



Republic of the Philippines
PROVINCE OF ZAMBOANGA DEL SUR
Municipality of Molave

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OFFICE OF THE SECRETARY TO THE SANGGUNIANG BAYAN

PROVINCE OF ZAMBOANGA DEL SUR

EXCERPT FROM THE MINUTES OF THE 59th REGULAR SESSION OF THE SANGGUNIANG BAYAN (11th MUNICIPAL COUNCIL UNDER THE LGC OF 1991) OF THE MUNICIPALITY OF MOLAVE, PROVINCE OF ZAMBOANGA DEL SUR HELD AT THE SB SESSION HALL ON SEPTEMBER 19, 2023 AT 9: 00 A.M.

Officers/Members	Position	Present	Absent	Remarks
Hon. Monalisa J. Glepa	Mun. Vice Mayor	✓		P.O
Hon. Desiderio L. Jabello	SB Member	✓		
Hon. Cornelio R. Salinas	SB Member	✓		
Hon. Joel M. Geromo	SB Member	✓		
Hon. Zadrac S. Bermejo	SB Member	✓		
Hon. Jacosalem A. Perong, Jr.	SB Member	✓		
Hon. Jonathan S. Uy	SB Member	✓		
Hon. Illuwil D. Orbita	SB Member	✓		
Hon. Ricardo P. Golez	SB Member	✓		
Hon. Sharon B. Amigo, LNB Pres.	Ex-Officio Member	✓		
Hon. Ma. Ana Grace P. Oyao, SKF Pres.	Ex-Officio Member	✓		

MUNICIPAL ORDINANCE NO. 11TH-48-2023

Sponsor: Hon. Cornelio R. Salinas

AN ORDINANCE IMPOSING A SINGLE USE PLASTIC REGULATION AND PROHIBITION ORDINANCE FOR A ZERO WASTE MOLAVE.

BE IT ORDAINED by the Sangguiang Bayan of Molave, Zamboanga del Sur, that:

ARTICLE I

TITLE

SECTION 1. TITLE. This ordinance shall be known as the "Single Use Plastic Regulation and prohibition for a Zero Waste Molave".

SECTION 2. DECLARATION OF POLICY. It is hereby declared the policy of Molave, Zamboanga del Sur:

- To ensure the protection of the environment;
- To regulate the sale, distribution and use of single-use plastics;
- To encourage the use of reusable products by discouraging disposable plastic products;
- To initiate programs geared towards a sustainable utilization of natural resources;
- To implement waste reduction plans, programs, and practices within the municipality;
- To enhance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature;
- To recognize the principle that "polluters must pay";
- To instill upon the citizenry that a clean and health environment is a concern of everybody.

SECTION 3. DEFINITION OF TERMS. For the purpose of this ordinance the following terms are defined as follows:

- Bioplastic* – refers to plastic made from plant or other biological material instead of petroleum. It can either be made by extracting sugar from plants like corn and sugarcane to convert into polylactic acids (PLAs), or it can be



Cernys

made from polyhydroxyalkanoates (PHAs) engineered from microorganisms.

- b) *Biodegradable plastic bags* – defined as a plastic bag made of compostable material that biodegrades through the action of naturally occurring microorganisms such as bacteria and fungi that exhibits a ninety percent (90%) biodegradation rate in less than six months during which organic carbon is converted to carbon dioxide without leaving significant harmful residues, and that is certified by a national certifying body as meeting this definition.
- c) *Biodegradable Wastes* – refer to food waste, kitchen wastes and garden wastes good for composting to produce organic fertilizer, households, establishments and barangays are responsible for the proper management of these wastes.
- d) *Cello bags* – locally called "selopin" refers to the plastic transparent thin-gage bags used as primary packaging medium that is also widely used as cooked food packaging for mobile food vendors, carenderias and restaurants.
- e) *Dry goods* – refers to any product that do not require refrigeration/freezing to maintain freshness such as textiles, clothing, school supplies, grocery goods, etc.
- f) *Eco-bag* – it is an alternative to single-use paper or plastic bag, often made from fabric such as canvass, natural fibers such as jute, woven synthetic fibers, or a thick plastic that is more durable than disposable plastic bags, allowing multiple use.
- g) *Environmental Service* –shall refer to an environmental protection related service that a violator may voluntarily perform to avail of the benefits of Section 18 including, but not limited to, clean up activity, greening and tree planting activity, solid waste management activity, wastewater management activity, or Materials Recovery Facility (MRF) Service. Environmental Service is not a penalty.
- h) *Lack of commercially available alternatives* – is the non-availability of non-plastic single-use plastic products under Section 5 hereof in sufficient quantity required for a specific event, occasion, or for a specific period of business operation.
- i) *Misdeclaration of quantity of single-use plastic product distributed and/or used* – as used in this ordinance shall refer to an intentional declaration of a lesser quantity of distribution or usage of single-use plastic products enumerated under Section 7 hereof in the "plastic usage and disposal audit report" from the actual quantity used and/or distributed by substituting used single-use plastic products with undeclared regulated items to create and report a surplus in the end inventory or single-use plastic for the specific event, occasion, or period granted under the SPECIAL PERMIT TO DISTRIBUTE AND/OR USE SINGLE-USE PLASTIC PRODUCTS".
- j) *Newspaper wraps* – refers to wrappers made from old newspapers and ideally used for dry goods.
- k) *Non-biodegradable wastes* – non-compostable wastes which include single use plastic bags, plastic packaging, disposable cups and glasses, styrofoams, cloths, slippers, shoes and the likes.
- l) *Non-declaration of single-use plastic product to be distributed and/or to be used* – as used in this ordinance shall refer to the non-declaration of all the



types of regulated items to be used and /or distributed by an applicant for a special permit to DISTRIBUTE AND/OR USE SINGLE-USE PLASTIC PRODUCTS.

- m) *Oxo-degradable bags or the so-called bio-degradable bags sold by some suppliers that only break down into small plastic fragments without biodegrading carbon to carbon dioxide at or before the specified biodegradation rate and within the time frame specified in the definition. Oxo-degradable bags contains catalysts (often a toxic metal) that help the plastic fragment into small particles, these micro-plastic fragments can accumulate toxic substances from the environment and can move in the food chain.*
- n) *Person(s) –shall refer to any being, natural or juridical, susceptible of rights and obligations, or of being the subject of legal relations.*
- o) *Plastic bags – also known as sando bags, pouch, plastic shopping bags and plastic film bags. It is a type of flexible packaging material which is made of polyethylene plastic film that is used for containing and transporting food and other products (commercial or industrial).*
- p) *Plastic usage and disposal audit report – shall refer to the report submitted by a permittee of a SPECIAL PERMIT TO DISTRIBUTE AND/OR USE SINGLE-USE PLASTIC PRODUCTS within seven (7) days from the end of the occasion, event or specific period granted for the distribution and/or use of single –use plastic product enumerated under Section 7 hereof.*
- q) *Primary packaging – refers to packaging that is in direct contact with the goods or products e.g. cooked food, wet goods, edible oil, grains, cereals, sugar, salt, etc.*
- r) *Polystyrene or Styrofoam – a type of light and usually white rigid plastic used as packaging material and is popularly used also as food containers, disposable cups, plates, and etc.*
- s) *Recyclable wastes – are pet bottles, cans, glass bottles, hard plastics, steels, tins, wood and etc. that are being bought by junkshops and recycling plants.*
- t) *Recycling – refers to the act of converting waste materials into reusable objects to prevent waste of potentially useful materials. It does not include burning, incinerating, or otherwise thermally destroying solid wastes.*
- u) *Residual wastes – similar to non-biodegradable wastes, these are non-recyclables and non-usable and considered fit for disposal. Disposable diapers, pantyliners, panty shields, and cigarette butts are considered residual wastes. These wastes are RA 9003 should be collected by the LGU for disposal to Sanitary Landfill or stored in their Residual Containment Areas.*
- v) *Reusable bag – refers to a type of shopping bag which is an alternative to single-use that is more durable than disposable bags (i.e. sako bags, cloth bags, net bags, paper bags, thick plastic bags or reusable sando bags).*
- w) *Segregation – the process by which waste is separated into different wastes classification i.e. biodegradable, non-biodegradable or residuals, recyclables, and hazardous or special wastes.*
- x) *Secondary packaging – refers to packaging used to support any primary packaging intended for convenience of the handler.*
- y) *Single-use plastics (SUP)- are items made out of plastic and shall refer exclusively to the following enumerated plastic products which are*



conceived, designed or placed on the market to be used only once over a short time span before being disposed or discarded:

1. Plastic drinking cups lower than 0.2 mm in thickness (including polystyrene cups), whether recyclable or non-recyclable;
2. Plastic ice cream cups and salad cups lower than 0.2 mm in thickness (including polystyrene cups), whether recyclable or non-recyclable);
3. Plastic condiment, sauce or gravy containers lower than 0.2 mm in thickness, whether recyclable or non-recyclable;
4. Plastic cup lids and condiment, sauce or gravy container covers, whether recyclable or non-recyclable;
5. Plastic stirrers, whether recyclable or non-recyclable;
6. Plastic cutleries (spoon, fork, knife or a combination thereof), whether recyclable or non-recyclable;
7. Plastic straws, whether recyclable or non-recyclable;
8. Plastic plate, meal box, tray or clamshell packaging (including polystyrene meal box, tray or clamshell packaging whether recyclable or non-recyclable;
9. Plastic cake and pastry box, tray or clamshell packaging (including polystyrene cake and pastry box, tray or clamshell packaging) whether recyclable or non-recyclable;
10. Plastic egg container or clamshell packaging containing twelve (12) eggs or less, whether recyclable or non-recyclable;
11. Plastic hand gloves, whether recyclable or non-recyclable;
12. Plastic materials used as buntings, whether recyclable or non-recyclable;
13. Plastic materials used as balloon stick, whether recyclable or non-recyclable;

Single-use plastics (SUP) are conceived, designed or placed on the market to be used only once over a short time span before being disposed or discarded and is determined on the basis of various factors such as the availability or re-usable and more sustainable alternatives, product thickness, and/or health, sanitation and hygiene considerations that it is not intended to be returned to a producer for refill or re-use for the same purpose for which it was conceived.

Single-use plastics (SUP) under this ordinance includes single-use plastic products made out of BIOPLASTIC.

- z) *Single-use plastic regulation fee (SUPRF)* – shall refer to the just and reasonable fixed regulatory fee required to be paid by an applicant for a Special Permit to distribute and/or use, or a Special Permit to Sell the regulated single-use plastic products under this ordinance. This shall be sufficient to recover the direct fixed cost and variable cost of rendering services including licensing, regulation or inspection, as nearly as the same can be estimated, subject to existing laws and issuances.
- aa) *Special Permit to distribute and/or use single-use plastic products* – shall refer to the permit issued by the Office of the Mayor allowing the use of single-use plastic product as defined under this ordinance.
- bb) *Special Permit to sell single-use plastic products* – shall refer to the permit issued by the Office of the Mayor allowing the sale of single-use plastic product as defined under this ordinance.
- cc) *Special Usage and distribution* – shall refer to the usage or distribution for free of single-use plastic products under Section 5 hereof as part of community assistance, or in times of disaster, calamity, and other emergencies during relief operations and deemed necessary under the circumstances, including distribution for free or use of single-use plastic products for educational and information dissemination purposes.



- dd) *Styrophor* – is synonymous to Polystyrene which is a very light plastic substance used to make containers or to keep things warm, cool or protected from damage. In application, it refers to one time use or disposable food containers in fast food chains whether as dine in or take out.
- ee) *Tabo vendors* – are the so called Market Day vendors, usually selling agricultural produce or food delicacies during Sundays or any day chosen by a barangay as their market day.
- ff) *Transparent plastic* – refers to thin and transparent plastic where purchased fish and meat in public markets and supermarkets are packed. It is commonly known as "plastic labo". It has no "carry on" feature of plastic bag.
- gg) *Under declaration of quantity of single-use plastic products to be distributed and/or to be used* – as used in this ordinance shall refer to a declaration of a lesser quantity of regulated items to be used and/or distributed by an applicant for a SPECIAL PERMIT TO DISTRIBUTE AND/OR USE SINGLE-USE PLASTIC PRODUCTS.
- hh) *Wet goods* – generally refers to products that require refrigeration or freezing such as fish, meat, fresh poultry products, fruits, vegetables and beverages.

SECTION 4. SCOPE. This ordinance shall apply to all persons, stores, point-of-sale areas, food establishments, all other business establishments, and in all events or activities within the jurisdiction of the Municipality of Molave.

SECTION 5. PHASE OUT SCHEDULE. The use of plastic bags and styrophors in the Municipality of Molave shall be phased out and regulated in the following manner:

- a. First Phase – use of plastic bags and styrophors in all establishments is prohibited every Fridays, Saturdays and Sundays (from the date of effectivity to May 31, 2024);
- b. Second Phase – the use of plastic bags and styrophors in all establishments is prohibited every Fridays, Saturdays, Sundays, Mondays to Tuesdays (June 1, 2024 to December 31, 2024);
- c. Third Phase – total ban of the use of plastic bags and styrophors (January 1, 2025 – onwards).

ARTICLE II.

REGULATION, DISTRIBUTION AND USAGE OF SINGLE-USE PLASTICS AND POLYSTYRENE

SECTION 5. REGULATED ACTS. No person, grocery store, supermarket, shopping mall and brand outlets, sari-sari store, canteen, food and/or beverage establishment, or any other business establishment or outlet shall sell, distribute for free, or use the following single-use plastic product without a SPECIAL PERMIT TO SELL, or a SPECIAL PERMIT TO DISTRIBUTE AND/OR USE SINGLE-USE PLASTIC PRODUCTS, as the case may be, issued by the Office of the Mayor:

- 1. Single-use Plastic drinking cups lower than 0.2 mm in thickness (including polystyrene cups), whether recyclable or non-recyclable;
- 2. Single-use Plastic ice cream cups and salad cups lower than 0.2 mm in thickness (including polystyrene cups), whether recyclable or non-recyclable);
- 3. Single-use Plastic condiment, sauce or gravy containers lower than 0.2 mm in thickness, whether recyclable or non-recyclable;
- 4. Single-use Plastic cup lids and condiment, sauce or gravy container covers, whether recyclable or non-recyclable;
- 5. Single-use Plastic stirrers, whether recyclable or non-recyclable;



6. Single-use Plastic cutleries (spoon, fork, knife or a combination thereof), whether recyclable or non-recyclable;
7. Single-use Plastic straws, whether recyclable or non-recyclable;
8. Plastic plate, meal box, tray or clamshell packaging (including polystyrene meal box, tray or clamshell packaging whether recyclable or non-recyclable;
9. Single-use Plastic cake and pastry box, tray or clamshell packaging (including polystyrene cake and pastry box, tray or clamshell packaging) whether recyclable or non-recyclable;
10. Single-use Plastic egg container or clamshell packaging containing twelve (12) eggs or less, whether recyclable or non-recyclable;
11. Single-use Plastic hand gloves, whether recyclable or non-recyclable;
12. Single-use Plastic materials used as buntings, whether recyclable or non-recyclable;
13. Single-use Plastic materials used as balloon stick, whether recyclable or non-recyclable;

Provided, that SPECIAL USAGE AND DISTRIBUTION as defined herein shall not be covered by the regulation under this section.

PROVIDED FURTHER, THAT ONE (1) YEAR FROM THE EFFECTIVITY OF THIS ORDINANCE, USE AND/OR DISTRIBUTION FOR FREE OF SINGLE-USE PLASTIC PRODUCTS ENUMERATED IN **SECTION 5** HEREOF SHALL NOT BE ALLOWED EXCEPT FOR "SPECIAL USAGE AND DISTRIBUTION" AND UNDER **SECTION 18** HEREOF.

SECTION 6. SPECIAL PERMIT TO SELL SINGLE-USE PLASTIC PRODUCTS. All applications for SPECIAL PERMIT TO SELL the single-use plastic products herein enumerated shall include the following:

- i. Type of single-use plastic products;
- ii. Quantity of single-use plastic products to be sold.

The issuance of the SPECIAL PERMIT TO SELL, under this section shall be granted for a period not exceeding one (1) year. All applications for SPECIAL PERMIT TO SELL single-use plastic products herein enumerated may be renewed upon compliance with the requirements set forth under this ordinance.

The SPECIAL PERMIT TO SELL single-use plastic products shall be issued and/or renewed only after payment of the SINGLE-USE PLASTIC REGULATION FEE (SUPRF) in the amount of Ten thousand Pesos (P10,000.00) annually.

The Municipal Treasurer is hereby authorized to collect the SINGLE-USE PLASTIC REGULATION FEE (SUPRF) for the SPECIAL PERMIT TO SELL SINGLE-USE PLASTIC PRODUCTS.

Provided, for purposes of the first calendar year from the implementation of this ordinance, the SINGLE-USE PLASTIC REGULATION FEE (SUPRF) for a SPECIAL PERMIT TO SELL SINGLE-USE PLASTIC PRODUCTS shall be assessed *pro rata* to the remaining months of calendar year 2023.

A copy of the Special Permit to sell single-use plastic products issued under this ordinance shall be posted conspicuously in the establishment.

SECTION 7. SPECIAL PERMIT TO DISTRIBUTE AND/OR USE THE SINGLE-USE PLASTIC PRODUCTS. A special permit to distribute and/or use the single-use plastic herein enumerated shall be issued only upon showing of its necessity for LACK OF COMMERCIALY AVAILABLE ALTERNATIVES as certified by the MENRO and only upon payment of the SINGLE-USE PLASTIC REGULATION FEE (SUPRF) in the amount of Five Pesos (P5.00) per item.

The Municipal Treasurer is hereby authorized to collect the SINGLE-USE PLASTIC REGULATION FEE (SUPRF) for a SPECIAL PERMIT TO DISTRIBUTE AND/OR USE SINGLE-USE PLASTIC PRODUCTS.



All applications for SPECIAL PERMIT TO DISTRIBUTE AND/OR USE single-use plastic products herein enumerated within the jurisdiction of the Municipality of Molave shall include a sworn statement with the following information:

- i. Type of single-use plastic to be distributed and/or to be used;
- ii. Quantity of single-use plastic product to be distributed and/or to be used;
- iii. Date(s) or period of distribution and/or usage;
- iv. Disposal Management Plan;
- v. Affidavit of undertaking to submit a "Plastic usage and disposal audit report" within seven (7) days from the expiration of the allowed date(s) or period of usage.

The issuance of the SPECIAL PERMIT TO DISTRIBUTE AND/OR USE SINGLE-USE PLASTIC PRODUCTS under this section shall be for a specific purpose, event, or period not exceeding one (1) year.

Unused regulated items under Section 5 hereof after the expiration of the period granted in the SPECIAL PERMIT TO DISTRIBUTE AND/OR USE SINGLE-USE PLASTIC PRODUCTS shall be reported in the "*plastic usage and disposal audit report*" and may be used in a subsequent permitted distribution and/or use of regulated items.

Provided that unused regulated items previously subject of a SPECIAL PERMIT TO DISTRIBUTE AND/OR USE SINGLE-USE PLASTIC PRODUCTS and declared in the "*plastic usage and disposal audit report*" shall no longer be included in the assessment of SINGLE-USE PLASTIC REGULATION FEE (SUPRF) in the subsequent application for SPECIAL PERMIT TO DISTRIBUTE AND/OR USE SINGLE-USE PLASTIC PRODUCTS.

Distribution for free and/or sale of single-use plastic products herein enumerated as a consequence of food or beverage service shall be considered as usage requiring a SPECIAL PERMIT TO DISTRIBUTE AND/OR USE SINGLE-USE PLASTIC PRODUCTS.

A copy of the Special Permit to distribute and/ or use single-use plastic product issued under this ordinance shall be posted conspicuously in the establishment or activity area.

Persons or establishments shall not distribute or provide the regulated items without the expressed and informed consent of the customer or client and shall provide information as to the ordinance and the applicable fees.

SECTION 8. REGULATION FOR A ZERO WASTE MOLAVE.

1. **Plastic holiday.** Friday, Saturday and Sunday are declared as Plastic Holiday for this municipality. During these days, the use of single-use plastic bags for primary and secondary packaging is strictly prohibited so as to constantly remind Molavenians of our vision to make Molave a Zero Waste Municipality. No business establishment i.e. shops, stores, restaurants, carenderias, market and "tabo" vendors and peddlers will be allowed to use, provide or sell plastic bags as primary or secondary packaging of dry and wet goods. Right after the approval of this ordinance, every business establishment shall implement and campaign support to this very needed regulation to the general public. Two (2) months grace period shall be given to violators during Fridays, Saturdays to include Sundays to give a clear start for the penalty period since there will be no more warning under first offense in this ordinance.
2. **During non-plastic holidays,** business establishments and vendors shall **no longer provide free plastic** for primary and secondary packaging of dry and wet goods to encourage the utilization of baskets, bayong, reusable plastic wares, eco bags or reusable plastic bags. Giving free plastic have caused the easy throw away attitude of Molavenians since these bags have no value to them. The cost of plastic bags for primary and secondary packaging are as follows: ₱6.00 for extra large sando bags, ₱4.00 for large sando bags, ₱3.00



for medium sando bags, ₱2.00 for tiny sando bags, ₱1.00 for the mini sando bags and ₱0.50 for micro and "selopin". The non-plastic holidays are from Mondays, Tuesdays, Wednesdays, and Thursdays or four days in a week.

3. **Regulation on paper bags.** It is a public knowledge that papers are made from trees so that massive use of paper bags is detrimental to the environment, thus, it has also to be paid/regulated for responsible utilization. It should be noted that this plastic regulation does not promote the use of paper bags but the general public is enjoined to bring with them eco or reusable bags and containers. Business establishments will be given option to provide free paper bags at their cost.
4. Bake shops, native bread, torta and other bread and pastry makers are required to use paper bags or reusable plastic wares for delicacies, sari-sari stores shall use big plastic wares to contain bread for display. Bake shops delivering bread are not allowed to use "selopin" in pre-packing bread, they can use paper bags or just contain them in sanitary containers upon delivery. Cost of paper bags and reusable plastic wares is at the discretion of the seller to charge the same to their respective customers.
5. Molavenians returning to the province, as well as tourists and guests bringing with them single use plastic sando bags to contain their purchased items will no longer be allowed, they shall put their purchased items in travelling bags, backpacks, sako bags, eco-bags, or any reusable bags to contain them. However, plastic sando bags bearing the name of shops where the items are purchased will still be allowed for a period of six months after the approval of this ordinance but shall be strictly prohibited thereafter.
6. Resorts, restaurants, bars, eateries and the like are required to provide service water to their customers and shall refrain from serving bottled waters so as to educate customers that pet bottles are discouraged to minimize scattered plastic bottles everywhere especially in tourism sites, and in such manner help reduce the accumulation of plastic bottles in dumpsites and in the MRFs.

ARTICLE III

INFORMATION, EDUCATION AND COMMUNICATION

SECTION 9. CREATION AND COMPOSITION OF THE ZERO WASTE TASK FORCE. The Zero Waste Task Force is hereby created to be composed of the following personnel who shall be designated by the Local Chief Executive in addition to their usual duties and functions:

Chairman – Municipal Administrator
Vice Chairman – MPDC or any representative
Member: Local Tourism Officer
 :Public Information Officer
 :Sanitary Inspector
 :MEEDO

The MENRO shall be an automatic member of the ZWTF.

The LGU through the Zero Waste Task Force, in coordination with the DepED, DENR, DILG, PNP, MENRO, all barangay officials and the Sangguniang Kabataan Federation shall conduct massive information to the barangays, schools and colleges, government and private offices, agencies and instrumentalities, resorts, and business establishments and in entry points in the municipality for its widest dissemination. They shall initiate and institutionalize programs, events and competitions aimed to encourage the REFUSAL, RE-USE, and RECYCLING of plastics and to discourage the use of Single-Use plastics. The objective shall be for the promotion of reusable items.



The LGU shall install Welcome and Thank You signages in every barangay boundary reminding Molavenians and guests to **"Break Free from Plastics for a Zero Waste Molave"** poster made of cardboard or thick paper to do away with tarpaulins to be posted in a conspicuous place in tricycles, IBJT and market area. Likewise, all government offices, agencies, and instrumentalities are required to post the same in a conspicuous place in their respective offices and near cashier/payment counters for business establishments/stores. Public transport vehicles shall also be required. **Non-posting after two (2) months from the approval of this ordinance would mean a penalty of Five Hundred Pesos (P500.00).**

The Zero Waste Task Force shall develop and implement an Information, education and communication campaign for the effective implementation of this ordinance.

The MENRO shall, in coordination with the DTI and the DOST, maintain a list of the variations of the products in the market classified as regulated items under **Section 5 hereof**. There shall be also be a list of single-use non-plastic alternative product to the regulated items under Section 5 hereof in the market and a report of its "commercial availability" which shall be updated monthly.

SECTION 10. PROMOTION OF REUSABLE PRODUCTS AND SINGLE-USE PLASTIC REFUSAL CAMPAIGN. All stores shall be encouraged to promote to its customers the use of reusable products and non-plastic alternatives. All stores are encouraged, upon effectivity of this ordinance, to post or cause to be posted conspicuously in their establishment a notice to the public stating: "REFUSE SINGLE-USE PLASTIC" or "SAY NO TO SINGE-USE PLASTICS" together with the **ORDINANCE TITLE, ORDINANCE NUMBER, PENALTY AND THE DATE OF EFFECTIVITY.**

All persons, grocery stores, supermarkets, shopping malls and brand outlets, sari-sari stores, canteens, food and/or beverage establishments, or any other business establishments or outlets allowed to sell, distribute for free, or use single-use plastic (SUP) under this ordinance shall, upon approval of the special permit to sell or a special permit to distribute and/or use, as the case may be, post or cause to be posted conspicuously in their establishment and on the display rack for single-use plastic products, a notice to the public stating: **"REFUSE SINGLE-USE PLASTIC" or "SAY NO TO SINGE-USE PLASTIC"** together with the **ORDINANCE TITLE, ORDINANCE NUMBER, PENALTY AND THE DATE OF EFFECTIVITY.**

ARTICLE IV

PROHIBITIONS

SECTION 11. PROHIBITED ACTS (ALL DAYS OF THE WEEK 24/7)

1. **Prohibition on the use of Oxo-degradable bags or the so labeled bio-degradable bags by suppliers.** Genuine biodegradable bags made of starch are very expensive which is rarely available in our market, the bio-degradable plastics sold by suppliers are not really bio-degradable but they are the so called oxo-degradable plastics which contains catalysts (often salt and toxic metals) that help plastic fragment into small particles especially when exposed to heat of the sun and rain, these fragmented tiny plastic particles are called micro-plastics and accumulate toxic substances from the environment and can move up the food chain, meaning they become food for fish and plants which we also eat, and join the water we drink and the air we breathe therefore it is much more hazardous than regular plastics.
2. **Prohibition on the use of plastics sando bags to contain fish and meat in market and "tabo" sold by ambulant vendors.** Single-use plastic sando bags used as containers of fish and meat in the market account to the volume of plastic thrown in the garbage since they are easily feasted by stray dogs, cats and rats because of their foul smell. The general public and vendors are



advised to use re-usable bags such as net bags, sako bags, eco bags and to use coco exhibits or "tukog" popularly used by our ancestors to hang a kilo of fish, likewise meat vendors are encouraged to use rattan "uway" or the skin of "coco palwa" as meat hangers for easy and environment friendly handling of meats. However, to avoid exposure to flies and to contain foul smell specially those riding in cars, market goers are encouraged to bring with them covered reusable plastic wares or pails to contain fish and meat purchased. Likewise, ambulant fish vendors are not allowed to contain their fish in single-use plastic sando and cello bags, instead they shall require their customers to provide plates, tupperwares, small basins, pails, net bags, or reusable bags to contain their purchase fish.

3. **Prohibition in the prepacking of vegetables and fruits in the market and fruit stands.** Vegetables and fruits displayed in markets and during "tabo" shall no longer be pre-packed in plastics or cello bags. Pre-wrapped fruits like apples, oranges and etc. shall not be displayed unless wrappers are removed and properly disposed. Seaweeds such as "lato", "ambalang", "guso" and seashells are also covered under this provision.
4. **Prohibition on the use of plastic sandobags and "selopin" for packaging of cooked food.** Restaurants, carenderias, food caterers and mobile food vendors and the like are no longer allowed to use plastics and cello bags for packaging of cooked food every day. Plastic bags when in contact with hot food results to a chemical reaction endangering public health since thin film plastics is subject to melt as these are made of petroleum and natural gas known to cause various diseases including cancer. Moreover, these single use plastic sando and cello bags are easily thrown away enticing dogs and cats to devour accompanying garbage and receptacles as these plastic bags contain food left overs and juices and smells good to them scattering garbage everywhere making them an eyesore and a dilemma to the place. When buying good, everyone especially those working in the government, schools and private offices are required to bring with them reusable food containers, tumblers, plates, bowls and cups.
5. **Prohibition on the use of "selopin" in drinking water stands.** Operators of drinking water stands also known popularly as ATM (Automatic Tubig Machine) are no longer allowed to provide cello bags or "selopin" so as to avoid scattered cello bags everywhere since drinkers just throw this cello bags anywhere after drinking. Everyone is encouraged to bring their own water containers wherever they go, so, each one has a ready water container for refilling, thus, eliminating scattered plastic cello bars in the streets as well as reducing the rampant buying of bottled waters which are also just left or thrown anywhere. ATM stand operators are also required to provide clear reusable/washable glass in their respective stands for their customers to use at their options. Likewise, selling of ice/cold water in cello bags is prohibited since these plastic bags are thrown and scattered everywhere after consuming the content.
6. **Prohibition on the use of "selopin" for softdrinks and other beverages.** Sidewalk vendors, restaurants and stores are prohibited from using "selopin" to contain softdrinks and other beverages from glass bottles but instead they shall allow customers to bring the glass bottles but require deposit for them to return the same and be refunded, drinking straws will no longer be provided. In addition, resorts, restaurants and carenderias are required to provide potable service water to their customers and refrain from providing bottled waters so as to minimize the volume of plastic or pet bottles in the MRFs.
7. **Prohibition on the use and selling of Polystyrene (Styrofoam) and other single-use Disposable Plastic containers.** Individual households, restaurants and business establishments are prohibited from using and selling polystyrene (Styrofoam) containers for food and other products such as disposable plates,



glass, salad cups, spoons, forks, stirrers and plastic drinking straws. These kinds of waste are difficult to manage since they are non-biodegradable and occupy big space in trash bins and in final disposal facilities/sanitary landfills.

Likewise, tourists, mountaineers, and guests shall not be allowed to bring styros and disposable containers to avoid plastic wastes scattered and left in our mountains and tourism sites, and that they shall be responsible in bringing back their wastes to their respective homes or residences and dispose them properly.

In this same manner, "Bayanihan", "Kapunungan sa Kasakit", "Panaginigsoonay" or local burial association/organization, burial and cemetery goers are prohibited from using Styrofoam food containers and other disposable during burials and visitations and are prohibited from leaving their wastes and plastics in cemeteries.

In addition, during the conduct of meetings, trainings, seminars, conventions, gatherings and celebrations in the municipality using government and private funds, the caterer/food provider is strictly not allowed to use plastic bottles/tetrapacks and plastic straws for drinks, styros, and other disposables for food packs and shall use water dispenser and breakable or reusable glass and cups for drinking water and beverages. Breads, cakes, siopao, empanada, buko pies, putos and the like shall not be wrapped in plastic cello bags, instead food caterers/providers shall use saucers or place them in "bulsita", or paper bags, paper napkins, banana leaves and other biodegradable packaging to eliminate excessive abuse on the use of styros and plastic cello bags.

8. **Smoking in public places to include tourism sites is strictly prohibited to avoid the littering of cigarette butts which are also made of plastics. Plastic bags and straws have received widespread attention as pollutants, but another, even bigger, plastic problem has been slipping under the radar – cigarette filters.** Cigarette butts containing plastic filters are the most littered item in the world. Many smokers assume that filters are made of a biodegradable material, but filters are made of cellulose acetate – a type of plastic that can take a decade to decompose. A recent study placed fish in water in which cigarette butts have been soaked, after four days half of the fish had died showing that cigarette butts are toxic and deadly to living creatures. However, in fairness to smokers, designated smoking areas with clay pots to contain cigarette butts shall be provided to avoid scattering of the same especially in tourism sites of this municipality.

In addition, subject to **Section 21** hereof on NO CONTEST PROVISION, the following acts are prohibited and shall be penalized:

1. SALE of regulated products enumerated under **Section 5** hereof without a SPECIAL PERMIT TO SELL SINGLE-USE PLASTIC PRODUCTS issued by the Office of the Municipal Mayor;
2. DISTRIBUTION AND/OR USE of regulated products enumerated under Section 5 hereof without a SPECIAL PERMIT TO DISTRIBUTE AND/OR USE single-use plastic products issued by the Office of the Municipal Mayor;
3. NON-DECLARATION ON UNDER DECLARATION of quantity of single-use plastic products to be distributed and/or to be used;
4. MISDECLARATION OF QUANTITY OF SINGLE-USE PLASTIC PRODUCT DISTRIBUTED AND/OR USED in the "plastic usage and disposal audit report"
5. USE OR DISTRIBUTION FOR FREE OF SINGLE-USE PLASTIC PRODUCTS enumerated under Section 5 hereof after one (1) year from the effectivity of this ordinance other than for "special usage distribution" and under Section 18 hereof.

In case of deliveries, the person, grocery store, supermarket, food and/or beverage establishments or outlet providing the regulated items without permit shall be the one to be held liable for violation under this ordinance.



In case of use of regulated items by customers and clients of persons or business establishments providing the regulated items without permit, the person, grocery store, supermarket, food and/or beverage establishment, or any other business establishment or outlet providing the regulated items without permit shall be the one to be held liable under this ordinance.

If the offense is committed by a corporation, partnership, or other juridical entity duly recognized in accordance with law, the Chief Executive Officer, President, General Manager, Managing Partner or such other officer-in-charge shall be liable for the commission of the offense and shall be penalized under this ordinance.

ARTICLE V

MISCELLANEOUS PROVISIONS

SECTION 12. EXEMPTION ON THE USE OF SELLOPIN. Cello bags for pre-packaging of goods, i.e. sugar, salt, mongo, white beans, green peas, potatoes, edible oil, margarine, lard, herbs and spices and other similar grains or items will still be allowed. Likewise, the use of sellopin for ice or frozen water and ice candy is not prohibited since there is still no replacement packaging for this product but the public is refrained from throwing the emptied plastics anywhere.

SECTION 13. RETRIEVAL OF GLASS BOTTLES WINES AND BEVERAGES. Manufacturers and suppliers of wines and beverages shall be required to retrieve back their empty glass bottles at a reasonable price to encourage consumers to return empty glass bottles to store outlets and claim back their deposits. Under this ordinance, companies who do not buy back their empty glass bottles will be barred from selling their products in this municipality. The use of glass bottles for softdrinks and other beverages as popularly practiced years ago will be highly recommended and encouraged.

SECTION 14. "BRING YOUR OWN ECO-KIT" PROGRAM. The care of the environment is everybody's responsibility. If all of us will learn to break free from plastic by refusing its irresponsible use, then, the world will be a better place to live. Molave will be more beautiful without scattered plastics and other wastes. The Eco-Kit shall contain eco bags or reusable bags, reusable drinking water container, plate, glass, spoon, fork, bamboo or stainless straws and "balunan" for cooked food. This practice or habit is exemplified by our ancestors and nowadays by our environmental tourists from other countries and even responsible local tourists, so, there is no reason why Molavenians can't do it. Government and private offices, business establishments and schools shall require their respective employees, staffs and students to bring with them their respective Eco-Kit when reporting for work and in going to school. This provision when strictly implemented shall pave the way for a Zero Waste Molave. Starting October, 2023, all schools, offices, business establishments, employees, staffs and students shall disseminate and strictly implement this provision. Non-compliant schools and establishments shall be penalized accordingly.

SECTION 15. DISCOURAGEMENT IN THE USE OF PLASTIC COVERS AND TARPAULINS. Schools, colleges, universities and other learning institutions are discouraged from requiring their students to use plastic covers in covering their books since this plastic material is one of the most toxic plastic sold in the market. Plastic covers emit a foul odor which contains substance detrimental to the health of our students. The use of biodegradable materials such as used calendars, wall papers, gift wrapping papers and the like is advised. Likewise, tarpaulins are also discouraged since this is another form of hazardous plastic. Massive production for Information Education Campaign, advertisement and election campaign materials is hereby discouraged to minimize residual and hazardous wastes.

SECTION 16. ROLES OF THE BARANGAYS. Every barangay of this municipality through its Local Waste Manager shall have the primary responsibility in the effort to



decrease the percentage of plastic bag wastes produced within their territorial jurisdiction so that they are enjoined to adopt and implement this ordinance. However, failure of the barangays to adopt or formulate its own ordinance does not prohibit the implementation of this ordinance in their respective barangays since this is a municipal wide ordinance.

The MENRO shall implement the provisions of this ordinance in the municipal level and non-implementation of the provision of this ordinance would mean defiance to the authority that will subject him to disciplinary action.

ARTICLE VI

IMPLEMENTATION AND PENALTIES

SECTION 17. IMPLEMENTATION. Upon the effectivity of this ordinance, the LGU-MENRO, MEEDO, Liga ng mga Barangay, SK Federation and the Philippine National Police are hereby directed to implement this ordinance. This ordinance will serve also as the IRR since detail of its regulations, prohibitions, exemptions, violations, grace period, penalties and the nature of implementation are already provided. However, a more comprehensive IRR shall be prepared the LCE but this doesn't prohibit the immediate implementation of this ordinance.

SECTION 18. PENALTIES. Violators of the above cited regulations and prohibitions shall be meted out with fines as follows:

1st Offense – A fine of P500.00 for individuals;

P750.00 for ambulant, occasional and tabo vendors, and
P1,500.00 for permanent business establishments

Violators shall be issued citation tickets and will be required to attend a compulsory orientation on the salient provisions of this ordinance to be conducted by the Zero Waste Task Force. Refusal to attend would mean resistance to the ordinance and shall be penalized twice under Second Offense.

Violators below 18 years of age shall be penalized to render 4 hours *environmental service* such as participation in clean up drive or tree planting activities as supervised by the ZWTF. Repeated violation shall subject their parents to payment of fines under first offense. Children below 12 years of age shall be reprimanded in accordance with RA 7610.

2nd Offense: A fine of P750.00 for individuals

P1,000.00 for for ambulant, occasional and tabo vendors, &
P2,000.00 for permanent business establishments

3rd Offense: fine of P1,000.00 for individuals

P1,500.00 for for ambulant, occasional and tabo vendors, &
P2,500.00 for permanent business establishments,
Plus filing an appropriate charges in court and cancellation
of business permit to operate for vendors and business
establishments

Violators will be given a grace period of 15 days to pay their penalties at the Office of the Municipal Treasurer, this LGU. Failure to pay within 15 days will subject the penalty to 20% surcharge which shall be settled within 60 days. Non-payment within 60 days will mean filing of appropriate charges in court and cancellation of business permit to operate for business establishments and vendors.

Barangays who tolerate/conspire with violators shall be filed appropriate charges in court.



ARTICLE VII

ENFORCEMENT MECHANISMS

SECTION 19. ENFORCEMENT STRATEGIES AND GUIDELINES. The Municipal Environment and Natural Resources Officer (MENRO) may formulate strategies and guidelines for the enforcement of this ordinance and shall submit the same to the Municipal Mayor for approval.

The organized Zero Waste Task Force of this LGU shall be trained regarding the enforcement of this ordinance and other environmental ordinances which shall be headed by the Zero Waste Task Force Head appointed by the Municipal Mayor. The ZWTF shall be deployed throughout the municipality to monitor compliance to this ordinance especially business establishments, vendors and the general public.

SECTION 20. ORDINANCE VIOLATION RECEIPT/CITATION TICKET. An ordinance violation receipt, otherwise known as Citation Ticket, shall be issued to violators of this ordinance. The Citation Ticket shall state the name and address of the violator, the specific violation committed, and the provisions of Section 15 hereof on the "**No Contest Provision**".

If the violation of this ordinance is deemed to have been committed by a corporation, partnership, or other juridical entity duly recognized in accordance with law, the Chief Executive Officer, President, General Manager, Managing Partner or such other Officer-In-Charge, if know, shall be cited for the commission of the offense.

SECTION 21. NO CONTEST PROVISION. Any person cited for violation of this ordinance who does not wish to contest the citation and offers to pay voluntarily the amount under Section 18 hereof or offers to voluntarily render environmental service prior to the filing of formal complaint with the Office of the Prosecutor, shall be allowed to pay the said amount with the Municipal Treasurer or to render environmental service as settlement for the infraction. Any person who qualifies and successfully avails of the NO CONTEST PROVISION shall be exempted from liability for violation of Section 18 of this ordinance.

SECTION 22. PROCEDURE IN THE AVAILMENT OF THE NO CONTEST PROVISION. The person cited for violation of this ordinance shall be given five (5) working days from issuance of the Ordinance Violation Receipt or Citation Ticket within which to voluntarily pay or to voluntarily render environmental service.

The violator, who avails of the "No Contest Provision" and opts to voluntarily pay the said amount, shall secure an order of payment from the Office of the Office of the Municipal Mayor or the MENRO as maybe authorized by the Municipal Mayor.

All payments shall be made to the Municipal Treasurer. After payment, the person cited for violation of this ordinance shall present the official receipt issued by the Municipal Treasurer's Office to the MENRO and a copy thereof endorsed to the Municipal Legal Office/Office of the Municipal Administrator – ZWTF Chairman, which shall consider the case closed.

In case the violator is 19 years old and above and he offers to voluntarily render environmental service, it shall be rendered as follows:

First time offenders shall render environmental service for eight (8) working hours;

Second time offenders render environmental service for sixteen (16) working hours.

The violator who avails of the "No Contest Provision" and offers to voluntarily render environmental service, shall secure from the Office of the Municipal Mayor or the MENRO as may be authorized by the Municipal Mayor an endorsement to the barangay.



The Punong Barangay of the barangay where the violation was committed shall immediately assign an environmental protection related service to the violator including but not limited to: clean-up activity, greening and tree planting activity, solid waste management activity, wastewater management activity, or Material Recovery Facility (MRF) Service.

After the completion of the of environmental service, the Punong Barangay shall issue a certification of completion of voluntary environmental service and endorse a copy thereof to the MENRO and the Municipal Administrator –ZWTF Chairman, which shall consider the case closed.

In either case, for NON-DECLARATION OR UNDER DECLARATION of quantity of single-use plastic products to be distributed and/or to be used, compliance of this section either through fine or environmental service shall include payment of SINGLE-USE PLASTIC REGULATION FEE (SUPRF) for the undeclared single-use plastic products.

For this purpose, the MENRO and the Municipal Administrator shall establish a case inventory and recording system for all violations of this ordinance.

Provided that, if a violator has already availed of the "No Contest Provision" two (2) times, he/she cannot longer avail of the same and the corresponding complaint for any violation of this ordinance shall immediately be filed.

SECTION 23. FUNDING. The LGU shall allocate funds for the installation of signages in IBJT, Public Market, including boundaries at the entrance to this municipality; printing of Zero Waste Posters, information and education campaign materials and other related expenses; for the maintenance of signages, printing of Zero Waste Posters, and continuing IEC Program. Subject to the availability of funds, the LCE shall likewise allocate funds for the salary and hazard pay of the Zero Waste Task Force members and other related expenses.

SECTION 24. SEPARABILITY CLAUSE. If any part of this ordinance is declared unconstitutional or unlawful, such declaration shall not affect the other parts or sections hereof that are not declared unlawful or unconstitutional.

SECTION 25. REPEALING CLAUSE. All ordinances, executive orders, rules and regulations or parts thereof which are inconsistent with the provision of this ordinance are hereby repealed or modified accordingly.


SECTION 26. EFFECTIVITY. This ordinance shall take effect after posting certified true copies of the same duly approved by the Municipal Mayor in three conspicuous places of the municipality for a period of three consecutive weeks and distribution of certified true copies to all punong barangays, schools, public and private offices, and businessmen concern, all of this municipality.

ENACTED, this 19th day of September, 2023 at Molave, Zamboanga del Sur.

CERTIFIED CORRECT:

ELIZABETH C. SAYSON
Secretary to the Sanggunian

ATTESTED AND DULY CERTIFIED:


MONALISA J. GLEPA, R.N
Vice Mayor / Presiding Officer

NOTED:


CYRIL REO A. GLEPA, M.D.
Municipal Mayor

9/22/23
Date