



Republic of the Philippines
OFFICE OF THE VICE MAYOR
City Government of Baguio



JUL 30 2013

RECEIVED

26 July 2013

TO THE PRINCIPALS/ADMINISTRATORS/OFFICERS-IN-CHARGE

All elementary and secondary schools in the City of Baguio

THROUGH: CITY SCHOOLS DIVISION, DEPARTMENT OF EDUCATION

Sirs/Mesdames:

In line with the continuing efforts of the Sangguniang Panlungsod ng Baguio to improve our local laws, we are currently undertaking *legislative tracking and analysis* of Ordinance Nr. 54, series of 1988, as amended, entitled “**An ordinance penalizing disposal of refuse, excrement and egesta; removal or destruction of receptacles for refuse; and illegal obstruction of waterways and dumping into bodies of water; requiring certain persons, institutions and establishments to provide for receptacles for refuse; to keep surroundings clean, and to pick up litters; providing for amnesty from prosecution; and furthermore amending, for the purpose, sections 472, 475 and 479 of ordinance numbered 500, s. 1934, as amended by ordinance nrs. 252, 264, 572 and 601.**”

In this regard, may we request the **suggestions, recommendations, or comments of your school** as to how we could strengthen and improve the implementation and enforcement of the ordinance and its provisions. Attached herewith is a copy of the ordinance for information and dissemination to your faculty and students.

May we also request that the **suggestions, recommendations, or comments** be submitted **ON OR BEFORE 12 AUGUST 2013.**

Thank you and we look forward to your continuous support to the plans and programs of our city.

Very truly yours,


DANIEL T. FARIÑAS

City Vice Mayor

Attached: a/s.

Copy furnished: **HON. MAURICIO G. DOMOGAN**
City Mayor
Mayor's Office
City Hall, Baguio City

Republic of the Philippines
City of Baguio
CITY COUNCIL
(SANGGUNIANG PANLUNGBOD)

REGULAR SESSION HELD ON JUNE 15, 1988

PRESENT:

Hon. Jaime R. Bugnosen, Vice Mayor and Presiding Officer;
Hon. Antonio R. Tabora, Jr., Member;
Hon. Gladys A. Vergara, Member;
Hon. Elmo M. Nevada, Member;
Hon. Nelsonida U. Marrero, Member;
Hon. Loreto M. Pangilinan, Member;
Hon. Clemente S. Calpotura, Member;
Hon. Daniel T. Fariñas, Member;
Hon. Mauricio G. Domogan, Member;
Hon. Virgilio F. Bautista, Member;
Hon. Federico J. Mandapat, Jr., Member; and
Hon. Eduardo R. Aguilar, Member.

ABSENT:

Hon. Nick F. Domalsin, Member (on sick leave).

ORDINANCE Numbered 54-88

AN ORDINANCE PENALIZING ILLEGAL DISPOSAL OF REFUSE, EXCREMENT AND ECCESTIA; REMOVAL OR DESTRUCTION OF RECEPTACLES FOR REFUSE; AND ILLEGAL OBSTRUCTION OF WATERWAYS AND DUMPING INTO BODIES OF WATER; REQUIRING CERTAIN PERSONS, INSTITUTIONS AND ESTABLISHMENTS TO PROVIDE FOR RECEPTACLES FOR REFUSE, TO KEEP SURROUNDINGS CLEAN, AND TO PICK UP LITTERS; PROVIDING FOR AMNESTY FROM PROSECUTION; AND FURTHERMORE AMENDING, FOR THE PURPOSE, SECTIONS 472, 475 AND 479 OF ORDINANCE NUMBERED 500, S. 1934, AS AMENDED BY ORDINANCE NRS. 252, 264, 572 AND 601.

Explanatory Note

The City of Baguio has an existing Ordinance Nr. 572 penalizing spitting and littering in public. This ordinance, however, remains more honored in breach than in compliance. The result is that the city's cleanliness, health and sanitation problems have increased, including the clogging and pollution of waterways and other natural bodies of water.

There is a need, therefore, to put more teeth to the implementation and imposition of more strict penalties for violators of this ordinance.

On motion of Hon. Tabora, Hon. Aguilar, Hon. Domogan, Hon. Bautista, and Hon. Calpotura, seconded by Hon. Pangilinan,

BE IT ENACTED BY THE CITY COUNCIL (SANGGUNIANG PANLUNGBOD) IN SESSION ASSEMBLED THAT:

SECTION 1. It shall be unlawful for any person to spit or expectorate, discharge mucus from the nose, urinate, throw, dump, leave or scatter pieces of paper, peelings, cigarette or tobacco butts, soil or any kind of refuse or garbage in public places, such as parks, streets, plazas, lagoons, lakes, brooks, roads, canals, alleys, fences, walls, and inside public buildings or enclosures which are open to the public except in receptacles or containers provided for the purpose.

SECTION 2. No person shall throw or dump garbage, waste matter, refuse, and other substances, whether solid or liquid, into canals, drainage systems, curbs and gutters, creeks, rivers, tributaries, rivulets and other natural waterways, including lakes, lagoons, catchbasins, and other natural bodies of water, nor do any act that shall illegally obstruct the flow of water, cause elevation of river bed level, or bring about alluvial formation.


SECTION 3. Owners of buildings abutting on certain streets shall provide receptacles to be placed on the sidewalks or pavements to be used by the public in the disposal of refuse, sputum and/or expectoration, and owners of buildings or enclosures open to the public shall provide such receptacles inside the buildings or enclosures. Provided, that the City Mayor shall promulgate such regulations as may be necessary for the full implementation of this provision of this Ordinance.

SECTION 4. Owners of commercial and industrial establishments such as hotels, restaurants, hospitals, cinema houses, stores, transportation companies, universities, colleges, schools and other similar institutions and/or establishments of any kind, and owners or administrators of commercial and residential lots shall be obliged to keep their areas and surroundings as well as the abutting roads, drainage canals, curbs and gutters, alleys and other passage ways and their immediate premises clean. The above establishments are to be inspected daily, not later than 9:00 o'clock every morning, by police officers and/or persons especially deputized for the enforcement of this Ordinance.

SECTION 5. It shall be the duty of every person in any place, plaza, park, street, garden and similar public areas to pick up litter, garbage, or any debris near him, and any person neglecting to do so and/or refusing to do so upon orders by police officers and/or persons specially deputized for the enforcement of this ordinance shall be penalized with the penalty indicated in Section 7 hereof.

SECTION 6. It shall be unlawful for any person, without authority from the City Health Department, to remove, destroy, cart away or mutilate government-owned garbage cans, drums, concrete garbage receptacles, or any kind of garbage receptacles. Provided, that, for the purpose of this section, garbage cans, drums, concrete receptacles, or any other kind of garbage receptacles donated to the City Government of Baguio or its instrumentalities within the term "government-owned garbage cans, drums, concrete receptacles or any kind of garbage receptacles."

SECTION 7. Anybody found violating the provisions, except Sections 1 and 2, of this ordinance shall, upon conviction, be penalized as follows:

- a. In the case of private individuals, the penalty for first violation shall be a fine of ₱50.00 and/or imprisonment for not less than 15 days but not more than 30 days, in the discretion of the court.
 - b. For the second and for each subsequent violation, the penalty shall be a fine of ₱100.00 and/or imprisonment for not less than 30 days but not more than 60 days, in the discretion of the court.
- 

- c. In the case of establishments mention in Section 4 hereof, the owners, proprietors, administrators, occupants, and/or managers shall be subject to penalty of a fine of P100.00 and/or imprisonment for not less than 30 days but not more than 60 days, in the discretion of the court.
- d. For those found guilty of violating Section 5 hereof, the penalty shall be a fine of P100.00 and/or imprisonment for not less than 30 days but not more than 60 days, in the discretion of the court.
- e. For those found guilty of violating Section 6 hereof, the penalty shall be a fine of P50.00 or imprisonment for 15 days.

SECTION 8. Any violation of Section 7 hereof shall upon conviction be punished, to wit:

- a. P100.00 fine or imprisonment of not less than 30 days but not more than 60 days, in the discretion of the court.
- b. In the case of a person in authority or agents of a person in authority, the penalty shall be a fine of P1,000.00 and/or imprisonment for not less than 60 days but not more than 120 days, in the discretion of the court.
- c. In the case of owners of establishments (for dumping garbage, soil, waste, and other refuse), the penalty shall be a fine of P1,000.00 and/or imprisonment of not less than 90 days but not more than 180 days in the discretion of the court.

SECTION 9. Violation of Section 8 hereof shall, upon conviction, be punished by a fine of P300.00 or by imprisonment of not exceeding five days or both in the discretion of the court. In case the violator is a corporation or any artificial or juridical person, the president, manager or any executive officers thereof shall jointly and severally suffer the penalty imposed in this Section.


SECTION 10. Amnesty from prosecution. - Any person found violating the provisions of this Ordinance and who voluntarily acknowledges his infraction and is willing to pay the fines as herein provided shall not be detained and/or be subject to prosecution for violation of this ordinance and his arrest shall not be recorded in the police blotter and/or in any court record if he shall avail of the provisions of this section by voluntarily paying the corresponding fine to the Clerk of Court, Municipal Trial Court of Saguo, and in his absence, the Desk Sergeant of the Saguo City Police Station on duty, who are hereby obligated and directed to issue corresponding official receipts to the person making the payment and shall require the violator to execute the following acknowledgment:

ACKNOWLEDGMENT

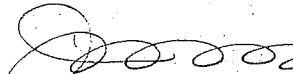
I hereby acknowledge that I have violated the provisions of Ordinance Nr. 54, s. 1988, and I am availing of the provisions of Section 10 thereof by voluntarily paying the sum imposed in the said Ordinance.

SECTION 11. All previous ordinances or parts thereof inconsistent herewith are hereby repealed, amended or modified as the case may be.

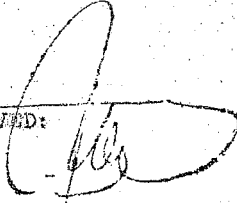
Approved unanimously.


JAMES R. BUGNOSEN
Vice Mayor and
Presiding Officer

Attested:


JORGE M. MANALO
City Secretary

APPROVED:


RAMON L. LABO, JR.
City Mayor *div*
June 27, 1988



Republic of the Philippines
City of Baguio
SANGGUNIANG PANLUNGSOD
(CITY COUNCIL)

REGULAR SESSION HELD ON 24 APRIL 2006

PRESENT:

Hon. Leandro B. Yangot, Jr., *Member*;
Hon. Daniel T. Fariñas, *Member*;
Hon. Rocky Thomas A. Balisong, *Member*;
Hon. Edilberto B. Tenebrancia, *Member and Temporary Presiding Officer*;
Hon. Faustino A. Olowan, *Member*;
Hon. Galo D. Weygan, *Member*;
Hon. Federico J. Mandapat, Jr., *Member*;
Hon. Perlita L. Chan-Rondez, *Member*;
Hon. Erdolfo V. Balajadia, *Member*;
Hon. Antonio R. Tabora, Jr., *Member*;
Hon. Jose M. Molintas, *Member*;
Hon. Rufino M. Panagan, *Ex Officio Member*; and
Hon. Leonardo Q. Bayan, Jr., *Ex Officio Member*.

ABSENT:

Hon. Reinaldo A. Bautista, Jr., *Vice Mayor* (on official business); and
Hon. Elmer O. Datuin, *Member* (on official business).

Introduced by Hon. Daniel T. Fariñas.

ORDINANCE Numbered 14
(Series of 2006)

AMENDING SECTIONS 1 AND 2 OF ORDINANCE
NUMBERED 047, SERIES OF 1995.

EXPLANATORY NOTE

It is the thrust of the City of Baguio to be vigilant and be on the constant move for the improvement of the lives of its constituents and what better way of facing the challenges of time than being updated with all existing local laws and ordinances on cleanliness and sanitation like Ordinance Numbered 54, series of 1988, as amended by Ordinance Numbered 47, series of 1995, which penalizes the illegal disposal of refuse, excrement and egesta; removal or destruction of receptacles for refuse; illegal obstruction of waterways and dumping into bodies of water; and requiring certain persons, institutions and establishments to provide for receptacles for refuse, to keep surroundings clean, and to pick up litters.

The city is faced with so many environmental problems and the blatant violation of these existing ordinances would only mean ineffective implementation of the same.

In view of the desire of the City of Baguio to strictly implement its laws, the imposition of higher penalties under said ordinances, specifically, Ordinance Numbered 54, series 1988, as amended by Ordinance Numbered 47, series of 1995, will result to a greater public obedience.

NOW THEREFORE, on motion of Hon. Balisong and Hon. Mandapat, duly seconded,

BE IT ORDAINED BY THE SANGGUNIANG PANLUNGSOD (CITY COUNCIL) IN
SESSION ASSEMBLED THAT:

SECTION 1. Section 1 of Ordinance Numbered 047, series of 1995, is hereby amended to read, as follows:

"SECTION 1. Section 7 of Ordinance Numbered 54-88 is hereby amended to read as follows:

'SECTION 7. Anybody found violating the provisions, except Sections 1 and 2, of this Ordinance shall, upon conviction, be penalized as follows:

- 'a. In the case of private individuals, the penalty for first violation shall be a fine of P300.00 and/or imprisonment for not less than 20 days but not more than 30 days, in the discretion of the court.*
- 'b. For the second and for each subsequent violation, the penalty shall be a fine of P500.00 and/or imprisonment for not less than 45 days but not more than 60 days, in the discretion of the court.*
- 'c. In the case of establishments mentioned in Section 4 hereof, the owners, proprietors, administrators, occupants, and/or managers shall be subjected to penalty of a fine of P1,000.00 and/or imprisonment for not less than 30 days but not more than 60 days, in the discretion of the court.*
- 'd. For those found guilty of violating Section 5 hereof, the penalty shall be a fine of P300.00 and/or imprisonment for not less than 30 days but not more than 60 days, in the discretion of the court.*
- 'e. For those found guilty of violating Section 6 hereof, the penalty shall be a fine of P200.00 and/or imprisonment for 15 days in the discretion of the court."*

G.R.A

Ordinance Numbered 14, series of 2006, page 2.

SECTION 2. Section 2 of Ordinance Numbered 047, series of 1995, is hereby amended to read, as follows:

"SECTION 2. Section 8 of Ordinance Numbered 54-88 is hereby amended to read as follows:

'SECTION 8. Any violation of Section 1 hereof shall upon conviction be punished, to wit:

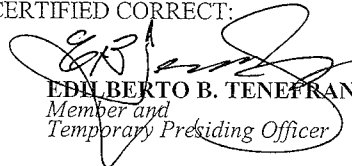
- 'a. P400.00 fine or imprisonment of not less than 30 days but not more than 60 days, in the discretion of the court.*
- 'b. In the case of a person in authority or agents of a person in authority, the penalty shall be a fine of P4,000.00 and/or imprisonment for not less than 90 days but not more than 120 days, in the discretion of the court.*
- 'c. In the case of owners of establishments (for dumping garbage, soil, waste, and other refuse), the penalty shall be a fine of P4,000.00 and/or imprisonment of not less than 120 days but not more than 180 days, in the discretion of the court.'"*

SECTION 3. This Ordinance shall take effect in accordance with the provisions of the Local Government Code of 1991.

Passed.

Hon. Panagan was out of the Session Hall during the deliberation and voting.


CERTIFIED CORRECT:


EDILBERTO B. TENEFRANCIA
*Member and
Temporary Presiding Officer*

Attested:


PRUDENCIO M. PARNACIO
Assistant City Secretary

APPROVED:


BRAULIO D. YARANON
City Mayor

05-08-06



Republic of the Philippines
City of Baguio
SANGGUNIANG PANLUNGSOD
(CITY COUNCIL)

REGULAR SESSION HELD ON 15 JANUARY 1997

PRESENT:

Hon. Daniel T. Fariñas, *Vice Mayor and Presiding Officer*;
Hon. Edilberto T. Claravall, *Member*;
Hon. Betty Lourdes F. Tabanda, *Member*;
Hon. Elmo M. Nevada, *Member*;
Hon. Virgilio F. Bautista, *Member*;
Hon. Eduardo R. Aguilar, *Member*;
Hon. Roberto C. Ortega, *Member*;
Hon. Lilia G. Yaranon, *Member*;
Hon. Edgardo E. Bilog, *Member*;
Hon. Galo D. Weygan, *Member*;
Hon. Delfin V. Balajadia, *Member*;
Hon. Nicasio S. Palaganas, *Member*;
Hon. Richard A. Cariño, *Member*;
Hon. Leandro B. Yangot, Jr., *Member*; and
Hon. Jonathan B. Tambol, *Member*.

ABSENT:

None.

Introduced by Hon. Eduardo R. Aguilar.

ORDINANCE Numbered 001-
(series of 1997)

FURTHER AMENDING SECTION 9 OF ORDINANCE NUMBERED 54-88, ENTITLED "AN ORDINANCE PENALIZING ILLEGAL DISPOSAL OF REFUSE, EXCREMENT AND EGESTA; REMOVAL OR DESTRUCTION OF RECEPTACLES FOR REFUSE; AND ILLEGAL OBSTRUCTION OF WATERWAYS AND DUMPING INTO BODIES OF WATER; REQUIRING CERTAIN PERSONS, INSTITUTIONS AND ESTABLISHMENTS TO PROVIDE FOR RECEPTACLES FOR REFUSE, TO KEEP SURROUNDINGS CLEAN, AND TO PICK UP LITTERS; PROVIDING FOR AMNESTY FROM PROSECUTION; AND FURTHERMORE AMENDING, FOR THE PURPOSE, SECTIONS 472, 475 AND 479 OF ORDINANCE NUMBERED 500, S. 1934, AS AMENDED BY ORDINANCE NRS. 252, 264, 572 AND 601," AS AMENDED BY SECTION 3 OF ORDINANCE NUMBERED 047, SERIES OF 1995.

EXPLANATORY NOTE

This Ordinance seeks to discourage the dumping of refuse, excrement, egesta and/or any form of garbage and waste in bodies of water by increasing the corresponding penalties for violators in order to minimize or eradicate the problem of water pollution and avoid floods during the rainy season due to accumulated garbage that clog the waterways and drainage systems.

Commensurate penalties imposed on violators, coupled with proper education and information dissemination in the community, are helpful in controlling the crude practice of dumping garbage in bodies of water in the City of Baguio.

NOW THEREFORE, on motion of Hon. Bilog, Hon. Yangot and Hon. Nevada, seconded by Hon. Ortega,

BE IT ORDAINED BY THE SANGGUNIANG PANLUNGSOD (CITY COUNCIL) IN SESSION ASSEMBLED THAT:


SECTION 1. Section 9 of Ordinance Numbered 54-88, as amended by Section 3 of Ordinance Numbered 047, series of 1995, is hereby further amended to read, as follows:

"SECTION 9. Violation of Section 2 hereof shall, upon conviction, be punished by a fine of not less than P3,000.00 nor more than P5,000.00 or by imprisonment of not less than 30 days nor more than 60 days, or both, in the discretion of the court. In case the violator is a corporation or any artificial or juridical person, the president, manager or any executive officers thereof shall jointly and severally suffer the penalty imposed in this Section."

SECTION 2. This Ordinance shall take effect in accordance with the provisions of the Local Government Code of 1991.

Unanimously passed.

CERTIFIED CORRECT:


DANIEL T. FARINAS
Vice Mayor and
Presiding Officer

Attested: 
RONALDO B. PEREZ
City Secretary

APPROVED:


MARIANO A. ROMO



Republic of the Philippines
City of Baguio
SANGGUNIANG PANLUNGSOD
(CITY COUNCIL)

REGULAR SESSION HELD ON 07 AUGUST 1996

PRESENT:

Hon. Edilberto T. Claravall, *Acting Vice Mayor and Temporary Presiding Officer*;
Hon. Betty Lourdes F. Tabanda, *Member*;
Hon. Elmo M. Nevada, *Member*;
Hon. Virgilio F. Bautista, *Member*;
Hon. Eduardo R. Aguilar, *Member*;
Hon. Roberto C. Ortega, *Member*;
Hon. Galo D. Weygan, *Member*;
Hon. Delfin V. Balajadia, *Member*;
Hon. Nicasio S. Palaganas, *Member*;
Hon. Richard A. Cariño, *Member*; and
Hon. Jonathan B. Tambol, *Member*.

ABSENT:

Hon. Daniel T. Fariñas, *Vice Mayor (Acting City Mayor)*;
Hon. Lilia G. Yaranon, *Member (on Official Travel Abroad)*;
Hon. Edgardo E. Bilog, *Member (on Official Travel Abroad)*; and
Hon. Leandro B. Yangot, Jr., *Member (on Official Travel Abroad)*.

Introduced by Hon. Nicasio S. Palaganas, Hon. Betty Lourdes F. Tabanda and Hon. Virgilio F. Bautista for the Committee on Laws 1 as requested by the Environmental Management and Protected Areas Service (EMPAS) of the Department of Environment and Natural Resources-Cordillera Administrative Region (DENR-CAR).

ORDINANCE Numbered 041⁹
(series of 1996)

AMENDING SECTION 2 OF ORDINANCE NUMBERED 54-88, ENTITLED "AN ORDINANCE PENALIZING ILLEGAL DISPOSAL OF REFUSE, EXCREMENT AND EGESTA, REMOVAL OR DESTRUCTION OF RECEPTACLES FOR REFUSE, AND ILLEGAL OBSTRUCTION OF WATERWAYS AND DUMPING INTO BODIES OF WATER, REQUIRING CERTAIN PERSONS, INSTITUTIONS AND ESTABLISHMENTS TO PROVIDE FOR RECEPTACLES FOR REFUSE, TO KEEP SURROUNDINGS CLEAN, AND TO PICK UP LITTERS, PROVIDING FOR AMNESTY FROM PROSECUTION; AND FURTHERMORE AMENDING, FOR THE PURPOSE, SECTIONS 472, 475 AND 479 OF ORDINANCE NUMBERED 500, S. 1934, AS AMENDED BY ORDINANCE NRS. 252, 264, 572 AND 601."

With the passage of Republic Act No. 6969, otherwise known as the Toxic Substances and Nuclear Wastes Control Act of 1990, it is deemed necessary that prohibition on the throwing or dumping of hazardous waste be included in local legislation.

Waste is considered hazardous when it exhibits one or more of the following characteristics: **Ignitability** - catches fire easily; **Corrosivity** - can burn eyes on contact or corrode standard containers; **Reactivity** - can cause fire, explode or generate toxic fumes when exposed to air or water; **Toxic** - poisonous.

NOW THEREFORE, on motion of Hon. Palaganas, Hon. Tabanda and Hon. Bautista, seconded by Hon. Nevada and Hon. Weygan,

BE IT ORDAINED BY THE SANGGUNIANG PANLUNGSOD (CITY COUNCIL) IN SESSION ASSEMBLED THAT:

SECTION 1. Section 2 of Ordinance Numbered 54-88 is hereby amended to read as follows:

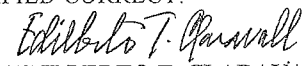
"Section 2. No person shall throw or dump garbage, waste matter, refuse, hazardous waste, and other substances, whether solid or liquid, into canals, drainage systems, curbs and gutters, creeks, rivers, tributaries, rivulets and other natural waterways, including lakes, lagoons, catch basins, and other natural bodies of water, nor do any act that shall illegally obstruct the flow of water, cause elevation of river bed level, or bring about alluvial formation."

SECTION 2. The term "hazardous waste" for purposes of this Ordinance shall include those prescribed in the listing contained in Department of Environment and Natural Resources (DENR) Administrative Order No. 29, series of 1991.

SECTION 3. This Ordinance shall take effect in accordance with the provisions of the Local Government Code of 1991.

Unanimously passed.

CERTIFIED CORRECT:


EDILBERTO T. CLARAVALL
*Acting Vice Mayor and
Temporary Presiding Officer*

Attested:


RONALDO B. PEREZ
City Secretary

APPROVED:


DANIEL T. FARIÑAS
Acting City Mayor



Republic of the Philippines
City of Baguio
SANGGUNIANG PANLUNGSOD
(CITY COUNCIL)

REGULAR SESSION HELD ON 28 JUNE 1995

PRESENT:

Hon. Daniel T. Fariñas, *Vice Mayor and Presiding Officer*;
Hon. Virgilio F. Bautista, *Member*;
Hon. Eduardo R. Aguilar, *Member*;
Hon. Edilberto T. Claravall, *Member*;
Hon. Betty Lourdes F. Tabanda, *Member*;
Hon. Narciso R. Padilla, *Member*;
Hon. Nicasio S. Palaganas, *Member*;
Hon. Napoleon N. Ponce, *Member*;
Hon. Galo D. Weygan, *Member*;
Hon. Lilia G. Yaranon, *Member*;
Hon. Jaime T. Quitania, *Member*;
Hon. Edgardo E. Bilog, *Member*;
Hon. Elmo M. Nevada, *Member*;
Hon. Leandro B. Yangot, Jr., *Member*; and
Hon. Florence L. Ibarra, *Member*.

ABSENT:

None.

Introduced by Hon. Daniel T. Fariñas.

ORDINANCE Numbered 047 *See 57-88 Ordinance*
(series of 1995)

AMENDING THE PENAL PROVISIONS OF ORDINANCE NUMBERED 54-88, ENTITLED "AN ORDINANCE PENALIZING ILLEGAL DISPOSAL OF REFUSE, EXCREMENT AND EGESTA; REMOVAL OR DESTRUCTION OF RECEPTACLES FOR REFUSE; AND ILLEGAL OBSTRUCTION OF WATERWAYS AND DUMPING INTO BODIES OF WATER; REQUIRING CERTAIN PERSONS, INSTITUTIONS AND ESTABLISHMENTS TO PROVIDE FOR RECEPTACLES FOR REFUSE, TO KEEP SURROUNDINGS CLEAN, AND TO PICK UP LITTERS; PROVIDING FOR AMNESTY FROM PROSECUTION; AND FURTHERMORE AMENDING, FOR THE PURPOSE, SECTIONS 472, 475 AND 479 OF ORDINANCE NUMBERED 500, S. 1934, AS AMENDED BY ORDINANCE NRS. 252, 264, 572 AND 601".

EXPLANATORY NOTE

The City of Baguio has sufficient local laws and ordinances covering concerns on littering, jaywalking, illegal peddling, vagrancy, illegal possession of deadly weapons, and the like, which are intended to maintain peace and order in the City. Said laws being of local application seem to be ignored resulting to many violations and creating disorder and problems in the community.

Several civic-oriented citizens and peace-keeping agencies blame these frequent violations to the obsolete penalties imposed under said ordinances.

NOW THEREFORE, on motion of Hon. Palaganas, Hon. Bautista and Hon. Tabanda, seconded by Hon. Yangot and Hon. Bilog,

BE IT ORDAINED BY THE SANGGUNIANG PANLUNGSOD (CITY COUNCIL) IN SESSION ASSEMBLED THAT:

SECTION 1. Section 7 of Ordinance Numbered 54-88 is hereby amended to read as follows:

"SECTION 7. Anybody found violating the provisions, except Sections 1 and 2, of this Ordinance shall, upon conviction, be penalized as follows:

"a. In the case of private individuals, the penalty for first violation shall be a fine of P150.00 and/or imprisonment for not less than 20 days but not more than 30 days, in the discretion of the court.

"b. For the second and for each subsequent violation, the penalty shall be a fine of P250.00 and/or imprisonment for not less than 45 days but not more than 60 days, in the discretion of the court.

Ordinance Numbered 047, series of 1995, page 2

"c. In the case of establishments mentioned in Section 4 hereof, the owners, proprietors, administrators, occupants and/or managers shall be subjected to penalty of a fine of P500.00 and/or imprisonment for not less than 30 days but not more than 60 days, in the discretion of the court.

"d. For those found guilty of violating Section 5 hereof, the penalty shall be a fine of P150.00 and/or imprisonment for not less than 30 days but not more than 60 days, in the discretion of the court.

"e. For those found guilty of violating Section 6 hereof, the penalty shall be a fine of P100.00 or imprisonment for 15 days."

SECTION 2. Section 8 of Ordinance Numbered 54-88 is hereby amended to read as follows:

"SECTION 8. Any violation of Section 1 hereof shall upon conviction be punished, to wit:

"a. P200.00 fine or imprisonment of not less than 45 days but not more than 60 days, in the discretion of the court.

"b. In the case of a person in authority or agents of a person in authority, the penalty shall be a fine of P2,000.00 and/or imprisonment for not less than 90 days but not more than 120 days, in the discretion of the court.

"c. In the case of owners of establishments (for dumping garbage, soil, waste, and other refuse), the penalty shall be a fine of P2,000.00 and/or imprisonment of not less than 120 days but not more than 180 days in the discretion of the court."

SECTION 3. Section 9 of Ordinance Numbered 54-88 is hereby amended to read as follows:

"SECTION 9. Violation of Section 2 hereof shall, upon conviction, be punished by a fine of P500.00 or by imprisonment of not exceeding seven days or both in the discretion of the court. In case the violator is a corporation or any artificial or juridical person, the president, manager or any executive officers thereof shall jointly and severally suffer the penalty imposed in this Section."

SECTION 4. This Ordinance shall take effect in accordance with the provisions of the Local Government Code of 1991.

Passed.

Hon. Quitania was out of the Session Hall during the deliberation and voting.

CERTIFIED CORRECT:



DANIEL T. FARIÑAS
Vice Mayor and
Presiding Officer

Attested:



RONALDO B. PEREZ
City Secretary

APPROVED:



MAURICIO G. BOMOGAN
City Mayor