

**ORDINANCE NO. \_\_\_\_\_**  
**Series of 2015**

**WHEREAS**, Article II, Section 16 of the Philippine Constitution provides:

“The State shall protect and advance the right of the people to a balanced  
And healthful ecology in accord with the rhythm and harmony of nature”;

**WHEREAS**, Section 16 of the Local Government Code (RA 7160) also provides:

“Section 16. General Welfare. – Every Local Government Unit shall exercise the power expressly granted, those necessarily implied therefrom, 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. Within their respective territorial jurisdictions, Local Government Units shall ... promote health and safety, enhance the right of the people to a balanced ecology, maintain peace and order, and preserve the comfort and convenience of their inhabitants.”

**WHEREAS**, Section 16 of Republic Act (RA) No. 9003, otherwise known as the “Philippine Ecological Solid Waste Management Act of 2000,” states that, “The province, city or municipality, through its local solid waste management boards, shall prepare its respective 10-year solid waste management plans consistent with the National Solid Waste Management Framework: *Provided*, That the waste management plan shall be for the reuse, recycling and composting of wastes generated in their respective jurisdictions: *Provided, further*, That the solid waste management plan of the LGU shall ensure the efficient management of solid waste generated within its jurisdiction”;

**WHEREAS**, Section 4, Rule XIX of the Implementing Rules and Regulations (IRR) of Republic Act No. 9003 emphasizes that local government units shall be required to legislate appropriate ordinances to aid in the implementation of this and in the enforcement of its provisions; provided, such ordinances shall be formulated pursuant to relevant provisions of R.A. No. 7160;

**WHEREAS**, Section 23.c of the General Santos City Ecological Solid Waste Management Ordinance of 2008 stipulates that the city shall establish a Materials Recovery Facility (MRF) within its sanitary landfill complex with composting facility and storage of recyclable waste, recovered and delivered;

**WHEREAS**, the widespread use of plastic bags, plates, cups and polystyrene containers have become an ecological problem for the city for these non-biodegradable materials are difficult to dispose, usually turning up in our esteros, canals, riverbanks, sea coast, and other bodies of water, blocking our sewage system and clogging the drainage which eventually cause flooding we experience every time there is a heavy downpour;

**WHEREAS**, data from the Department of Environment and Natural Resources (DENR) show that more than 80% of the garbage retrieved from the country's shoreline is made up of non-biodegradable materials such as plastic and rubber and about half of these are plastics which take as much as 20 years before they decompose and which have become a global threat to our environment;

**WHEREAS**, this city council recognizes that due to their harmful effect to the environment, there is a need to regulate the use of plastic to prevent their unnecessary proliferation as well as to institute measures designed to reduce the volume of plastic bags in the environment, dumpsite, and sanitary landfill;

**WHEREAS**, recycling of waste plastics will help decrease the amount of post-consumer plastics diverted to the City Sanitary Landfill thereby freeing up space for biodegradable wastes and reducing long-term costs of landfill operation and maintenance;

**WHEREAS**, products made out of recycled plastic may be sold to and/or utilized by local communities providing a sustainable strategy for end-of-life waste management of plastic products;

**WHEREAS**, the council recognizes that there is an urgent need to promote and practice material recycling as a priority solution in waste processing, upholding the principles of sustainability and making them functional and meaningful;

**NOW, THEREFORE**, on motion of City Councilor Elizabeth B. Bagonoc, duly seconded by \_\_\_\_\_, be it -

**RESOLVED**, as it is hereby resolved to enact the following Ordinance:

**AN ORDINANCE ESTABLISHING THE GENERAL SANTOS CITY PLASTIC RECYCLING FACILITY AND PRESCRIBING THE GUIDELINES FOR ITS OPERATION**

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**HON. ELIZABETH B. BAGONOC, MDMG, DPA - Author**

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Section 1. Short Title. - This Ordinance shall be known as “The General Santos City Plastic Recycling Facility Ordinance.”

Section 2. Definition of Terms. – As used in this ordinance, the following terms are defined:

- a. Plastic – a material consisting of any of a wide range of synthetic or semi-synthetic organics that are malleable and can be molded into solid objects of diverse shapes. Plastics are typically organic polymers of high molecular mass, but they often contain other substances. They are usually synthetic, most commonly derived from petrochemicals but many are partially natural.
- b. Commingled Soft Plastics – a mixture of flexible plastic items e.g. grocery bags, “sando” bags, shampoo sachets, sandwich bags and the like that may be made of different plastic resins such as polyethylene and polyethylene terephthalate.
- c. Plastic Recycling – the process of recovering scrap, post-consumer or waste plastic and reprocessing the material into useful products, sometimes completely different in form from their original state.
- d. Plastic Recycling Facility – plant or factory where plastic recycling takes place.

Section 3. Description of the Plastic Recycling Technology – The technology mainly involves densification of commingled soft plastics by melting them at a controlled heating temperature. The resulting molten waste plastic is molded by casting into metal molds and then shaped and assembled into school chairs, benches and planks for flooring, decking and pathways.

Section 4. Operation. – The facility shall comply with and observe the following operational requirements:

a. General Requirements. - The plastic recycling facility (henceforth abbreviated to “facility”) shall contain equipment and machinery designed, constructed and/or installed in accordance with the specific type of plastic being processed. The facility shall operate the recycling process that include, but are not limited to the collection, sorting, separation, cleaning, size reduction and melting of recovered plastics which will be repurposed for beneficial use.

Installations and machinery shall strictly adhere to the specifications of the equipment manufacturer and the recycling facility operator. Authorized competent and experienced personnel shall inspect the facility prior to its use to ensure that the site, infrastructure, activities performed and machinery contained therein adhere to operational and applicable government regulatory requirements.

b. Safety Procedure. - The facility operator shall ensure that the plant is strictly in compliance with laws and regulations that provide for worker safety and well-being in order to reduce the incidence of worker injury and liability costs associated with it. The Occupational Safety and Health Standards, promulgated in 1978 and amended in 1989, shall be observed at all times.

c. Training of Facility Personnel. - All personnel involved in the commissioning, operation and maintenance of the facility shall be trained in the proper identification, sorting, segregation and preparation of recyclable plastics and in the operation and maintenance of machinery and equipment.

Section 5. Logistical Support. - The facility personnel shall be provided by the City Waste Management Office, subject to budgetary, logistical and training requirements. Operating and capital expenses shall be sourced from the General Fund.

Section 6. Duties and Functions of the Facility Personnel. – The facility personnel shall undertake the following:

- a. Operate the plastic recycling facility;
- b. Conduct preventive maintenance on machinery, equipment and premises;
- c. Submit monthly report of facility recycling ratio, production and output utilization;

The City Waste Management Office (WMO) shall be the main implementing office of the Ordinance. It shall conduct regular monitoring and inventory of the facility's operation and production. It shall conform to best practices and industry standards in plastic recycling as well as operation, occupational and safety standards prescribed in the Occupational Safety and Health Standards issuance of the Department of Labor and Employment (DOLE).

Section 7. Facility Product Utilization. – The Office of the City Mayor shall determine and decide how to utilize the products of the plastic recycling facility whether they are going to be sold to the open market or donated to institutions.

Section 8. Implementing Rules and Regulations – The Office of the City Mayor and the City Waste Management Office shall formulate and issue the Implementing Rules and Regulations of this Ordinance within fifteen (15) working days after the approval of this Ordinance.

Section 9. Separability Clause. – If, for any reason, this Ordinance or parts hereof be declared unconstitutional or invalid by a competent court, other parts or provisions thereof not affected shall remain in full force and effect.

Section 10. Repealing Clause. – All ordinances, issuances, rules and regulations inconsistent with the provisions of this Ordinance are hereby repealed or modified accordingly.

Section 11. Effectivity Clause. - This Ordinance shall take effect fifteen (15) days after its publication in a newspaper of general circulation within the City of General Santos.