of environmental and sanitation requirements or permits;
- e) Open burning of waste;
- f) Collecting or causing or allowing the collection of non-segregated waste;
- g) Refusing entry to the duly authorized representatives of the city while in the exercise of its visitorial powers provided in this Ordinance;
- h) The mixing of source segregated waste in any vehicle container or receptacle used in solid waste collection or disposal;
- i) Open dumping or burying of recyclable, residual, and special wastes;
- j) Bringing out of solid waste outside the collection schedule;
- k) Squatting in open dumps and landfills;
- l) Transport and dumping in bulk of collected household, industrial, commercial and institutional wastes in areas other than duly designated disposal facilities;
- m) Vandalism (consisting of defacing with graffiti or other inscribed materials, destroys and damages waste equipment and facilities);
- n) Non-provision of trash receptacles in public utility vehicles; and
- o) Violation of any other provision of this Ordinance.

Section 49. Fines and Penalties:

Specific Violations	Fines	Penalties
a. Littering, throwing, dumping of waste matters in public places such as streets, roads, thoroughfares, canals, drainage, parks and plazas, establishments, churches, rivers and seas or causing or permitting the same;	<p>1<sup>st</sup> Offense — ₱300.00; and</p> <p>2<sup>nd</sup> Offense — ₱700.00; and</p> <p>3<sup>rd</sup> Offense — ₱1,000.00; and</p> <p>4<sup>th</sup> and succeeding offenses — ₱5,000.00; and</p>	<p>Rendering one (1) hour of voluntary community service and/or two (2) hours Ecological Solid Waste Management (ESWM) orientation.</p> <p>Rendering two (2) hours of voluntary community service and/or two (2) hours ESWM orientation.</p> <p>Rendering six (6) hours of voluntary community service and/or one (1) day ESWM seminar.</p> <p>One (1) year imprisonment.</p>

<p>b. Non-segregation of waste;</p>	<p>1<sup>st</sup> Offense — ₱300.00; and</p> <p>2<sup>nd</sup> Offense — ₱700.00; and</p> <p>3<sup>rd</sup> Offense — ₱1,000.00; and</p> <p>4<sup>th</sup> and succeeding offenses — ₱5,000.00; and</p>	<p>Attendance to one (1) day ESWM seminar.</p> <p>Attendance to one (1) day ESWM seminar.</p> <p>Attendance to one (1) day ESWM seminar.</p> <p>One (1) year imprisonment.</p>
<p>c. Non-maintenance of cleanliness and orderliness of the surroundings and road right-of-way of households and commercial, institutional, and industrial establishments including vacant lots, by their owners or operators or manager;</p>	<p>1<sup>st</sup> Offense — ₱500.00; and</p> <p>2<sup>nd</sup> Offense — ₱750.00; and</p> <p>3<sup>rd</sup> Offense — ₱1,000.00; and</p> <p>4<sup>th</sup> and succeeding offenses — ₱5,000.00; and</p>	<p>Attendance to one (1) day ESWM seminar.</p> <p>Attendance to one (1) day ESWM seminar.</p> <p>Attendance to one (1) day ESWM seminar.</p> <p>One (1) year imprisonment.</p>
<p>d. Undertaking activities or operating equipment or collecting or transporting waste and other matters in violation of environmental and sanitation requirements or permits;</p>	<p>1<sup>st</sup> Offense — ₱1,000.00; and</p> <p>2<sup>nd</sup> Offense — ₱2,500.00; and</p> <p>3<sup>rd</sup> and succeeding offenses — ₱5,000.00; and</p>	<p>Attendance to one (1) day ESWM seminar.</p> <p>Attendance to one (1) day ESWM seminar.</p> <p>Cancellation of permit.</p>
<p>e. Open burning of waste;</p>	<p>1<sup>st</sup> Offense — ₱500.00; and</p> <p>2<sup>nd</sup> Offense — ₱1,000.00; and</p> <p>3<sup>rd</sup> Offense — ₱1,500.00; and</p> <p>4<sup>th</sup> and succeeding offenses —</p>	<p>Rendering one (1) hour of voluntary community service and/or two (2) hours Ecological Solid Waste Management (ESWM) orientation.</p> <p>Rendering two (2) hours of voluntary community service and/or two (2) hours ESWM orientation.</p> <p>Rendering six (6) hours of voluntary community service and/or one (1) day ESWM seminar.</p> <p>One (1) year imprisonment.</p>



	₱5,000.00; and	
f. Collecting or causing or allowing the collection of non-segregated waste;	1 <sup>st</sup> Offense — ₱500.00; and  2 <sup>nd</sup> Offense — ₱750.00; and  3 <sup>rd</sup> Offense — ₱1,000.00; and  4 <sup>th</sup> and every offenses — ₱3,000.00; and	Segregation of collected mixed waste and one (1) hour orientation.  Segregation of collected mixed waste and one (1) hour orientation.  Segregation of collected mixed waste and one (1) hour orientation.  Segregation of collected mixed waste and one (1) hour orientation.
g. Refusing entry to the duly authorized representatives of the city responsible for wastes management while in the exercise of its visitorial powers provided in this ordinance;	Every Offense: ₱3,000.00	
h. The mixing of source segregated waste in any vehicle container or receptacle used in solid waste collection or disposal;	Every Offense: ₱1,000.00; and	Segregation of collected mixed waste.
i. Open dumping or burying of recyclable, residual, and special waste;	Every Offense: ₱5,000.00	
j. Bringing out of solid waste outside the collection schedule;	1 <sup>st</sup> Offense — ₱300.00; and  2 <sup>nd</sup> Offense — ₱700.00; and  3 <sup>rd</sup> Offense — ₱1,000.00; and  4 <sup>th</sup> and succeeding offenses — ₱5,000.00; and	Rendering one (1) hour of voluntary community service and/or two (2) hours ESWM orientation.  Rendering two (2) hours of voluntary community service and/or two (2) hours ESWM orientation.  Rendering six (6) hours of voluntary community service and/or one (1) day ESWM seminar.  One (1) year imprisonment.
k. Squatting in controlled dump sites;	Every Offense: ₱ 5,000.00	

<p>l. Transport and dumping in bulk of collected household, industrial, commercial and institutional wastes in areas other than duly designated disposal facilities of the city;</p>	<p>1<sup>st</sup> offense - ₱5,000.00; and 2<sup>nd</sup> offense and succeeding offenses – ₱5,000.00; and</p>	<p>Imprisonment of not less than 15 days but not more than 6 months and cancellation of permit.</p>
<p>m. Vandalism and Destruction (consisting of defacing with graffiti or other inscribed materials, destroys and damages waste equipment and facilities);</p>	<p>Every Offense: ₱5,000.00; and</p>	<p>One (1) year imprisonment.</p>
<p>n. Non-provision of trash receptacles in public utility vehicles;</p>	<p>1<sup>st</sup> Offense — ₱300.00; or  2<sup>nd</sup> Offense – ₱700.00; and  3<sup>rd</sup> Offense – ₱1,000.00; and  4<sup>th</sup> and succeeding Offenses – ₱5,000.00; and</p>	<p>Rendering one (1) hour of voluntary community service and/or two (2) hours ESWM orientation.  Rendering two (2) hours of voluntary community service and/or two (2) hours ESWM orientation.  Rendering six (6) hours of voluntary community service and/or one (1) day ESWM seminar.  One (1) year imprisonment.</p>
<p>o. Violation of any other provision of this Ordinance.</p>	<p>1<sup>st</sup> Offense – ₱300.00; and  2<sup>nd</sup> Offense – ₱700.00; and  3<sup>rd</sup> Offense – ₱1,000.00; and  4<sup>th</sup> and succeeding offenses – ₱5,000.00; and</p>	<p>Rendering one (1) hour of voluntary community service and/or two (2) hours ESWM orientation.  Rendering two (2) hours of voluntary community service and/or two (2) hours ESWM orientation.  Rendering six (6) hours of voluntary community service and/or one (1) day ESWM seminar.  One (1) year imprisonment.</p>

If the violator is a corporation, firm, business establishment, or other juridical entity, the penalty shall be imposed upon the owner, president, manager, director or person responsible for the operations thereof. For residential units, the penalty shall be imposed on the owner or head of the residence.

For business establishments that commit violations repeatedly, their business permits shall be suspended or cancelled by the Mayor's Office.

Section 50. Administrative Sanctions. - Officials and employees of the city and barangays who fail to comply with and enforce the provisions of this ordinance will be charged administratively pursuant to the Local Government Code of 1991.

#### Article 14 Enforcement Mechanisms

Section 51. The office of the City Government responsible for waste management or its duly authorized representatives shall have access to, and the right to copy therefrom, the records required to be maintained pursuant to this Ordinance. The office responsible for waste management or its duly authorized representatives shall likewise have the right to enter the premises of any generator, recycler or manufacturer, or other facilities any time to question any employee or investigate any fact, condition or matter which may be necessary to determine any violation, or which may aid in the effective enforcement of this ordinance and its implementing rules and regulations. This Section shall not apply to private dwelling places unless the visitorial power is otherwise judicially authorized.

Section 52. A citation ticket shall be issued to violators of the provisions of this Ordinance. The citation ticket to be used shall be in accordance with that prescribed form under City Ordinance No. 12, Series of 2003.

Section 53. An Enforcement Unit shall be created under the office responsible for waste management which shall be primarily responsible for the enforcement of the provisions of this Ordinance. The members of the Enforcement Unit shall have the power to apprehend violators of this Ordinance and issue citation tickets.

Section 54. The deputation of selected members of the community as enforcers shall be allowed to encourage community participation in the enforcement of this Ordinance. These deputized enforcers may include, but shall not be limited to, selected members of the City Solid Waste Management Board, barangay officials and tanods, purok officials, members of the academe and representatives of civic organizations, non-government organizations, people's organizations and similar associations. These deputized enforcers shall be mainly responsible in monitoring compliance with the provisions of this Ordinance and reporting violations to the Enforcement Unit under the Office responsible for waste management. Selected deputized enforcers may also be authorized by the City Mayor to apprehend violators and issue the corresponding citation tickets.

Section 55. The following are to be deputized as Ecological Solid Waste Management (ESWM) enforcers with the following classifications, to wit:

- (a) Regular — Created regular position whose principal function is to educate constituents and enforce this ordinance and other related mandates;

- (b) Auxiliary — Other personnel of the city who will be given additional function of enforcing this Ordinance. They are the barangay officials, job orders, traffic enforcers, purok chair, sanitary and health officers, Civil Security Unit, Philippine National Police and other city government employees;
- (c) Volunteers — They are the residents of the city who are committed to assist in enforcing this ordinance in a voluntary manner. They are the purok officials, members of civic and religious organizations, NGOs, private sector, Barangay Health Workers, academe, dispatchers, barangay tanods, senior citizens, women's group, officers of market vendors' association, and others who are willing to volunteer themselves.

Section 56. The following shall be the qualifications of Regular Enforcers:

- a. At least high school graduate
- b. Secure character reference
- c. Able to read and write
- d. Secure clearances from Purok, Barangay and Police
- e. Undergo health and drug testing
- f. Must be a resident of the city for at least 1 year

Section 57. The following shall be the duties and powers of enforcers based on classifications:

a) Regular Enforcer

- 1. Apprehend violators and issue citation tickets
- 2. Prepare reports
- 3. Serve as source of basic SWM information and contributes to the IEC efforts of the LGU
- 4. Inspection and Monitoring

b) Auxiliary Enforcer

- 1. Apprehend violators and issue citation tickets for selected auxiliary enforcers
- 2. Prepare reports
- 3. Serve as source of basic SWM information and contributes to the IEC efforts of the LGU
- 4. Inspection and monitoring

c) Volunteer Enforcer

- 1. Serve as source of basic SWM information and contributes to the IEC efforts of the LGU
- 2. Informants of violation

Section 58. All enforcers shall be required to undergo intensive training on enforcement before they are deputized and allowed to enforce this Ordinance. Only those applicants who complete and pass the trainings shall be deputized as enforcers by the City Mayor. The Office responsible for waste management shall organize the trainings for enforcers.

Section 59. The Office responsible for waste management shall formulate the strategies for enforcement of this Ordinance.

Article 15  
Additional Requirements for Business Permits & Licenses

Section 60. No business and/or license shall be issued or renewed without clearance from the office responsible for the solid waste management.

Section 61. Owners and/or operators of industrial, institutional, commercial, transport facilities, market areas, agricultural, and construction businesses shall be required to prepare and submit a Process Flow on Waste Management to the office of the City Government responsible for solid waste management. No business permit and/or license shall be issued or renewed without the said process flow.

Article 16  
Financing Solid Waste Management

Section 62. There is hereby created, as a special Account, a City Solid Waste Management Fund to be administered by the City Solid Waste Management Board. Such fund shall be sourced from the following:

- a) Collected fees for solid waste management services;
- b) Fines and imposition under this ordinance;
- c) Proceeds from issuance of certification as provided in section 61;
- d) Endowments, grants, contributions from domestic and foreign sources;
- e) Amounts specially appropriated for the fund under the Local Annual Appropriations/Budget.

The Solid Waste Management Board shall develop the guidelines for the fund administration.

Section 63. The fund shall be used to finance the following:

- a) Products, facilities, technologies and processes to enhance proper solid waste management;
- b) Awards and incentives;
- c) Research and development programs;
- d) Social marketing campaign;
- e) Monitoring and evaluation activities; and
- f) Capability building activities.

*Provided, That,* the fund utilization is based on the city's approved solid waste management plan. Specific criteria for the use of fund as well as the process for availing the fund shall be prepared by the City Solid Waste Management Board. In no case, shall the fund be used for the creation of positions or payment for salaries and wages.

Article 17  
Appropriation

Section 64. To effectively carry out the implementation of the City Solid Waste Management Plan and the enforcement of this Ordinance, the city government shall include in its annual appropriation sufficient amount for this purpose.

### **Chapter IX** Vandalism and Malicious Mischief<sup>9</sup>

Section 1. That it shall be an act of malicious mischief for any person or persons to willfully destroy, induce or abets the destruction of plants, trees, tree guards, garbage containers and other beautification improvement.

Section 2. Any person or person caught violating this ordinance shall be subject to a fine of five hundred pesos (P500.00) without prejudice to the reparation of damage.<sup>10</sup>

### **Chapter X** Schedule of Dumping of Garbage at Public Market<sup>11</sup>

Section 1. The dumping hours at the designated points of the public market shall be at 3:00 A.M. to 5:00 A.M. only.

Section 2. In violation of this Ordinance shall subject the offender/s to a fine of One Thousand Pesos (P1,000.00).

### **Chapter XI** Utilization of Rain Water<sup>12</sup>

Section 1. Short Title. – This Ordinance shall be known as the “General Santos City Rainwater Ordinance of 2011”.

#### **Article I** **DECLARATION OF POLICY**

Section 2. Declaration of Policy. – It is the policy of the City of General Santos that sustainable development shall be pursued within the context of a balanced and healthful ecology through the proper use of natural resources giving due consideration to the protection and conservation of the environment and adapt to the impact of climate change. Towards this end, the City of General Santos shall:

- a. Promote the proper harvesting, storage and utilization of rainwater as a viable alternative source of water supply primarily for non-potable use including domestic usage for flushing of toilets, general cleaning, washing of clothes, urban agriculture, landscape irrigation and supplemental water source for industrial, commercial, institutional and agricultural usage;

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<sup>9</sup>[Ordinance No. 25, Series of 1960](#), as amended by [Ordinance No. 27, Series of 1988](#).

<sup>10</sup>Section 1 of [Ordinance No. 27, Series of 1988](#).

<sup>11</sup>[Ordinance No. 27, Series of 1987](#), as amended by [Ordinance No. 16, Series of 1993](#).

<sup>12</sup>[Ordinance No. 02, Series of 2011](#).

- b. Promote the proper harvesting, storage and utilization of rainwater to reduce the effects of storm water peak flow and surface runoff and siltation that will contribute in the reduction or mitigation of flooding and reduction of erosion of canals and deposit of silt loads on local roads and non-point source in urban areas; and
- c. Encourage and support the adoption and development of appropriate technology related to rainwater utilization by medium to large size commercial, institutional and industrial establishments, including medium to high-end residential subdivisions, which are primarily consuming high volume of freshwater.

Article II  
DEFINITION OF TERMS

Section 3. Definition of Terms. – As used in this Ordinance, the following terms shall mean:

- 1. Agricultural Plantation – refers to agricultural farm planting for commercial purposes;
- 2. Catchment Surface – the collection surface from which rainfall runs off;
- 3. Cluster-type Rainwater Catchment System – type of structure that serves as the common system for a group of persons;
- 4. Commercial or Industrial Establishments – private buildings like malls, hotels, factory, plantations, and the like;
- 5. Communal-Type or Cluster-Type of Rainwater Catchment System – type of structure that serves as the common system for a community;
- 6. Filter – is the act of removing dirt or any matter suspended in the water by passing it through a porous article or mass;
- 7. Gutter and Downspout – structures made to channel water from the roof to the tank;
- 8. Leaf Screens, First Flush Diverters and Roof Washers – components of the treatment and disinfection sub-system of the rainwater harvesting system that remove debris and dust from the captured rainwater before it goes to the tank;
- 9. Mass Media - those channels of communication especially newspapers, popular magazines, radio, television, and internet (worldwide web) that reach a large number of people;
- 10. Private Building – refers to a structure which is not owned by the government;
- 11. Public Building – refers to a structure owned by either the local or the national government, including those owned by Government-Owned and Controlled Corporations (GOCCs) with or without original charters;
- 12. Rain or Rainwater – drops of freshwater that falls as precipitation from clouds or a type of precipitation as a product of the condensation of atmospheric water vapor that is released on the Earth’s surface;
- 13. Rainwater Catchment System (RCS) – hereinafter referred to as “RCS”, comprises the structure and the process of maintaining the system. The structure consist of the catchment area (roof, platform, ground, or any surface identified), the conveyance (gutter pipes, etc.) and the cistern (storage or tank). The processes for maintaining water quality, process to determine water adequacy and special processes which include, but not limited to, multi-storey, mix system, multi-use design and processes;
- 14. Rainwater Harvesting – the proper capture of rain water, storage and use;
- 15. Sewerage – refers to the removal of surface water and water matter by sewers;

16. Sewers – refers to a pipe or drain, usually underground used to carry off water and waste matter;
17. Storage Tanks or Cistern – the container where the harvested rainwater is stored; and
18. Tax Rebate – refers to a deduction in taxes or tax credits that may be granted to qualified persons or entities for complying with the RCS requirements.

### Article III RAINWATER CATCHMENT SYSTEM

Section 4. Basic Components of Rainwater Catchment System. – A Rainwater Catchment System or RCS is composed of five basic components, namely: collection system (catchment surface); conveyance system (gutters and downspout); storage system (storage tanks); treatment and disinfection system (leaf screen, first flush diverters, roof washers); and drainage/sewerage system (rainwater and storm water drains).

Section 5. Classification. – Rainwater harvesting system in General Santos City is classified based on the size and nature of catchment surface and based on whether the systems are urban and rural settings as follows:

- (a.) Small size RCS of individual residential and other types of buildings with a catchment surface equal to or less than fifty (50) square meters;
- (b.) Medium to large size RCS of residential buildings, including commercial, institutional, industrial and agriculture establishments with a catchment surface greater than fifty (50) square meters;
- (c.) RCS for apartments, duplex or multi-storey buildings in urbanized areas;
- (d.) RCS with pervious or impervious catchment surfaces.

Section 6. RCS in Public and Private Buildings. – All construction of new commercial and industrial buildings, including major renovations and expansions of existing public and private buildings, must include an RCS which must be integrated in existing government buildings, specially public schools and public markets. Owners of other existing private buildings are encouraged to install RCS.

Section 7. RCS in Concrete Residential Buildings. – The developers or owners, including the homeowners' associations of new concrete residential building units shall install a Communal or Cluster-Type RCS. Owners of existing concrete residential building units are encouraged to set-up their own RCS upon the effectivity of this Ordinance.

Section 8. RCS in Agricultural Plantations. – RCS or Small Water Impounding Systems (SWIS) shall be integrated in newly-established agricultural plantations. RCS or SWIS are encouraged to be built in existing agricultural plantations upon the effectivity of this Ordinance.

Section 9. Other Priority Farms. – The Office of the City Agriculturist shall identify priority farms in the agricultural sectors, other than agricultural plantations, which shall also be encouraged to put-up RCS or Small Water Impounding System (SWIS), whichever is appropriate.

### Article IV MULTIPLE USES OF HARVESTED RAINWATER



Section 10. General Statement on Multiple Utilization of Harvested Rainwater.-

- a) To conserve water as well as energy, harvested rainwater stored in tanks and cistern shall be used as additional water for non-health purposes such as for toilet flushing, general cleaning, gardening, laundry, car washing, fire fighting, and construction. Use of such stored water for drinking should be with much caution. The Department of Health (DOH) shall be the recognized agency for water quality tests needed to warrant the potability of the stored water;
- b) To reduce run off and flooding in sealed ground surfaces, proprietors of such areas must have rainwater drainage/catchment systems that should recycle the run off and not create nuisance in other places; and
- c) To increase the holdback capacity of water, reduce run off and soil erosion, contain effluents, as well as augment farm water supply; agricultural areas must have ground basins or structures that should catch rainwater.

Section 11. Non-Potable Use. – The harvested rain in residential, commercial, industrial, or institutional establishments, farms shall be used for flushing of toilets, general cleaning, washing of clothes and landscape irrigation.

Section 12. Urban and Rural Agriculture, Backyard and Commercial Animal Raising.– Significant volume of water harvested from the rain can supply the water requirement for sanitation and general cleaning of urban agriculture, backyard, commercial animal raising and crop production.

Section 13. Potable Use. – Unless adequately treated, filtered or boiled harvested rainwater shall not be used for drinking. The City Health Office, the Department of Health, or its accredited laboratories shall be the recognized entities for water quality tests needed to warrant potability of the stored rainwater.

Article V  
MANDATORY PROVISION OF RCS

Section 14-A. RCS as a Requirement in the Issuance of Building Permit from the office of the Building Official. - The establishment of RCS shall be a mandatory requirement in the issuance of a new building permit for the establishment of private or public building. The Office of the Building Official shall prepare guidelines on the classification of buildings according to type of occupancy, which shall be required to put-up RCS with corresponding capacities.

Section 14-B. RCS as a Requirement in the Issuance of Development Permit for Subdivisions.

Article VI  
MANDATORY DESIGN OF RAINWATER HARVESTING  
AND FLOOD CONTROL SYSTEM IN URBAN AREA

Section 15. Design Integration of the Proper Harvesting, Storage and Utilization of Rainwater. – The proper harvesting, storage and utilization of rainwater shall be integrated with the proper design, construction and maintenance of drainage systems that will imitate the natural hydrology of the developed site.

Section 16. Design Integration for Roads, Open Air Parking Area, Recreational and Sports Facilities Including Large Open Areas on Establishments. – Pervious and impervious surfaces in roads, open air parking area, recreational and sports facilities, including large open areas on institutions or establishments especially in urbanized areas shall be designed to catch rainwater which will reduce storm water peak flow and surface runoff that will contribute to the reduction or mitigation of local flooding and erosion of canals and enhance the quality of surface water in urban areas.

#### Article VII

#### THE CITY ENGINEER'S OFFICE AS THE IMPLEMENTING AGENCY

Section 17. The City Engineer's Office and the Office of the City Planning and Development Coordinator. – The City Engineer's Office of General Santos shall be the primary agency in the implementation of the provisions of this Ordinance. The City Planning and Development Coordinator's Office shall provide technical support to the City Engineer's Office.

Section 18. Technical Assistance Services. – The City Engineer's Office shall provide technical assistance/services to households, commercial and industrial establishments and institutions in complying with the provisions of this Ordinance.

Section 19. Simplified Technical Manual. – The City Engineer's Office shall formulate a simplified technical manual on planning and development of rainwater harvesting system which include the design, construction, operation and maintenance of the RCS, water quality testing and treatment, water balance, system sizing, rainwater harvesting guidelines and cost estimation.

Section 20. Comprehensive Rainwater Management Information and Education. – The Sustainable Waste Management Board shall adopt strategies that will extensively promote and advocate rainwater harvesting particularly in providing a comprehensive information and education on the advantages and benefits of rainwater harvesting.

Section 21. Research and Development. – The Sustainable Waste Management Board shall collaborate with the academe, professional organizations, and other entities in the research and development of appropriate technology in harvesting rainwater for all types of RCS.

Section 22. Mass Media Campaign on Rainwater Education. – The Sustainable Waste Management Board, in partnership with the City Public Information Office and the various media organizations, shall prepare and implement a mass media plan for a regular information dissemination campaign and advocacy of the provisions of this Ordinance.

#### Article VIII

#### TAX REBATES AND OTHER INCENTIVES

Section 23. Subsidies and Tax Rebates. – The City Treasurer's Office, with the assistance of the City Engineer's Office and City Agriculturist's Office, shall prepare guidelines on the grant of subsidies and tax rebates to owners of existing agricultural, residential, industrial, and commercial buildings or plantations upon installation of an RCS in compliance with this Ordinance. The guidelines shall be submitted to the Sangguniang Panlungsod for approval.

Article IX  
ECOLOGICAL AND SEALING FEES

Section 24. Ecological Fee. – The City Treasurer’s Office, with the assistance of the City Engineer’s Office, shall prepare guidelines on the fees to be collected from the owners of buildings without appropriate RCS considering the volume of water withdrawn from the water utility that are used for non-potable purpose and the volume of untreated water discharged to the manmade and natural waterways. The same shall be submitted to the Sangguniang Panlungsod for approval.

Section 25. Sealing Fee. – In addition, the City Treasurer’s Office together with the City Engineer’s Office shall formulate guidelines on the fees to be collected for the areas sealed or to be sealed due to the development of a site such as roads, open air parking area, sports and recreational facilities and the like considering the volume of the surface runoff and the untreated water discharged to the manmade and natural waterways. The same shall also be submitted to the Sangguniang Panlungsod for approval.

Article X  
MONITORING AND EVALUATION

Section 26. Monitoring.– The City Planning and Development Office shall establish an update database on all RCS in General Santos City.

Section 27. Evaluation.– After the effectivity of the Ordinance, the Office of the City Planning and Development Coordinator shall prepare a report on the impact of rainwater harvesting, including the management of freshwater resources of the City, the reduction or mitigation of local flooding and erosion of canals, and the enhancement in the quality of surface water.

Article XI  
PENAL PROVISIONS

Section 28. Penalties. – (a.) Any residential, commercial or industrial establishment found violating any of the provisions of this Ordinance shall be given a notice to comply for a period of six (6) months;

- b. If any residential, commercial or industrial establishment fails to comply despite such notice, a penalty of Five Hundred Pesos (₱500.00) shall be imposed to the owner of residential establishment and One Thousand Pesos (₱1,000.00) to commercial or industrial establishment;
- c. After five (5) months of refusal to abide with the said provision despite notice and initial fine, a maximum fine of Five Thousand Pesos (₱5,000.00) shall be imposed to residential, commercial or industrial establishment;
- d. For the continued refusal to abide by any of the said establishments, a fine of One Thousand Pesos (₱1,000.00) shall be imposed every month thereafter until compliance with the provision of this Ordinance;
- e. If the violator is a corporation or partnership or cooperative the president or manager shall be liable thereof;
- f. Where the violator of this Ordinance does not contest his or her apprehension and elect to pay the fine imposed under the preceding paragraph, the enforcement officer shall forthwith issue citation ticket to the person apprehended

without resort to the Court. The citation ticket shall state or contain (a.) the name, age and address of the person apprehended, (b.) the material facts obtaining in the commission or omission of the crime defined and penalized under this Ordinance, (c.) the amount of fine which is payable in favor of the City Government of General Santos, (d.) notice requiring the person apprehended for extra-judicial settlement of his or her violation by paying the prescribed amount of fine at the Office of the City Treasurer within seventy-two (72) hours from issuance thereof, otherwise, appropriate complaint shall be filed against him/her before the court of law.

## Article XII FINAL PROVISIONS

Section 29. Moratorium on Existing Commercial or Industrial Establishments on Mandatory Provision of RCS. – Existing residential, commercial or industrial establishments without RCS shall establish its own RCS within five (5) years for commercial or industrial, and two (2) years for residential from the effectivity of this Ordinance.

Section 30. Implementing Rules and Regulations. – The Office of the City Mayor and the Sustainable Waste Management Board shall formulate and issue rules and regulations for the effective implementation of this Ordinance within three (3) months from effectivity hereof.

Section 31. Utilization of Ecological and Sealing Fees. – The collected ecological and sealing fees shall be used for the granting of incentives for compliance with this Ordinance including programs or projects for the improvement of freshwater resources in the City.