



## Office of the Sangguniang Panlungsod

Telefax No. (+63-53) 335-4808/563-9009 2nd Floor, Legislative Bldg., Magsaysay Ave., Baybay City, Leyte 6521 @ sangguniangpanlungsod@gmail.com

### 5<sup>TH</sup> SANGGUNIANG PANLUNGSOD

#### CITY ORDINANCE NO. 11, S-2021

#### **AN ORDINANCE REGULATING THE USE AND SALE OF PLASTIC BAGS, PLASTIC CELLOPHANE, STYROFOAM AND STYROPOR (POLYETHYLENE) AS BAGGING AND PACKING MATERIALS IN THE CITY OF BAYBAY**

**Authored by: Hon. Filemon F. Avila**

**Whereas**, Article II, Section 16 of the Philippines Constitution provides that the State shall protect and advance the right of the people to a balance and healthful ecology in accord with the rhythm and harmony of nature

**Whereas**, plastics, cellophanes, sando bags and expandable polystyrene foams, being non-biodegradable materials, clogs our canals, creek, rivers and other water ways causing floods during the rainy season and causing harm to these waterways and the surrounding of the communities.

**Whereas**, plastics, cellophanes, sando bags and expandable polystyrene foams are widely used for packing of foods and beverages, however the use of plastics and polystyrene in the food storage carry health risk, especially when hormone disrupting chemicals from some of these packaging materials leach into food and beverages.

**Whereas**, plastic and polystyrene manufacturing and incineration creates air and water pollution, and expose workers to toxic chemical.

**Whereas**, plastics, cellophanes, sando bags and expandable polystyrene foams are rampantly used as packaging material in the City of Baybay.

**Whereas**, despite serious effort of the city to segregate biodegradables, recyclable and reuse materials, plastics, polystyrene and other similar materials remain in the City waste stream eventually remain as the common residual waste fraction.

**Whereas**, the City of Baybay in its desire to regulate the "single use" of plastics, cellophanes and sando bags, and eventual prohibition of the use, sale and provision of polystyrene as food and beverage containers, encourages the utilization of alternative packaging materials such as woven bags (bayong), cloth/paper bags and other similar organic Packaging materials (e.g. banana leaves, taro leaves, etc.) and likewise advocates the "No Plastic Day" and "Bring Your Own Bag-(BYOB)" programs of the City Government;

**Whereas**, it is in the best interest of the health, safety and welfare of the people of City of Baybay to minimize the use of plastics, cellophanes and sando bags,



and the eventual prohibition of the use, sale and provision of polystyrene as packaging materials for food and Beverages.

Be it ordained by the Sangguniang Panlungsod that:

**Section 1. Title:** This ordinance shall be known as "*An Ordinance Regulating the Use and Sale of Non-biodegradable Plastic Bags, Plastic Cellophane (Polyethylene), Styrofoam and Styrofoam as Bagging and Packing Materials in the City of Baybay.*"

**Section 2. Definition of Terms:** For the purpose of this ordinance, the terms hereunder shall have the following meanings:

**Alternative packaging materials-** refers to recyclable, reusable and/or biodegradable packaging materials that are used in containing, carrying, holding and /or transporting goods or products, as an alternative to plastic bag;

**Bring Your Own Bag (BYOB) Program-** refers to the program adopted by supermarkets, convenient stores, department stores and other business establishments, whereby customers are enjoined to bring a reusable bag, paper bag, cloth bag or any other alternative packaging material for purposes of containing, carrying, holding and transporting goods or products bought

**Cloth bag-** refers to reusable packaging material made of cloth used in the packaging of flour, wheat and other similar goods

**Container/s-** refers to a type of material utilized for purposes of holding, enclosing, packaging and/or restraining edible food and beverage for human consumption.

**Expanded polystyrene (EPS) foam-** is thermoplastic petrochemical material which utilizes a styrene monomer and is processed by fusion of polymer spheres. It is a type of polystyrene product commonly used as containers for food and beverages.

**Packaging** – shall refer to the packaging, packing and wrapping of products for purpose of carrying the same in a convenient manner

**Plastic bag** – refers to a type of bag made of thin, flexible, plastics film that is designed to be provided or utilized at the point of sale for containing, carrying, holding and transporting goods

**Plastic wastes-** refers to any plastic packaging material thrown as wastes

**Plastic cellophane-** is transparent, thin film plastic sheet made of regenerated cellulose having low permeability to air, oil, greases, bacteria and water makes it useful for food packaging

**Reusable bag-** refers to a washable canvass bag or native bag "bayong" or any shopping bag used for carrying and transporting goods, which bags are made of organic or non-organic materials that can be used for several times

**Sando bags** – refers to a type of plastic packaging with handles for the purpose of carrying, holding and/or transporting goods and other produce. This term shall likewise be defined as one similar to the term plastic bag



**Single-use-** disposable or used for only one time

**Styrofoam** – is a trademark of a product made up of light resilient foam of polystyrene. For purposes of this Ordinance the term “Styrofoam” shall refer to The Expanded Polystyrene (EPS) Foam used as containers for food and beverages. Is a trademark of The Dow Chemical Company for closed-cell extruded polystyrene foam currently made for thermal insulation and craft applications. It is mostly uneconomical to recycle or otherwise process environmentally unless in massive quantities and can be lethal to any bird or sea creature that swallows significant quantities.

**Woven bags-** refers to biodegradable packaging material made of woven native materials, e.g. pandan or buri leaves and other similar materials.

**Styropor-** It is a synthetic material, made of crude oil. A liquid is extruded from the oil. From this liquid a refinery will make little balls (polystyrene). By injecting steam into these little balls they expand and glue together (styropor).

**Biodegradable** – made of materials that decay relatively quick.

**Biodegradable Plastics** – are forms of plastic derived from plant sources such as hemp oil, soy bean oil and corn starch rather than from petroleum. These plastics are derived from natural products and have compounds that are readily broken down by microbes so it decays relatively quickly. These plastics do not cause harm to the environment.

**Non-biodegradable Plastics-** are forms of plastic derived primarily from crude oil, natural gas or coal. These types of plastics cannot be broken down by microbes to decay. And if burned will produce toxic smoke and pollute the environment which will result to ecological damage.

**Section 3.** This ordinance shall cover markets, grocery stores, retail outlets or stores, bakeries, restaurants, canteens, eateries, recreation centers, catering services, hotels, inns, business establishments, government and private institutions, commercial stalls and such other entities in the city where goods are being packed in plastics, cellophanes, sando bags and expandable polystyrene foams.

This ordinance refers only to single use plastic and does not apply if the plastics, cellophanes, sando bags and expandable polystyrene foams are brought for use or re-use by the consumer for packing.

**Section 4.** All specified persons and establishments described in Section 3 hereof are required to use environment-friendly packing/bagging materials such as paper or cloth bags, bayong, non-plastic sack or bags, sturdy reusable shopping bags, biodegradable plastics or other biodegradable containers instead of non-biodegradable plastic and cellophane bags, styrofoam and styropor. Bulky goods shall be packed in either paper boxes, cartons or other biodegradable bagging materials.

**Section 5.** Ambulant vendors are prohibited to sell items within the City of Baybay using non-biodegradable plastics, cellophanes, styrofoams and styropor.

**Section 6.** Goods sold in the City Public Market such as fresh meat, fish, fruits, vegetables and the like shall be packed only in biodegradable or environment



establishment shall likewise remind their customers to provide themselves or bring their own shopping bags, baskets, or other biodegradable packing materials or containers.

**Section 18.** Upon approval of this ordinance, the City ENRO shall create a Task Force composed of representatives from the City Mayor's Office, the Association of Barangay Chairpersons, CHO, City Treasurer's Office, PNP, DepEd, the Sangguniang Panglungsod and such other persons or organizations as the City ENRO may determine. The Task Force shall embark on a comprehensive information campaign on this ordinance for a period of forty-five (45) days.

**Section 19. Repealing Clause-** All City Ordinances or parts thereof which are inconsistent with the provisions of this Ordinance are hereby repealed or modified accordingly.

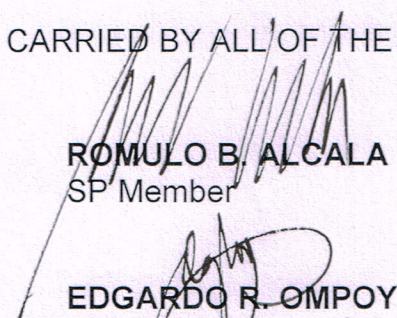
**Section 20. Separability Clause-** If any provision hereof is declared null and void, those not affected shall remain in full force and effect.

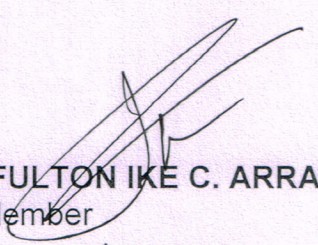
**Section 21. Effectivity Clause-** This Ordinance shall take effect 15 days upon its approval by the Sangguniang Panlalawigan and after due compliance with all the requirements as provided for under R.A. 7160, otherwise known as the Local Government Code of 1991.

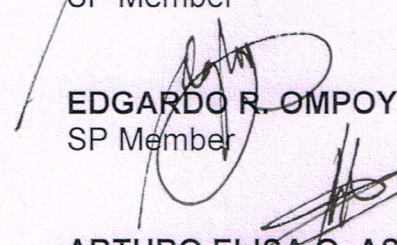
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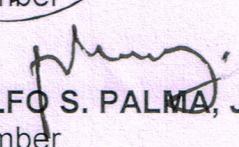
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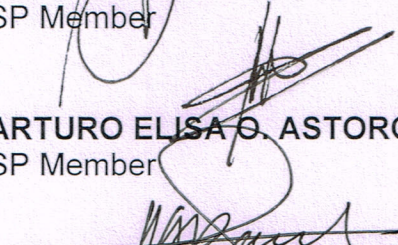
CARRIED BY ALL OF THE MEMBERS PRESENT:

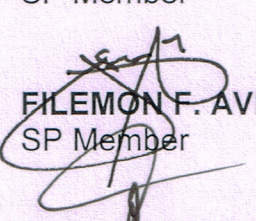
  
**ROMULO B. ALCALA**  
SP Member

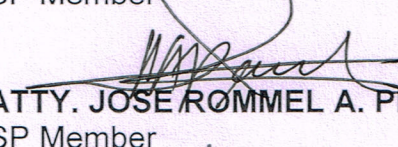
  
**DR. FULTON IKE C. ARRADAZA**  
SP Member

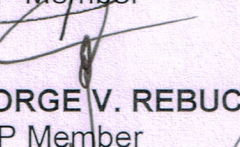
  
**EDGARDO R. OMPOY**  
SP Member

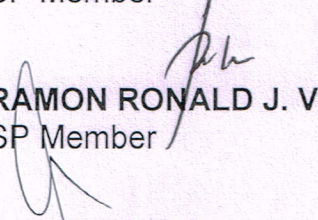
  
**RODULFO S. PALMA, JR.**  
SP Member

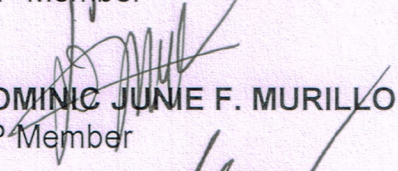
  
**ARTURO ELISA O. ASTORGA**  
SP Member

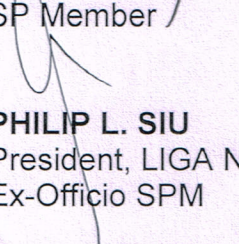
  
**FILEMON F. AVILA**  
SP Member

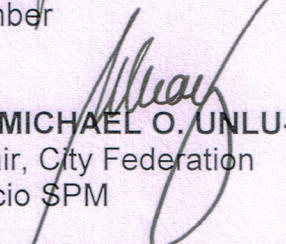
  
**ATTY. JOSE ROMMEL A. PEÑARANDA**  
SP Member

  
**JORGE V. REBUCAS**  
SP Member

  
**RAMON RONALD J. VELOSO**  
SP Member

  
**DOMINIC JUNIE F. MURILLO**  
SP Member

  
**PHILIP L. SIU**  
President, LIGA Ng Mga Barangay  
Ex-Officio SPM

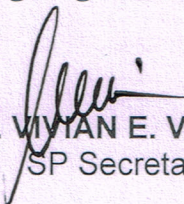
  
**MARK MICHAEL O. UNLU-CAY**  
SK Chair, City Federation  
Ex-Officio SPM

RESOLVED FURTHER, that certified copies of this ORDINANCE be furnished to the City Mayor Honorable Jose Carlos L. Cari, City Administrator Deogracias E.

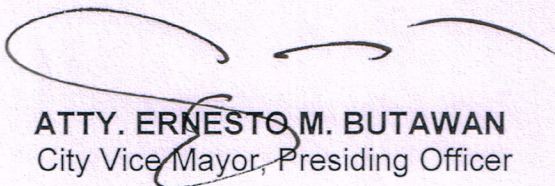


Pernitez; City Legal Officer, Atty. Avito C. Cahig, Jr.; City Budget Officer, Raul Mabini; City Accountant Evelinda A. Oppus; OIC - City Treasurer Gina Cabras, CLGOO Juvy C. Pedrera, and to all other offices/agencies/entities concerned for their information, guidance and appropriate action.

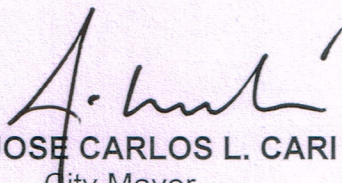
I HEREBY CERTIFY to the correctness of the foregoing Ordinance.

  
ATTY. VIVIAN E. VIDALLON  
SP Secretary

Attested & Certified True & Correct:

  
ATTY. ERNESTO M. BUTAWAN  
City Vice Mayor, Presiding Officer

Approved by His Honor:

  
ENGR. JOSE CARLOS L. CARI  
City Mayor

Date Approved: 4/23/21