

**EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE 11<sup>TH</sup> SANGGUNIANG BAYAN OF BUSTOS, BULACAN HELD AT THE BULWAGANG AMADO S. RAYMUNDO, POBLACION, BUSTOS, BULACAN ON 23<sup>RD</sup> OF DECEMBER 2024.**

*Present:*

<b>Hon. Martin SJ. Angeles, MMPA</b>	MUNICIPAL VICE MAYOR AND PRESIDING OFFICER OF THE SANGGUNIANG BAYAN
<b>Hon. Marie Niña Nikkie Perez, MA</b>	SANGGUNIANG BAYAN MEMBER
<b>Hon. Leo T. Santos</b>	SANGGUNIANG BAYAN MEMBER
<b>Hon. Phillip Wryner B. Santos</b>	SANGGUNIANG BAYAN MEMBER
<b>Hon. Juliet DJ. Dela Cruz</b>	SANGGUNIANG BAYAN MEMBER
<b>Hon. Aljhaneal E. Quiñones</b>	SANGGUNIANG BAYAN MEMBER
<b>Hon. Soliman C. Santos</b>	SANGGUNIANG BAYAN MEMBER
<b>Hon. Wilfredo G. Canoja</b>	SANGGUNIANG BAYAN MEMBER
<b>Hon. John Erick L. Perez</b>	SANGGUNIANG BAYAN MEMBER
<b>Hon. Raymond R. Perez</b>	ABC VICE PRESIDENT
<b>Hon. Mel Ryan P. Juan</b>	SK PRESIDENT

## **MUNICIPAL ORDINANCE No. 2024-31**

**“CREATING THE ENVIRONMENTAL CODE OF BUSTOS BULACAN, IMPOSING PENALTIES THEREOF AND OTHER PURPOSES.”**

*Authored by:*

**Honorable Wilfredo G. Canoja**

*Chairman*

Committee on Rules, Privileges, Civil Service and Good Governance

*Co-authors:*

**Honorable Soliman C. Santos**  
**Honorable Leo T. Santos**  
**Honorable Aljhaneal E. Quiñones**

**TANGGAPAN NG SANGGUNIANG BAYAN**

**BAKURAN NG BAHAY PAMAHALAANG BAYAN NG BUSTOS, BULACAN**

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**WHEREAS**, Article II, Section 16 of the Constitution provides that: “The State shall protect and advance the right of the people to a balanced and healthful ecology in accordance with the rhythm and harmony of nature”.

**WHEREAS**, Section 16 of R.A. 7160 otherwise known as the Local Government Code of 1991. The LGU shall promote health and safety, and enhance the right of the people to a balanced ecology and preserve the comfort and convenience of their inhabitants.

**WHEREAS**, in Section 17 (2, vi) of R.A. 7160. The LGUs shall exercise powers and discharge functions and responsibilities for the efficient and effective provision of the basic services and facilities, which include solid waste disposal system or environmental management system and services or facilities related to general hygiene and sanitation.

**WHEREAS**, Section 447 of R.A. 7160 (The Local Government Code of 1991) provides that:

“(a) The sangguniang bayan, as the legislative body of the municipality, shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the municipality and its inhabitants pursuant to Section 16 of this Code and in the proper exercise of the corporate powers of the municipality as provided for under Section 22 of this Code, and shall:

(1) Approve ordinances and pass resolutions necessary for an efficient and effective municipal government, and in this connection shall:

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(vi) Protect the environment and impose appropriate penalties for acts which endanger the environment, such as dynamite fishing and other forms of destructive fishing, illegal logging and smuggling of logs, smuggling of natural resources products and of endangered species of flora and fauna, slash and burn farming, and such other activities which result in pollution, acceleration of eutrophication of rivers and lakes, or of ecological imbalance;”

**WHEREAS**, in Toxic and Hazardous Wastes Act, (R.A. 6969), The State shall regulate, restrict or prohibit the importation, manufacture, processing, sale, distribution, use and disposal of chemical substances and mixtures that present unreasonable risk and/or injury to health or the environment; to prohibit the entry, even in transit, of hazardous and nuclear wastes and their disposal into the Philippine territorial limits for whatever purpose; and to provide advancement and facilitate research and studies on toxic chemicals.

**WHEREAS**, Clean Air Act of 1999 (R.A. 8749) states that: The State shall promote and protect the global environment to attain sustainable development while recognizing the primary responsibility of local government units to deal with environmental problems. The State recognizes that the responsibility of cleaning the habitat and environment is primarily area-based. Finally, the State recognizes that the clean and healthy environment is for the good of all and should therefore, be the concern of all.

**WHEREAS**, Clean Water Act (R.A. 9275), provides for a comprehensive water quality management and for other purposes and pursue a policy of economic growth in a manner consistent with the protection, preservation and revival of the quality of our fresh, brackish and marine waters.

**WHEREAS**, the National Water Crisis Act (R.A. 8041) declares policy to adopt urgent and effective measures to address the nationwide water crisis which adversely allocate the health and well-being of the population, food production and industrialization process.

**WHEREAS**, R.A. 3571, prohibits the cutting, destroying or injuring of planted or growing trees, flowering plants and shrubs or plants of scenic value along public roads, in plazas, parks and school premises or in any other public ground.

**WHEREAS**, Administrative Order No. 270 – (Prescribing the

Implementing Rules and Regulations of The Local Government Code of 1991) provides that:

“ARTICLE 100. Powers, Duties, and Functions of the Sangguniang Bayan. — (a) The sangguniang bayan, as the legislative body of the municipality, shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the municipality and its inhabitants pursuant to Sec. 16 of the Code and in the proper exercise of the corporate powers of the municipality as provided in Rule IX of these Rules, and shall:

(4) Regulate activities relative to the use of land, buildings, and structures within the municipality in order to promote the general welfare and for said purpose shall:

(iii) Regulate the disposal of clinical and other wastes from hospitals, clinics and other similar establishments;”

**WHEREAS**, Republic Act No. 9003 otherwise known as “Ecological Solid Waste Management Act of 2000”, provides, that:

“SECTION 10. Role of LGUs in Solid Waste Management. — Pursuant to the relevant provisions of R.A. No. 7160, otherwise known as the Local Government Code, the LGUs shall be primarily responsible for the implementation and enforcement of the provisions of this Act within their respective jurisdictions.

Segregation and collection of solid waste shall be conducted at the barangay level specifically for biodegradable, compostable and reusable wastes: Provided, That the collection of non-recyclable materials and special wastes shall be the responsibility of the municipality or city.”

**WHEREAS**, Section 1 of Presidential Decree No. 1151 (Philippine Environmental Policy) declares that:

“It is hereby declared a continuing policy of the State (a) to create, develop, maintain and improve conditions under which man and nature can thrive in productive and enjoyable harmony with each other, (b) to fulfill the social, economic and other requirements of present and future generations of Filipinos, and (c) to ensure the attainment of an environmental quality that is conducive to a life of dignity and well-being.”

**WHEREAS**, Presidential Decree No. 1152 or the Philippine Environmental Code, provides for the general guidelines and standards on the use, protection, conservation of environment and natural resources.

**NOW THEREFORE, BE IT ORDAINED BY THE SANGGUNIANG BAYAN, IN A SESSION DULY ASSEMBLED, THAT:**

**TITLE I**  
**GENERAL PROVISIONS**

**Section 1. Title and Scope.** – This Code shall be known as the “**Environmental Code of Bustos, Bulacan**”.

**Section 2. Purpose of the Code.** – To ensure ecological integrity, clean and healthy environment and improved socio-economic conditions of resourced-based communities through Sustainable Integrated Area Development.

**Section 3. Declaration of Policy.** – The Municipality of Bustos, Bulacan hereby declare the following policies:

1. the protection and progressive improvement of the quality of the environment as one of the Municipality's major objectives;
2. promotion of economic and social development policies *vis-à-vis* with sound environment policies, in order to ensure a balanced contribution to the improvement of human well-being;
3. to protect the environment by encouraging: (i) the promotion of non-polluting technologies; (ii) conservation of energy and other scarce resources; (iii) intensified efforts to recycle materials; and (iv) the development of substitutes for scarce or environmentally harmful substances;
4. continue to observe and further refine the "Polluter-Pays Principle" and other agreed principles to encourage environmental protection and to avoid international economic distortions and where desirable, encourage the harmonization of environmental policies;
5. co-operate towards solving trans frontier pollution problems in a spirit of solidarity;
6. comprehensive environmental planning, including that pertaining to land use should constitute an important element of government policy;
7. in order to prevent future environmental deterioration, prior assessment of the environmental consequences of significant public and
8. private activities should be an essential element of policies applied in all levels of development.

**Section 4. Vision.** – This Code is guided by the vision:

"By 2029, Bustos is a model of a clean and green Municipality of livable communities where people

work together towards green urbanism driven by a circular economy”.

**Section 5. *Scope and Application.*** – This ordinance shall cover all persons, entities, projects and business establishments within the territorial jurisdiction of the Municipality of Bustos. It shall apply to all devolved functions and community-based environmental projects, including those powers, functions and areas of concern which may be subject to further devolution to the local government units. It shall provide a framework of norms, standards, parameters and requirements to preserve the resiliency of nature and sustain the potential of natural and physical resources to meet the foreseeable needs of future generations.

**Section 6. *Commitment.*** – The Municipality hereby commits to effectively and efficiently implement this Code and in support thereof, to make available adequate human resources, funding, equipment, machineries and other resources.

**Section 7. *Basic Principles.*** – This Code is directed by the following principles:

- a) *Integration.* This is characterized by comprehensive scope, coherent and consistent strategies and cost-effectiveness of results of the policy-making and implementation process to be undertaken. Integration is the principle behind the mandate for the Municipality to implement and translate into its development initiatives the national policies, plans and programs.
- b) *Interdisciplinary.* This refers to the recognition of the need to a diverse field of knowledge to include natural, social, and engineering sciences aside from available traditional knowledge.
- c) *Precautionary Principle.* Where the Municipal Government will take immediate preventive action, using the best available knowledge, in situations where there is reason that something is causing a potentially severe or irreparable environmental harm, even in the absence of conclusive scientific evidence establishing a causal link. This principle also applies in the formulation of predictive policies in Local Environment Management.
- d) *Polluter Pay Principle.* Polluters assume the costs of pollution upon the community and the environment.
- e) *Intergenerational Equity.* This means ensuring equal access to goods and resources for people in the present and future generations.

- f) *Public Participation*. The general public shall have appropriate access to information held by public authorities and shall participate in the decision-making process. This is necessary for stakeholders to gain a sense of ownership of the issues sought to be addressed, and of the interventions and solutions, which are decided upon and ultimately empower communities without using the coercive power of the State.

**Section 8. Definition of terms.** – the following words and phrases used in this Code shall be defined and understood, as follows:

1.	“Siga” - The traditional small-scale method of burning of wastes resulting from cleaning the backyard such as fallen leaves, twigs, stems, and other similar matter from plants and trees in the backyard where the burning is done.
2.	Agricultural Lands- lands of public domain which are neither forest, nor mineral lands and national parks and primarily used for farming or production of crops, livestock or poultry.
3.	Agricultural waste - shall refer to waste generated from planting or harvesting of crops, trimming or pruning of plants and wastes or run-off materials from farms or fields;
4.	Air Pollutant - Any particle or substance found in the atmosphere other than oxygen, nitrogen, water vapor, carbon dioxide, and the inert gases all in their natural or normal concentrations, that is detrimental to health or the environment, which includes but not limited to smoke, dust, soot, cinder, fly ash, solid particles of any kind, gases, fumes, chemical mists, odors, contaminated steam and radioactive substances.
5.	Air Pollution - Any alteration of the physical, chemical, and biological properties of the atmosphere, or any discharge thereto of any liquid, gaseous or solid substances that will or is likely to create or to render the air resources harmful, detrimental, or injurious to public health safety or welfare or which will adversely affect their utilization for domestic, commercial, industrial, agricultural, recreational, or other legitimate purpose.
6.	Ambient Air Quality - The average atmospheric purity in a broad area as distinguished from discharge measurements taken at the source of pollution or the present characteristic or nature of the surrounding atmosphere.
7.	Ambient Air Quality Guideline Values - The concentration of air over specified periods classified as short term and/or long term which are intended to serve as goals or objectives for the protection of health and/or public welfare. These values shall be used for air quality management purposes such as determining time trends, evaluating stages of deterioration or enhancement of the air quality. In general, used as a basis for taking positive action in preventing, controlling, or abating health impacts from air pollution.

8.	Ambient Air Quality Standard - The concentration of an air pollutant which, in order to protect public health and/or public welfare, shall not be exceeded in the breathing zone, at any time. Standards are enforceable and must be complied with by the owner or person in charge of an industrial operation, process or trade.
9.	Aquatic Pollution - is the introduction by man or machine into the grounds or waters, of substance or energy which results or is likely to result in such deleterious effects as to harm living and non-living aquatic resources and posing as hazard to human health. It may be a direct or indirect action, or in or out of particular local government jurisdictions. It includes dumping or disposal of waste or other matter, carbonaceous materials or substances, oil, coal, coal tar, lampblack, aniline, asphalt, bitumen, mining and mill tailings, molasses, garbage, refuse, and other noxious or harmful liquid and gaseous or solid substances.
10.	Aquatic Resources - Living resources of the aquatic environment including fishes, aquatic flora and fauna, corals, seals, and mangroves.
11.	Bio-medical Waste - Pathological wastes, pharmaceutical wastes, chemical wastes and sharps defined as follows: Pathological wastes. Includes all human tissue (whether infected or not) such as limbs, organs, fetuses and body fluid; animal carcasses and tissue from laboratories, together with all related swabs and dressings. Pharmaceutical wastes. Includes pharmaceutical products, drugs, and chemicals that have been returned from wards, have been spilled or soiled, are expired or contaminated, or are to be discarded or any reason.
12.	Buffer Zones - identified areas outside the boundaries of and immediately adjacent to designated protected areas that need special development control in order to avoid or minimize harm to the protected area.
13.	Chemical Substance - means any organic or inorganic substance of a particular molecular identity excluding radioactive materials and includes – any element or uncombined chemical; and any combination of such substances; or any mixture of two or more chemical substances.
14.	Clean and Green Campaign - deals with the massive cleaning of the municipality and the planting and maintenance of trees as well as intensive beautification drive in consonance with the national government's goals and objectives.
15.	Collection - shall refer to the act of removing solid waste from the source or from a communal storage point;
16.	Commercial Lands - portion of alienable and disposable lands of the public domain classified as sustainable and intended for trading of goods and services by competent authority.

17.	Composting - shall refer to the controlled decomposition of organic matter by micro-organisms, mainly bacteria and fungi, into a humus-like product;
18.	Controlled dump - shall refer to a disposal site at which solid waste is deposited in accordance with the minimum prescribed standards of site operation;
19.	Disposal - shall refer to the discharge, deposit, dumping, spilling, leaking or placing of any solid waste into or in any land;
20.	Disposal site - shall refer to a site where solid waste is finally discharged and deposited;
21.	Ecological solid waste management - shall refer to the systematic administration of activities which provide for segregation at source, segregated transportation, storage, transfer, processing, treatment, and disposal of solid waste and all other waste management activities which do not harm the environment;
22.	Effluent Standards - Restrictions established to limit levels of concentration, physical, chemical and biological constituents, which are discharged from point sources.
23.	Emission - Any measurable air contaminant, pollutant, gas stream or unwanted sound from a known source which is passed into the atmosphere.
24.	Farm Lands - lands intended for or actually devoted to the production of food, including plantations, except fishponds and other adjoining bodies of water.
25.	Fuel-Burning Equipment - Any equipment, device, or contrivance, and all appurtenances thereto, including ducts, breechings, fuel-feeding equipment, ash removal equipment, controls, stacks, and chimneys, used primarily, not exclusively, to burn any fuel for the purpose of direct applications or indirect heating such as the production of hot air or hot water.
26.	Fugitive dust or Particulate - The particulate matter, which escapes and becomes airborne from unenclosed industrial operation, or that which escapes from incompletely or partially enclosed operation into the outside atmosphere without passing or being conducted through a flue pipe stack or other structure.
27.	Greenhouse Effect - A warming occurs on the earth's surface when the earth's atmosphere traps the sun's heat. The greenhouse effect received its name because the earth's atmosphere acts much like the glass or plastic roof and walls of a greenhouse. The earth's atmosphere allows most of the sunlight that reaches it to pass through and heat the earth's surface. The earth sends the heat energy back into the atmosphere as infrared radiation. Much of this radiation does not pass freely into space because certain gasses in the atmosphere absorb in.
28.	Greenhouse Gases - Those gases such as carbon dioxide, methane, and oxides of nitrogen, chlorofluorocarbons, and the others that can potentially or can reasonably be expected to induce global warming.

29.	Hazardous Substances - Are substances which present either: (1) short term acute hazards such as acute toxicity by ingestion, inhalation, or skin absorption, corrosivity or other skin or eye contact hazard or the risk of fire explosion; or (2) long term toxicity upon repeated exposure, including carcinogenicity (which in some cases may result in acute exposure but with a long latent period), resistance to the detoxification process, or the potential to pollute underground or surface water.
30.	Hazardous waste - shall also refer to by-products, side-products, process residues, spent reaction media, contaminated plant or equipment or other substances from manufacturing operations and as consumer discards of manufactured products which present unreasonable risk and/or injury to health and safety and to the environment.
31.	Industrial Lands - public lands within the zone established by the Municipality for the manufacture and production of large quantities of goods and commodities.
32.	Infectious waste - Surgical dressings, swabs and other contaminated waste from treatment areas; materials which have been in contact with persons or animals suffering from infectious diseases; cultures and stocks of infectious agents from laboratory works; dialysis equipment; apparatus and disposable gowns, aprons, gowns, gloves, towels, etc.; waste from dialysis treatment area; waste from patients in isolation wards; all materials which may contain pathogens in sufficient concentration or quality that exposure to could result in disease.
33.	Land Classification - assessment, appraisal, and determination of land potentials, which include survey and classification of land resource and the study and mapping of the soil.
34.	Land Reclassification - subsequent classification, allocation, and disposition of alienable and disposable lands of the public domain into specific uses.
35.	Land Resource – all terrestrial, subterranean, and all geological features and land masses of the public domain and private domain of the State, within the respective geographical jurisdiction of the Municipality, including all flora and fauna, minerals and aquatic resources that dwell or exist upon it.
36.	Land Use Planning – act of defining the allocation, utilization, development and management of all lands within a given territory or jurisdiction according to the inherent qualities of the land itself and supportive of economic, demographic, socio-cultural and environmental objectives as in decision-making and legislation.
37.	Materials Recovery Facility – includes a solid waste transfer station or sorting station, drop-off center, a composting facility, and a recycling facility;
38.	Medical waste - Any solid waste that is generated in the diagnosis, treatment or immunization of human beings or

	animals, in research pertaining thereto, or in the production or testing of biologicals.
39.	Mining operation - means mining activities involving exploration, feasibility, development, utilization, and processing.
40.	Municipal waste - shall refer to wastes produced from activities within local government units which include a combination of domestic, commercial, institutional and industrial wastes and street litters;
41.	Municipal Waters – bodies of water found in the municipality which include streams, lakes, subterranean and tidal water within the territorial jurisdiction of a municipality that are not the subject of private ownership and not included within national parks, public forests, timberland, forest reserves or fishery reserves.
42.	Non-Biodegradable Objects – anything that is not capable of decaying and not absorbed by the environment such as cellophane, plastics, rubber, metal and the likes.
43.	Open dump - shall refer to a disposal area wherein the solid wastes are indiscriminately thrown or disposed of without due planning and consideration for environmental and health standards;
44.	Particulate Matter or Suspended Particulates - Any material other than uncombined water, which exists in a finely divided form as a liquid or solid.
45.	Permit - The legal authorization to engage in or conduct any construction, operation, modification or expansion of any installation, operation or activity which will be reasonably be expected to be a source of pollution.
46.	Permit to Operate. - The legal authorization granted by the Environmental Management Bureau of the Department of Environment and Natural Resources to operate or maintain any installation for a specified period of time.
47.	Poisonous and toxic fumes - Any emission and fumes which do not conform to internationally accepted standards, including but not limited to World Health Organization (WHO) guideline values.
48.	Pollution - means any alteration of the physical, chemical, biological properties of any water, air and/or and resource of the Philippines, or any discharge thereto of any liquid, gaseous or solid waste, or any production of unnecessary noise, or any emission of objectionable odor, as will or is likely to create or to render such water, air and/or land resources harmful, detrimental or injurious to public health, safety or welfare, or which will adversely affect their utilization for domestic, industrial, agricultural, recreational or other legitimate purposes.
49.	Pollution Control Device - Any device or apparatus that is used to prevent, control, or abate the pollution of air caused by emissions from identified sources at levels within the air

	pollution standards established by the Department of Environment and Natural Resources.
50.	Protected Areas – identified portions of land and water set aside by reason of their unique physical and biological significance, managed to enhance bio- diversity and protected against destructive human exploitation.
51.	Public Domain – lands which belong to the State, province and municipality in its proprietary capacity.
52.	Quarrying - means the process of extracting, removing and disposing quarry resources found on or underneath the surface of private or public land.
53.	Receptacles - shall refer to individual containers used for the source separation and the collection of recyclable materials;
54.	Recyclable material - shall refer to any waste material retrieved from the waste stream and free from contamination that can still be converted into suitable beneficial use or for other purposes, including, but not limited to, newspaper, ferrous scrap metal, non-ferrous scrap metal, used oil, corrugated cardboard, aluminum, glass, office paper, tin cans and other materials;
55.	Recycling - shall refer to the treating of used or waste materials through a process of making them suitable for beneficial use and for other purposes, and includes any process by which solid waste materials are transformed into new products in such a manner that the original products may lose their identity, and which may be used as raw materials for the production of other goods or services: Provided, That the collection, segregation and re-use of previously used packaging material shall be deemed recycling;
56.	Residential Lands – public lands intended to or devoted to the construction and establishment of dwellings.
57.	Sanitary landfill - shall refer to a waste disposal site designed, constructed, operated and maintained in a manner that exerts engineering control over significant potential environmental impacts arising from the development and operation of the facility;
58.	Segregation at source - shall refer to a solid waste management practice of separating, at the point of origin, different materials found in solid waste in order to promote recycling and re-use of resources and to reduce the volume of waste for collection and disposal;
59.	Smoke - Gas-borne particulates resulting from incomplete combustion, consisting predominantly, but not exclusively, of carbon, ashes or other combustion material.
60.	Solid waste - shall refer to all discarded household, commercial waste, non- hazardous institutional and industrial waste, street sweepings, construction debris, agriculture waste, and other non-hazardous/non-toxic solid waste.
61.	Solid Waste Management Facility - shall refer to any resource recovery system or component thereof; any system, program, or

	facility for resource conservation; any facility for the collection, source separation, storage, transportation, transfer, processing, treatment, or disposal of solid waste;
62.	Standard or Limit - The concentration of any air contaminant which, in order to protect the public health and welfare, shall not be exceeded at a particular region or zone, and at a specified period of time. Standards are enforceable and must be complied with by the owner or person in charge of an industrial operation process or trade.
63.	Subterranean Waters - Streams, creeks, brooks, springs, and associated ground water not subject to private ownership and not comprised within national parks, forest lands, timberland or forest reserves, that are found beneath the terrestrial features of a municipality irrespective of depth or breadth but extending only up to the limits of the municipality's geographical boundaries.
64.	Transfer stations - shall refer to those facilities utilized to receive solid wastes, temporarily store, separate, convert, or otherwise process the materials in the solid wastes, or to transfer the solid wastes directly from smaller to larger vehicles for transport.
65.	Zoning – refers to the delineation or division of a Municipality into a functional zone where only specific land uses are allowed. It directs and regulates the use of all in the community in accordance with an approved or adopted land use plan for the municipality. It regulates land uses and prescribes limitations on structures and infrastructures thereon.
66.	Zoning Ordinance – an ordinance which classifies, delineates, defines, and designates different land uses in the municipality, requiring fees and imposing penalties.

## TITLE II PHYSICAL CHARACTERISTICS

**Section 9. Geography.** - Situated on the northern part of the province of Bulacan, the Municipality of Bustos is bounded by two provinces: Nueva Ecija and Pampanga, and NCR. Its land area is 39 million square meters making of 14 barangays with the southernmost barangay, only 49 kilometers north of Manila. Its geographical position to the nation's premier city makes it an ideal site for the establishment and development of industrial complexes.

Bustos is predominantly an agricultural town, and its major crop is rice which accounts for the bulk of the people's income, its secondary crop include corn, root crops, fruit like arrow root and vegetables. Livestock and poultry production are the other agricultural activities in the municipality. The majority of the town's population derives their income from agriculture.

**Section 10. *Geology.*** – Generally flat in terrain and slightly tilted toward the east, the general topographical characteristics of the Municipality is a gentle slope higher than sea level. From the eastern part up to and almost touching the Baliwag swamps and Angat River, flows one major rivers, the Angat River. The rivers are considered to be vital to the economic development of the Province of Bulacan and Pampanga. From these flows irrigation water for the farms, they also serve to drain rain and floodwater caught the foothills of the province that flow through the Municipality.

**Section 11. *Hydrology.*** – The Municipality has one large river, the Angat River which is the largest in Bulacan. Various developmental projects have been constructed along these rivers, the most notable of which is the Angat Multi-purpose project situated in Norzagaray, downstream is the Ipo Dam, and in between Bustos and San Rafael is the Bustos Dam.

These projects have long been the principal sources of electric power, and water supply and irrigation water not only in the Municipality but also those of Metro Manila and Pampanga. They also form part of a major flood control project.

Ground water is the major source of water supply to the household and businesses. It is operated by the local water district.

**Section 12. *Soil type.*** – The Soil of Bustos is generally classified into:

A. Bigaa Clay Loam

Good land, nearly level, occurs in depression. Problem occasional overflow, requires protection from overflow, absorb easily applied conversation practices.

B. PrensaSilty Clay Loam

Moderately good land; moderately sloping; slightly to moderately eroded, can be cultivated safely if carefully planned erosion control measures, careful management and intensive conservation practices are observed.

C. Buenavista Silt Loam

Strongly sloping; severely to very severely eroded. Main problem: Erosion and fertility observe erosion control measures very careful soil management especially good crop rotation and complex conservation practices if land is to be cultivated. Suited for pasture or forest.

D. Sibul Clay

Steep, very severely to excessively eroded or shallow for cultivation. Suited for pasture or forest with careful management.

**Section 13. *Climate.*** – Climate in Bustos consist of two (2) pronounced seasons, the wet and dry. The wet season starts around the month of May ends round the month of November. Normally the average annual rainfall is 1,518.6 mm with the months of July and August registering the harvest rainfall.

Occasional typhoons pass through the area especially during the months of June to September. Cloudiness is heaviest during the months of July and September and lightest during the months of February and April. June is the month when lightening occurs most frequently. Thunderstorms occur most frequently during June and July.

**TITLE III**  
**INSTITUTIONAL MECHANISMS**

**A.**  
**MUNICIPAL SOLID WASTE MANAGEMENT BOARD**

**Section 14. *Municipal Solid Waste Management Board.*** – Hereby created is the Municipal Solid Waste Management Board, which shall be composed of the following:

- a. Chairperson - Municipal Mayor
- b. Vice Chairperson - Sangguniang Bayan Member,  
Chairperson of the Committee on  
Environment or its equivalent
- c. Board Secretary - Municipal Environment and  
Natural Resources Officer
- d. Members -

- 1. Municipal Administrator
- 2. Municipal Environment and Natural Resources Officer or its  
equivalent;
- 3. Municipal Planning and Development Coordinator;
- 4. Municipal Health Officer/ Public Health Doctor;
- 5. Municipal Agriculture Officer;
- 6. Sanitation Officer/ inspector;
- 7. President of the Liga ng mga Barangay of Bustos, Bulacan;

8. President of Bustos Nurses Association;
9. President of the Sangguniang Kabataan of Bustos, Bulacan;
10. Representative of businesses engaged in recycling industry;
11. Representative of the Commission on Audit;
12. Representative from the manufacturing business;
13. Chairperson of the Committee on Environment or its equivalent of fourteen (14) barangays of the Municipality.
14. At least three (3) representatives from the accredited peoples' organization or non-governmental association.

**Section 15. *Duties and Responsibilities of Municipal Solid Waste Management Board.*** – The Municipal Solid Waste Management Board shall have the following duties and responsibilities:

1. Develop the Municipal Solid Waste Management Plan that shall ensure the long-term management of solid waste, as well as integrate the various solid waste management plans and strategies of the barangays in its area of jurisdiction. In the development of the Solid Waste Management Plan, it shall conduct consultations with the various sectors of the community;
2. Adopt measures to promote and ensure the viability and effective implementation of solid waste management programs in its component barangays;
3. Monitor the implementation of the Municipal Solid Waste Management Plan through its various political subdivisions and in cooperation with the private sector and the NGOs;
4. Adopt specific revenue-generating measures to promote the viability of its Solid Waste Management Plan;
5. Convene regular meetings for purposes of planning and coordinating the implementation of the solid waste management plans of the respective component barangays;
6. Oversee the implementation of the Municipal Solid Waste Management Plan;
7. Review every two (2) years or as the need arises the Municipal Solid Waste Management Plan for purposes of ensuring its sustainability, viability, effectiveness and relevance in relation to local and international developments in the field of solid waste management;
8. Develop the specific mechanics and guidelines for the implementation of the Municipal Solid Waste Management Plan;
9. Recommend to appropriate local government authorities specific measures or proposals for franchise or build-operate-transfer agreements with duly recognized institutions, pursuant to R.A. 6957, to provide either exclusive or non-exclusive authority for the collection, transfer, storage, processing, recycling or disposal of municipal solid waste. The proposals shall take into consideration appropriate government rules and regulations on contracts, franchises and build-operate-transfer agreements;
10. Provide the necessary logistical and operational support to all barangays;
11. Recommend measures and safeguards against pollution and for the preservation of the natural ecosystem; and

12. Coordinate the efforts of its component barangays in the implementation of the municipal Solid Waste Management Plan.

**B.**

**THE MUNICIPAL ENVIRONMENT AND NATURAL RESOURCES  
OFFICE (MENRO)**

**Section 16.** *The Municipal Environment and Natural Resources Office (MENRO).* – (a) MENRO shall be the office responsible in the implementation of environment and natural resources concern of the community. It is also responsible for proper coordination with other agencies and various institutions for access of services and financial assistance in environmental management.

(b) The Office shall be headed by the Municipal Environment and Natural Resources Officer; or, in his absence or vacancy, the Municipal Mayor may temporarily appoint or designate a person who shall perform duties and responsibilities of Municipal Environment and Natural Resources Officer.

**C.**

**MUNICIPAL MAYOR**

**Section 17.** *Municipal Mayor.* - The Municipal Mayor as the chief executive of the municipal government in consonance with the local government code shall:

- (1) Exercise general supervision and control over all environment and natural resources programs, projects, services, and activities of the municipality, and in this connection shall:
  - i. determine the guidelines of municipal policies and be responsible to the Sangguniang Bayan for the program of government vis a vis management of the municipality's environment and natural resources
  - ii. appoint a Municipal Environment and Natural Resources Officer (MENRO), in accordance with rules and regulations; establish as one of the regular departments in the municipality a Municipal Environment and Natural Resources Office with support staff and employees; and allocate to the said office required resources necessary to implement the code including institutional strengthening and capacity building
  - iii. ensure that the MENRO, staff and employees under the office and other implementing units faithfully discharge their duties and functions as provided for by law and the Code. All actions

and decisions of the Code's implementing units are subject to review *moto proprio* by the Municipal Mayor or upon appeal of any person on which the decision of the Municipal Mayor shall be final and executory.

- iv. carry out such emergency measures as may be necessary during and in the aftermath of man-made and natural disasters and calamities
- (2) Enforce the code and other environmental ordinances thru the Municipal Environment and Natural Resources Officer:
- i. ensure that the acts of the municipality's barangays and of their officials and employees are within the scope of their powers, functions, duties and responsibilities as provided for by the Code and laws on environment and natural resources and corresponding rules and regulations;
  - ii. issue executive orders necessary for the proper enforcement and execution of the code;
  - iii. to call upon the Philippine National Police and other law enforcement agencies to apprehend violators and execute other actions deemed necessary to enforce the code; and
  - iv. ensure that incentives are provided to apprehending officer/s and concerned citizen/s as provided by the Code.
- (3) Initiate and maximize the generation of resources and revenues and apply the same to implement the code and corresponding programs, projects, services, activities and necessary facilities and capacity building of the implementing units and relative thereto shall:
- i. ensure that the environment and natural resource taxes and revenues such as environmental protection fee, registration of hazardous waste transporter, fines and penalties among others are collected and funds are applied to include payment of expenses and settlement of obligations of the municipality to ensure environmental services in accordance with the code and other environmental ordinances;
  - ii. issue licenses and permits with due regard to environmental protection, pollution prevention and conservation of natural resources and to suspend or to revoke the same for any violation

- of the conditions upon which such licenses or permits were issued; and
- iii. adopt adequate measures to safeguard and conserve the natural resources of the municipality.
- (4) Ensure the delivery of environmental services and the provision of adequate facilities and equipment consistent with the local autonomy and decentralization such as:
- i. implementation of water and soil resource utilization and conservation projects
  - ii. establishment of tree parks, greenbelts, and other applicable forest development projects
  - iii. provision of waste management or environmental management systems and services or facilities related to general hygiene and sanitation
  - iv. construction and maintenance of infrastructure facilities funded by the municipality to serve the needs of the residents including but not limited to: (1) artesian wells, spring development, rainwater collectors, and water supply systems; (2) dikes, drainage and sewerage and flood control (3) waste management facilities such as ecology center, composting facilities, transfer stations, sanitary landfill, material recovery facilities, etc. (5) exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance

**D.**  
**SANGGUNIANG BAYAN**

**Section 18. *Sangguniang Bayan.*** – The Sangguniang Bayan as the legislative body of the municipality shall enact ordinances, approve resolutions and appropriate funds to manage the municipality's environment and natural resources and relative thereto shall:

- a. maintain as a permanent committee within the Sangguniang Bayan, the Environment Committee, composed of a chairman and at least two members. The committee shall be responsible to spearhead on all matters concerning environment and natural resources management that requires action by the Sangguniang Bayan;

- b. approve ordinances and pass resolutions necessary to strengthen the implementation of this Code or when the code or portions thereof requires amendment or addendum;
- c. provide legal assistance to barangay officials, who in the performance of their official duties or on the occasion thereof to implement this Code, have to initiate judicial proceedings or defend themselves against legal actions;
- d. adopt a comprehensive land use plan and enact an integrated zoning ordinance for the municipality with utmost regard on environmental considerations such as environmental hazards, pollution, ecological balance etc.

#### E.

#### MUNICIPAL ENVIRONMENT AND NATURAL RESOURCES OFFICER

**Section 19.** *Municipal Environment and Natural Resources Officer.*  
– The MENRO shall be the Municipality’s chief operations officer on all matters concerning the Municipality’s environment and natural resources and will take the lead to implement the Code, and related ordinances as well as other environment and natural resources laws rules and regulations and relative thereto shall:

- 1) take charge of the office on environment and natural resources
- 2) provide technical assistance to the mayor in carrying out measures to ensure delivery of basic services and provision of adequate facilities relative to environment and natural resources services
- 3) develop plans and strategies on environment and natural resources consistent with the provisions of the Code and implement them upon the approval of the mayor
- 4) formulate measures for the consideration of the Sangguniang Bayan necessary to strengthen the implementation of the Code or when the code or portions thereof requires amendment or addendum and all matters relative to the protection, conservation, utilization, application of appropriate technology and other matters related to environment and natural resources
- 5) provide technical assistance to the Sangguniang Bayan in enacting ordinances and passing resolutions that requires environmental considerations such as but not limited to adoption

of a comprehensive land use plan and enactment of an integrated zoning ordinance for the municipality

- 6) coordinate with government agencies and NGOs in the implementation of measures to prevent and control land, air and water pollution with the assistance of the DENR
- 7) be in the frontline of the delivery of services concerning environment and natural resources, particularly in the renewal and rehabilitation of the environment during and in the aftermath of man-made and natural calamities and disasters
- 8) inspect, monitor and evaluate compliance of establishments, issue notice of non-compliance and recommend to the Mayor revocation or non-renewal of their municipal permit/s and cessation of their activities on the basis of their failure to comply
- 9) exercise such other powers and perform such other duties and functions as prescribed by the law or ordinance

The Municipal Environment and Natural Resources Office (MENRO) shall allocate budget for activities envisioned in this Code.

## F. BARANGAYS

**Section 20.** *Role of the Barangay Government; Barangay Solid Waste Management Committee.* – The barangay government shall create its own Solid Waste Management Board in their respective jurisdictions as it deems necessary. The Barangay Solid Waste Management Board shall perform the functions as that of the Municipal Solid Waste Management Board within their respective barangays. The barangays shall likewise be responsible for the implementation of the plans, programs and activities pursuant to this Code, within their respective barangays.

**Section 21.** *“Bantay Kalikasan”.* – Each barangay shall appoint its “Bantay Kalikasan” who shall be the focal person in dealing with environmental problems and programs in the barangay. The “Bantay Kalikasan” shall have the power to immediately act on matters concerning environment and solid waste within the barangay. The “Bantay Kalikasan” shall also have the right to abate and apprehend actual violation of any person of any provision of this Code.

**Section 22.** *Barangay Eco-aide.* – Each barangay shall also appoint sufficient numbers of eco-aides in the barangay, who shall be responsible for the maintenance of cleanliness and sanitation in the barangay.

**G.**  
**LOCAL HOUSING BOARD**

**Section 23. *Local Housing Board*** –The Department of Interior and Local Government (DILG) issued Memorandum Circular No. 2008-143, which provides for guidelines relative to the creation of the local housing board or similar bodies. The reorganization of the Bustos Local Housing Board shall be composed of the following:

- a. Chairperson - Municipal Mayor
- b. Vice Chairperson - Sangguniang Bayan Chair  
Committee on Housing and Land Use
- c. Board Secretary - Local Housing action officer
- d. Members
  1. Municipal Planning and Development Coordinator
  2. Municipal Engineer
  3. A representative of a SEC-registered and duly accredited non-governmental organization
  4. A representative from the presidential commission for the urban poor
  5. A representative of a duly accredited People’s organization

**Section 24. *Duties and Responsibilities of Local Housing Board.*** – Relative to this Code and other environmental laws, the Local Housing Board shall have the following duties and responsibilities:

1. Act as the sole clearing house for eviction and demolition activities concerning informal settlers in danger and easement areas, public places, and government projects, as guided by the policies set in DILG Memorandum Circular No. 2008-143,
2. Prepare a local shelter plan which shall form part of and are consistent with the municipal development plan for informal settlers along waterways
3. Conduct an inventory of lands within the municipality and
  - (i) identify possible sites for socialized housing and
  - (ii) create guidelines and policies for informal settlers.
4. Recommend to the Sangguniang Bayan the enactment of an ordinance to institutionalize the Local Housing Board.

**H.**  
**MUNICIPAL COMMITTEE AGAINST SQUATTING SYNDICATES AND PROFESSIONAL SQUATTERS (MCASSPS)**

**Section 25. *Municipal Committee Against Squatting Syndicates and Professional Squatters (MCASSPS)***, Section 27 of RA 7379 or the Urban Development and Housing Act of 1992 states that “the LGUs in

cooperation with the Philippine National Police and the Presidential Commission for the Urban Poor (PCUP) shall adopt measures to identify and effectively curtail the nefarious and illegal activities of professional squatters and squatting syndicate. The Municipal Committee Against Squatting Syndicates and Professional Squatters (MCASSPS) shall be composed of the following:

- a. Chairperson - Municipal Mayor
- b. Members
  1. The local chief of PNP with permanent alternate;
  2. The representative of the PCUP with permanent alternate;
  3. The president of the PCUP-accredited urban poor organization with permanent alternate;
  4. The duly designated or deputized representative of HUDCC;
  5. The President of the Liga ng mga Barangay of the municipality or city;
  6. The representative from the private sector who shall be chosen by the above members.

**Section 26. Duties and Responsibilities of Municipal Committee Against Squatting Syndicates and Professional Squatters.** – Relative to this Code and other environmental laws, the Municipal Committee Against Squatting Syndicates and Professional Squatters shall have the following duties and responsibilities:

1. Adopt the necessary measures to identify and effectively curtail the activities of professional squatters and squatting syndicates, including the names of public officials and/or private individuals or entities suspected of abetting or tolerating the commission along easement and waterways;
2. Provide the Housing and Urban Development Coordinating Council (HUDCC) and the National Housing Authority (NHA) copies of the list of identified professional squatters and squatting syndicates along waterways in order to safeguard against their inclusion in future government housing programs/projects and recommend their disqualification in existing programs;
3. Provide legal assistance to victims of professional squatters and squatting syndicates, giving priority to small property owners, and make available, through the PNP and the DOJ, a consolidated list of professional squatters and squatting syndicate along easement and waterways;
4. Undertake investigation of cases of violation of laws or rules on eviction and demolition forwarded to it and recommend appropriate actions on the same to the concerned agencies;
5. Monitor eviction and demolition activities and establish its own monitoring system;
6. Request for assistance from any government entity, if necessary.

I.  
**BUSTOS TASK FORCE FOR MANILA BAY CLEAN-UP,  
REHABILITATION, AND PRESERVATION PROJECT**

**Section 27.** *Task Force for Manila Bay clean-up, rehabilitation, and preservation project.* – Supreme Court En Banc Decision promulgated on Dec. 18, 2008 and Feb. 15, 2011, the DILG shall direct all concerned LGUS (5 provinces, 1 HUC, and 94 cities/municipalities) to clean up, rehabilitate, and preserve the Manila Bay and all connected rivers and waterways that eventually exit to the bay. to be composed of the following:

**Section 28.** *Creation.* – Hereby created is the Bustos Manila Bay Task Force.

**Section 29.** *Composition.* – The Bustos Manila Bay Task Force shall be composed of the following:

1. Chairperson - Local Chief Executive
2. Vice Chairperson - Sangguniang Bayan Chairperson on Committee on Environment or its equivalent
3. Secretariat - Head, Environmental Protection and Natural Resources Office
4. Members:
  - a. Municipal Budget Officer
  - b. Municipal Planning and Development Coordinator
  - c. Municipal Engineer
  - d. Municipal Health Officer
  - e. Municipal Disaster Risk Reduction & Management Officer
  - f. Municipal Agriculture Officer
  - g. Municipal Public Information Officer
  - h. Representative of the Bustos Water District
  - i. President of the Liga ng mga Barangay

Provided that, the Task Force members may be designate an alternate, provided further, that the alternate is next in rank to the principal member. If not, the alternate must be fully authorized to decide for and on behalf of the respective offices and shall bind the principal to whatever legal effects or liabilities the alternate's decision may produce.

The Task Force is encouraged to include participation of non-governmental organizations (NGOs) and civil-society organizations (CSOs), and may also identify additional offices in the Municipality as additional members, as the Task Force deemed it necessary.

**Section 30.** *Responsibilities of Bustos Manila Bay Task Force.* – The Task Force shall have the following responsibilities:

## 1. Planning and Policy Development:

- a. The Task Force shall be the body primarily responsible for the development and recommendation of local policies for endorsement to the Sangguniang, pertinent national laws supporting the rehabilitation of Manila Bay, including but not limited to the following:
  - i. P.D. No. 856 or the Code on Sanitation of the Philippines;
  - ii. P.D. No. 198 or the Provincial Water Utilities Act;
  - iii. R.A. No. 9275 or the Clean Water Act of 2004;
  - iv. R.A. No. 9003 or the Ecological Solid Waste Management Act of 2000;
  - v. R.A. No. 7279 or the Urban Development And Housing Act of 1992; and
  - vi. R.A. No. 8550 or the Philippine Fisheries Code of 1998, as amended by R.A. No. 10654.
- b. The Task Force shall ensure the Municipality's compliance with the development of local plans that will facilitate the implementation of programs, projects, and activities (PPAs), and the fulfillment of the Municipality's roles, and responsibilities under the program.
- c. The Task Force shall likewise ensure the Municipality's compliance with the organization of pertinent local committees and boards for the implementation of PPAs under the aforementioned priority areas.

## 2. Implementation and Enforcement:

- a. Pursuant to P.O. No. 198, as amended, P.D. No. 856, as amended, and R.A. No. 9275, the BMBTF shall assist pertinent local bodies and offices in ensuring that existing sewage lines of all structures, including Commercial Establishments (CEs), Industrial Factories (IFs), and Private Homes (PHs), are connected to available sewerage systems or Sewerage Treatment Plants (STPs), or have septic tanks compliant with national standards, and impose fines, penalties, and other administrative sanctions to compel compliance thereof.
- b. Shall assist the Solid Waste Management Board (SWMB) in ensuring the LGU's compliance with the provisions of R.A. No. 9003, focusing on, but not limited to the establishment of functional Materials Recovery Facilities and/or Systems (MRFs/MRS); closure and rehabilitation of Open Dumpsites; establishment/ use of a Sanitary Landfill (SLF); and effective

implementation of the LGU's 10-year Solid Waste Management Plan (SWMP).

- c. Pursuant to the Supreme Court Mandamus and in accordance with the provisions of R.A. No. 7279, the BMBTF shall assist pertinent local bodies and offices in ensuring the effective management of ISFs along waterways through inventory and identification of these ISFs, identification of suitable relocation sites, and implementation of corresponding Socialized Housing Projects (SHPs).
- d. Shall ensure that the LGU facilitates comprehensive and strategic Information, Education, and Communication (IEC) campaign as well as engage in partnerships with NGAs, Non-Government Organizations (NGOs), Civil Society Organizations (CSOs), and the private sector to establish support and buy-in on the Manila Bay clean-up, rehabilitation, and preservation efforts.
- e. Shall convene, at least, quarterly to discuss initiatives and efforts of the LGU relative to the implementation of their mandates under the environmental laws that support the rehabilitation of Manila Bay.
- f. In the conduct of meetings, the BMBTF shall ensure that a quorum is met, and that proceedings and agreements are well documented, for reference of the DILG Local Government Operations Officers, and compliance with the documentary requirements of the MBCRPP LGU Compliance Assessment.

### 3. Monitoring and Evaluation:

- a. The MBTF shall ensure regular monitoring of accomplishments relative to the implementation of the MBCRPP Program within the Municipality.
- b. The MBTF, in close coordination with the respective MBCRPP-Program Management Teams (PMTs) of their regions, shall ensure that all reportorial requirements under the MBCRPP are submitted in a timely and accurate manner.
- c. The MBTF shall regularly evaluate the implementation of its PPAs, and produce accomplishment reports and catch-up plans for areas of the MBCRPP that the LGU needs to direct its focus on.
- d. To ensure the sustainability of the rehabilitation efforts, the MBTF shall ensure that the results of the LGU Compliance Assessment<sup>1</sup>, through the Regional Interagency Committee (RIAC) and the National Interagency Committee (NIAC), are

aply evaluated and utilized for effective planning and development of necessary interventions and remedial actions.

- e. The MBTF shall ensure the accurate and timely submission of the LGU's Manila Bayanihan-Data Capture Forms (MB-DCF's) quarterly, pursuant to MC No. 2022-019.
4. The MBTF shall be responsible for safekeeping copies of all related MBCRPP reports, and documents of the LGU, and shall, at all times, ensure the proper turnover of the same to their successors in the event of replacements in representatives, and/or, re-organization of the Task Force.
5. The MBTF shall serve as the coordinating body responsible for all concerns related to the rehabilitation of Manila Bay. It shall not in any way, diminish, limit, or restrain the mandate of any local department or office but instead work to harmonize all efforts relative to the fulfillment of the MBCRPP goals.
6. The MBTF shall perform such other functions which may hereafter be assigned by law or executive issuance.

## **J.**

### **WATER QUALITY MONITORING AND CONSERVATION COMMITTEE (WATERCOM)**

**Section 31.** *Creation of Water Quality Monitoring and Conservation Committee (WaterCom); objective.* – A Committee on Water Conservation or (WaterCom) is hereby created in the Municipality of Bustos to ensure proper implementation of this policy and to coordinate with all agencies necessary in implementing the same. Said Committee shall meet at least once every quarter or as frequent as necessary.

**Section 32.** *Composition.* – The WaterCom shall be composed of the following:

1. Chairperson: Local Chief Executive
2. Members:
  - a. Sangguniang Bayan Committee on Environment
  - b. Sangguniang Bayan Committee on Health and Sanitation
  - c. Municipal Planning and Development Coordinator
  - d. Municipal Environment and National Resources Officer
  - e. Municipal Health Officer
  - f. Representatives from two (2) environmental groups dealing with water resources
  - g. Representative from the Academe
  - h. Representative from the local water utilities

**Section 33. *Functions of the Committee.*** – The Committee shall be responsible for the following functions:

1. Regularly collects/analyze water samples & evaluates laboratory results if it has complied with the standards;
2. Conducts regular or immediate sanitary survey during the existence of a potential cause of contamination;
3. Institutes remedial technical measures to correct the deficiency of the water system;
4. Informs the public of the latest quality of the drinking water in the locality;
5. Endorses annual work and financial plan on water quality surveillance to the municipal council;
6. Formulates local policies concerning implementation of water quality surveillance program;
7. Reviews and approves the recommendation of Technical Working Group (TWG) based on the evaluation of laboratory results;
8. Approves measures to address water quality issues;
9. Reviews and approves location of water sampling points;
10. Approves the Annual Water Quality Surveillance and analyzes its quarterly report to identify trends in the quality of the drinking water supply service for appropriate action;
11. Endorse annual work and financial plan on water quality surveillance to the Sangguniang Bayan;
12. Initiates regular of immediate sanitary survey for contaminated watersupply sources;
13. Initiates the regular collection and analysis of water samples as prescribed by laws or ordinance;
14. Confer the designation of the members of the Technical Working Group;
15. Reviews and approves the recommendation of TWG based on the evaluation of laboratory results;
16. Approves measures to address water quality and conservation issues.
17. Reviews and approves location of water sampling points;
18. Analyzes quarterly Water Quality Monitoring Reports to determine trends in the quality of the drinking water supply service for appropriate action.
19. Issues pronouncements on the quality of drinking water in the locality and releases corresponding advisories if necessary;
20. Conducts water quality audit whenever necessary; and,
21. Conducts regular quarterly meeting or as the need arises.

**TITLE IV**  
**SOLID WASTE MANAGEMENT**

**Section 34. Solid Waste Management Plan.** – The Municipal Government through its Solid Waste Management Board shall prepare its 10-year solid waste management plan consistent with the national solid waste management framework and components of which are provided in R.A. 9003. The waste management plan shall be for re-use, recycling, and composting of wastes, generated in the municipality. The solid waste management plan shall place primary emphasis on implementation of all feasible re-use, recycling and composting while identifying the amount of landfill and transformation capacity that will be needed for solid waste which cannot be re-used, recycled, or composted. The municipal solid waste management plan shall be reviewed and updated every year by the MSWMB.

**Section 35. Institutional Arrangement.** – Relative to solid waste management, the following offices shall be responsible for:

Office/Department	Function
Office of the Municipal Mayor	Provide funding, logistics support and manpower.
Sangguniang Bayan	Institutionalization and appointment of MENRO Adoption and legitimization of 10-year SWM Plan Amendment of Municipal Ordinance
Municipal Environment and Natural Resources Office	Enforcement of RA 9003 or Ecological Solid Waste Management Act of 2000 and facilitate the drawing up of a solid waste management plan; Implementing office of the Solid Waste Management Plan
Municipal Treasurer's Office	Handle the fund scouting, revenue generation, collect fines and other ESWM fees specified in the Revised Revenue Code and Municipal Ordinance No. 2 Series of 2006 and Municipal
Barangays	Assisting in the implementation of programs and activities implemented regarding solid waste management. Appointing and supervising barangay eco-aids. Collection of solid waste.

**Section 36. Programs and activities.** – The municipal Government, in coordination with the National Government, barangays, schools,

general public, peoples' organization, Civil Society and Non-Governmental Associations, and other institutions shall implement the following programs:

#### **Source Reduction**

- Zero Plastic Satchet for Public School Library
- Strawless day
- No single use plastic policy
- No to disposable
- Bayong Policy in market and shopping center
- Bring your own eco bag.
- Choose to "go paperless" when possible

#### **Segregation of different Waste**

- No Segregation no collection policy
- Schedule of segregated waste in different day or time off collection.
- Provision of drums, bins, receptacles for bio and non-biodegradable wastes.
- "Search for the cleanest, best implementor in the barangay

#### **Waste diversion**

- Plastic to cement program
- Sell recyclable item to junk shop
- E-waste to money program
- Livelihood and productivity programs and benefits.

#### **Proper waste collection and transport**

- Systematic routing scheme for collection and transport of waste from source to MRF followed by final disposal.
- Segregated garbage bins at households.

#### **Proper waste Disposal**

- Memorandum of agreement to Accredited Sanitary landfill
- Memorandum of agreement to accredited health care waste facility for hospital, clinic and other related establishment.

#### **Enforcement**

- Deputization of Bantay Kalikasan; enforcing Bustos -PNP and Barangay Council.
- Issuance of citation tickets for the violators.
- Establishment of Zero-waste Hotline to report violators or feedbacks.

**Section 37. Information, Education and Communication.** – The MERN Officer, together with the solid waste management board, together with the barangay officials, shall conduct the following activities:

- Conduct training and seminar for Barangay elected officials and Barangay solid waste committee.
- Integration of ESWM in school curriculum or programs in partnership with the Local School Board.

general public, peoples' organization, Civil Society and Non-Governmental Associations, and other institutions shall implement the following programs:

**Source Reduction**

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**Section 37. Information, Education and Communication.** – The MERN Officer, together with the solid waste management board, together with the barangay officials, shall conduct the following activities:

- Conduct training and seminar for Barangay elected officials and Barangay solid waste committee.
- Integration of ESWM in school curriculum or programs in partnership with the Local School Board.

- Conduct seminars and meetings, including basic trainings at Purok-level or even Household Level.
- give short lectures and leaflets on solid waste management on managing household waste
- Distribution of flyers, hand-outs, posters, etc.
- Installation of billboards, signboards, murals to strategic places.
- Promotion of Solid Waste Management through Social Media
- Promotion of Solid Waste Management through Media (Television, “jingle”)

**Section 38. Segregation, Recycling, and Composting.** – Based on RA 9003, volume reduction at the source shall be the first priority of the ecological SWM system. The Municipality shall actively promote among its constituencies the reduction and minimization of wastes generated at source; responsibility for sorting and segregation of biodegradable and nonbiodegradable wastes shall be at the household level and all other sources.

The following shall be the minimum requirements for segregation and storage of solid waste pending collection:

- a. There shall be a separate container for each type of waste from all sources. For bulky waste, it will suffice that the same be collected and placed in a separate container and in designated areas.
- b. The solid waste container depending on its use shall be properly marked or identified for onsite collection as “compostable,” “recyclable” or “special waste,” or any other classification as may be determined by the Commission; and
- c. For premises containing six (6) or more residential units, the LGUs shall promulgate ordinances and regulations requiring the owner or person in charge.
- d. For all commercial, institutional and industrial establishments, the LGUs shall promulgate ordinances requiring the owner or head of the institutions.

**Section 39. Reduction at source.** – The Municipality’s key program in combating the production of wastes and waste problem is the program for Reduction at Source”, focused on the “5 R’s” of waste management which are refuse, reduce, reuse, repurpose, and recycle.

**Section 40. Collection and destination of collected waste.** – There shall be a regular schedule of collecting garbage in 14 barangays. Monday to Saturday in the Municipal Public Market. Type of collection is segregated.

The Municipal Environment and Natural Resources Office (MENRO) shall be responsible for implementing the institutionalized regular collection schedule.

Residual wastes from the barangays are collected thru eco aides and transport to Barangay MRF. The residual and special waste from the barangay is transfer to Municipal MRF. The residual waste is subject for final disposal to accredited sanitary landfill.

**Section 41. *Other conditions for collection of wastes.*** – wastes intended for collection and disposal by municipal garbage trucks shall follow these conditions.

- 1) There shall be a scheduled collection of trash to be prepared by the MENRO and no person shall bring such trash outside his establishment except on the day designated for the collection. This collection schedule may be changed with prior notice depending on certain circumstances. Under uncontrollable circumstances, the MENRO shall be directed to give at least one-day notice of interruption in collection schedule to the barangay officials for proper information dissemination.
- 2) The use of separate collection schedules and/or separate trucks or haulers shall be required for specific types of wastes. Otherwise, vehicles used for the collection and transport of solid wastes shall have the appropriate compartments to facilitate efficient storing of sorted wastes while in transit.
- 3) Wastes shall be placed inside plastic bags or sacks. These bags or sacks shall be brought out in front of the gates of the residential houses and commercial establishments thirty (30) minutes before the collection schedule. Households in the interior should deposit their wastes along the main streets accessible to municipal garbage trucks thirty minutes (30 min.) before the collection schedule. Under no circumstance will uncontained and scattered wastes be collected.
- 4) Trees, shrubs and grass cuttings should not be mixed with the other wastes. They should be placed inside a separate plastic bag or sack.
- 5) For premises containing three (3) or more residential units, the local government unit shall promulgate regulations requiring the owner or person in charge of such premises to:
  - a. provide for the residents a designated area and containers in which to accumulate source separated wastes to be collected by the barangay, municipality or private groups; and
  - b. notify the occupants of such buildings of the requirements of this Code and the regulations promulgated pursuant thereto.

**Section 42. *Complaints for uncollected waste.*** – Complaints of any uncollected garbage may be reported to the MENRO for appropriate action.

**Section 43. *Barangay Materials Recovery Facility.*** – Pursuant to Section 32 of RA 9003 every Barangay in the Municipality of Bustos, Bulacan shall be established a Materials Recovery Facility (MRF).

Consistent with the foregoing, DAO 2004-31 holds the barangay responsible for the collection, segregation, recycling of biodegradable, recyclable, compostable and reusable wastes.

**Section 44. *Changes in the collection and manner of collection of solid wastes.*** – The manner, method, schedules and areas of collection provided for in the preceding Sections shall be subject to changes to be made and determined by the MSWMB, based on necessity and other factors which will affect proper and safe collection of solid waste.

**Section 45. *Municipal Materials Recovery Facility; Processing facility.*** – The property of the Municipality located in Barangay Catacte, Bustos, Bulacan is hereby designated as the Municipal MRF, where the collected garbage shall temporarily be accommodated, for purposes of recycling and reusing garbage materials, before its final transport to an accredited site for final disposal.

The municipal garbage truck collects and transports wastes from each household to the dump truck designated area for each barangay. Sorters, who are personnel of junkshops collects the garbage as biodegradable and non-biodegradable. Biodegradable wastes are properly composted in the land designated by the Barangay. Some Non-biodegradables are further segregated as recyclables and residuals. The collected recyclables shall be sold to junkshops and other entities engage in recycling and reusing solid wastes. Residual wastes and sometimes mixed waste will be directly transported for final disposal.

**Section 46. *Engagement of a private hauler.*** – The Municipality, through the Municipal Mayor, may contract services of a private hauler subject to availability of funds, rules on procurement of services, and auditing procedures.

**Section 47. *Mandatory Segregation of Solid Wastes.*** - Mandatory segregation of wastes shall primarily be conducted at the source, to include household, institutional, industrial, commercial and agricultural sources. The following shall be the minimum standard for segregation and storage of solid waste pending collection:

- (1) There shall be a separate container for each type of waste from all sources. In the case of bulky waste, it will be collected and placed in a separate and designated area; and

- (2) The solid waste container depending on its use shall be properly marked or identified for on-site collection as “compostable”, “recyclable”, “non-recyclable”, or “special waste”, or any other classification as may be determined by the MSWMB.

The MSWMB shall recommend strategies and explore means to facilitate segregation at source, e.g. scheduled collection of each type of waste, color-coded collection, etc.

Intensive campaign shall be undertaken to promote segregation-at-source. The “no segregation, no collection” policy shall be enforced.

**Section 48. *Implementation of segregation and Recycling program.*** – The barangay governments shall be mainly responsible for implementing the mandatory segregation of solid wastes, particularly the biodegradables and recyclables. Initiatives shall be taken to seek technical assistance from the MENRO for the implementation of this provision.

In cooperation with non-government organizations, the barangay government shall implement a waste recycling program intended to:

- (2) Reduce the volume of garbage for disposal;
- (3) Prevent health and environmental risks associated with uncollected mixed wastes; and
- (4) Enable interested groups to pursue a waste business venture.

Barangay Monitoring Teams shall be set-up to provide a Feedback Mechanism on the program. The said Team will undergo the necessary training to be conducted by the MENRO. Feedback centers will be set-up in each barangay hall and/or barangay health center focusing on social pressure for non-compliant sectors.

**Section 49. *Health Care of Solid Waste Personnel.*** – All personnel directly dealing with collection of solid waste shall be equipped with personal protective equipment to protect them from the hazards of handling solid waste. Necessary training shall be given to the collectors and personnel to ensure that the solid wastes are handled properly. These personnel shall be subjected to periodical medical tests.

**Section 50. *Maintenance and cleanliness of garbage truck.*** – In order to prevent any health and environmental hazards on the community, the garbage trucks shall undergo deodorization and disinfection in a wash bay area to be set-up in the transfer station and waste disposal facility. These processes shall be done before and after filling up the trucks with garbage

both during collection and transferring to the bigger dump trucks intended for disposal.

The waste compartment of transport vehicles shall have a durable cover to ensure the containment of solid wastes while in transit. Vehicles shall be designed to consider road size, condition and capacity to ensure the safe and efficient collection and transport of solid wastes.

**Section 51. *Composting.*** – Composting of agricultural wastes and other compostable materials including but not limited to garden wastes, shall be encouraged. Residential houses with available yards shall be required to make their compost pits within their lots for biodegradable wastes. Households with no spaces available for the above-cited pits shall deposit such wastes in covered leak-proof containers for pick-up and transport to a designated area for such type of wastes.

**Section 52. *Guidelines for Compost Quality.*** – The compost products shall conform with the standards for organic fertilizers set by the DA. The DA shall assist the compost producers to ensure that the compost products conform to such standards. However, composts producing soil conditioners shall also be allowed, in the Municipality.

The compost products shall be either used to grow organic crops by the municipal or barangay governments or sold to farmers and horticulture enthusiasts.

**Section 53. *Handling of Industrial Wastes.*** – All manufacturing and industrial establishments and similar business, firms and institutions shall install acceptable solid waste storage facilities prior to collection and disposal in accordance with national standards. Such facilities shall be inspected by the MENRO to ensure compliance to sanitary and hygiene rules.

Special wastes shall be required special storage, handling and transport. The containers for such special waste shall be properly and appropriately labelled.

**Section 54. *Industrial Material Recovery Facility and segregation.*** – All industrial establishments with an area of not less than one (1) hectare and all industrial parks or complex are required to establish Materials Recovery Facility and must segregate its produced waste, in accordance with this Code.

**Section 55. *Prohibited Acts on Solid Waste Management.*** – Under this Title, aside from the regulatory requirements and other limitations set forth above, the following acts are prohibited:

- (1) Littering, dumping or throwing garbage, filth, or other waste matter, or to defecate, urinate, spit in open spaces, public places,

to include roads, sidewalks, canals, rivers and other waterways, parks, and establishments, or causing or permitting the same;

- (2) It is unlawful to bring out garbage on the property line of residential and commercial establishments or any part of the road which must be stored, properly sealed, and to be brought outside only upon arrival of the authorized garbage trucks in their respective locations or schedules provided for in accordance with this Code;
- (3) It is unlawful for the owners, operators, proprietors of public conveyance, trucks, lorries, tankers, delivery vans, and other commercial and transportation facilities to spill, scatter or litter any kind of form of waste, or any of their loads on any part of the road, street or avenue on their way to their destination;
- (4) It is unlawful for any person or group of individuals to enter into a contract or offer the services for a fee for the disposal of domestic waste to a group of households in a community, unless otherwise, authorized and permitted by the Municipal Authorities or homeowners' associations in private subdivisions in the form of livelihood projects to propagate reduction, recycling and reuse of waste;
- (5) Undertaking activities or operating, collecting or transporting equipment in violation of sanitation operation and other requirements or permits set forth in or established pursuant to R.A.9003;
- (6) The open burning of solid waste;
- (7) Causing or permitting the collection of non-segregated or unsorted waste;
- (8) Squatting in or any portion of the Brgy. or Municipal Materials Recovery Facility and the same structures or place devoted for the same purpose;
- (9) Open dumping, burying of non-biodegradable materials and other special wastes;
- (10) Unauthorized removal of recyclable material intended for collection by authorized persons; and,
- (11) The construction or operation of landfills or any waste disposal facility on any groundwater reservoir or watershed area and or any portions thereof;

**Section 56. *Fines and Penalties on Prohibited Acts in Solid Waste Management.*** – Aside from the corresponding fines and penalties shall be charged based on R.A.9003, the person or any entity violating the prohibitions set forth in the preceding Section shall be penalized in accordance with the penalties herein set forth:

- a. For violation of item No. 1 and 2 of preceding Section, the person caught, caused, instructed the commission of the violation shall be penalized as follows:

1 <sup>st</sup> Offense	:	fine of Php. 200.00
2 <sup>nd</sup> Offense	:	fine of Php. 500.00
3 <sup>rd</sup> Offense & succeeding offence	:	fine of Php. 1,000.00

- b. For violation of item No. 3, 4, 5, 7 and 11 of preceding Section and/or any violation of any of the prohibited acts in the preceding Section committed by a company, the person caught, caused, instructed the commission of the violation, and/or the owner of the business or establishment, shall be penalized by a fine of Php. 2,500.00 per violation and revocation or cancellation of business permit.

- c. For violation of item No. 8 of preceding Section, the person caught, caused, instructed the commission of the violation shall be penalized by a fine of Php. 2,500.00 per violation, and an immediate eviction of the person and demolition of the structure built on the prohibited area.

- d. For violation of item No. 6, 9 and 10 of preceding Section, the person caught, caused, instructed the commission of the violation shall be penalized as follows:

1 <sup>st</sup> Offense	:	fine of Php. 500.00
2 <sup>nd</sup> Offense	:	fine of Php. 1,000.00
3 <sup>rd</sup> Offense & succeeding offence	:	fine of Php. 1,500.00

## **TITLE V**

### **REGULATION ON THE USE OF SINGLE-USE PLASTICS AND STYROFOAM/POLYSTYRENE**

**Section 57. *Prohibition on the use of single-use plastic, Styrofoam/polystyrene foam food/small article containers and the like.*** – No person, grocery store, supermarket, shopping mall and brand outlets, sari-sari store, canteen, food and/or beverage establishment, or any other business establishment shall offer, sell, distribute for free, or use of single-

use plastics, Styrofoam/polystyrene foam and the like in the Municipality of Bustos, Bulacan.

**Section 58. *Single-use plastics.*** – 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 nonrecyclable;
13. Plastic materials used as balloon stick, whether recyclable or nonrecyclable;

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.

**Section 59.** *Styrofoam/polystyrene foam.* – is a synthetic polymer made from monomers of the aromatic hydrocarbon styrene. For purposes of this Code, the prohibited *Styrofoam/polystyrene foam* are the ones being used as food or small goods container, whether primary or secondary packaging materials.

**Section 60.** *Exemption to the use of single-use plastics, Styrofoam/polystyrene foam food/small article containers and the like.* – However, use of plastics, Styrofoam/polystyrene foam and the like may be allowed on the following circumstances:

1. Establishment selling wet goods, use plastics, Styrofoam/polystyrene foam and the like, is allowed only as primary packaging materials;
2. Plastic bag with no handles, holes and strings which shall be exclusively used for wrapping unpacked fresh foods and cooked food at supermarkets, wet and dry markets and other retailers, restaurant, canteen and the like;
3. Use of biodegradable plastic bags, Styrofoam/polystyrene foam and the like;
4. Use of plastic bags, Styrofoam/polystyrene foam and the like for sanitation, hygienic, clinical, and other medical purposes, but only when there is no available biodegradable plastic bags;
5. Use of plastics, Styrofoam/polystyrene foam and the like during times of local or national emergencies, natural or man-made calamities, or other similar occurrences;
6. Implementation of government plans, programs and projects which requires or necessitates the use of plastic bag Styrofoam/polystyrene foam and the like; and,
7. Other analogous circumstances.

**Section 61.** *Additional regulations on business establishments.* – Relative to the above provision, hereunder are the additional regulations on identified business establishments:

- a) All business establishment using plastic and paper bags in their business transaction should display conspicuously in their stores, especially in the transaction counter, the environment friendly notice:

**“SAVE THE ENVIRONMENT,  
BRING YOUR OWN REUSABLE BAGS.”**

- b) All shopping malls, supermarkets, department stores, grocery stores, fast food chains, food stalls, restaurants, drug store, pharmacies, wet and dry markets and all other retailers shall

provide the following reusable bags as carryout bags to be made available for purchase by the consumer. It will be available in the respective check-out counters of the stores, purposely for multiple re-use. Appropriate sizes and design may be provided for the purpose:

1. Reusable shopping bag – reusable shopping bag to be used for shopping and buying groceries.
2. Take-out bag – reusable bag to be used for carrying food and drinks for two or more persons.
3. Agora bag – reusable bag to be used in carrying goods from wet and dry markets such as meat, fish, vegetables, fruits and other goods.
4. Medicine bag- reusable bag or medicine kit appropriate to carry small quantity of medicine such as tablets and capsules, bottled syrups/suspensions and the like.

**Section 62.** *Strawless Saturday.* – Use of straw and the prohibition/regulation on the use of straw shall be governed by Municipal Ordinance No. 2023-06, approved by the Sangguniang Bayan on 3 April 2023.

**Section 63.** *Transitional period towards zero plastics.* – In order to attain a “zero plastic” Municipality, the prohibition imposed by this Code shall be implemented gradually. Hence, the Municipal Government shall implement the following transition program:

- a. Ban on the use of plastics and Styrofoam/polystyrene foam every Mondays, Thursdays and Fridays, on the first quarter of the implementation of this Code.
- b. Ban on the use of plastics and Styrofoam/polystyrene foam every Mondays, Tuesdays Thursdays and Fridays, on the first (1<sup>st</sup>) quarter and second (2<sup>nd</sup>) of the year of the implementation of this Code.
- c. Ban on the use of plastics and Styrofoam/polystyrene foam every Mondays, Tuesdays Thursdays and Fridays, on the third (3<sup>rd</sup>) and fourth (4<sup>th</sup>) quarter of the year of the implementation of this Code.
- d. Thereafter, no plastics and Styrofoam/polystyrene shall forever be banned in the entire Municipality of Bustos, Bulacan.

**Section 64.** *Use of Bayong, Fish nets, eco-bags, traditional sacks.* – The Municipality of Bustos, Bulacan highly encourage the use of bayong, fish nets, traditional sacks, other environmentally friendly containers, and the same articles as containers or packaging materials of goods.

**Section 65.** *Use of paper bags.* – While the use of paper bags as containers of goods is not prohibited, it is highly encouraged to avoid using paper and the same articles to be used as container for goods.

**TITLE VI**  
**REGULATION ON AGRI-INDUSTRIAL WASTE**

**Section 66. *Purpose.*** – This Title intended to:

- a. To reduce risk of very toxic pesticides and veterinary drugs to human health and safety and the environment; and,
- b. To improve crop and livestock production and processing and grading of farm products without deteriorating the soil, surface water, and air in the farmlands and reducing animal waste pollution.

**Section 67. *Operative Principles.*** –

- a. The municipality shall ensure that proper procedures are followed and facilities provided for the disposal and management of agro-industrial waste from the small to commercial scale farms, postharvest processing and commercial establishments within the jurisdiction of the municipality, in accordance to the Municipality's advocacy in environmental protection and conservation, and in compliance with R.A. 9003 or the Ecological Solid Waste Management Act of 2000 and Philippine Clean Water of 2004 and Philippine Clean Air Act of 1999.
- b. Agricultural waste shall be given equal consideration like any other pollutants hazardous to the community and the environment; and the Municipality shall employ all possible actions to dispose or utilize these wastes properly and keep them from contaminating land, air and bodies of water and potential threats to human health.
- c. Biodegradable waste shall be treated and utilized in other agricultural production processes or as another end-product. All agricultural wastes are considered as potential raw materials that can still be utilized in various ways.
- d. Agricultural chemicals shall be handled, treated and disposed, accordingly to prevent from harming the environment and the people using them.
- e. Crop, livestock and poultry production should be protective of the soil, groundwater, river and air while enhancing productivity and safety of agricultural products for human health.

**Section 68. *Regulatory Provisions.*** –

- a) The Municipal MENRO, together with the Municipal Agriculture Office shall monitor closely the practices in the

agricultural sector and ensure that procedures being done are within the sanitation and environmental standards/laws discussed and written in this Code.

- b) Land, businesses, structures and establishments relating to agriculture must follow through the regulations and requirements by MENRO

**Section 69. *Institutional Set-up.* –**

- a) The MENRO shall be the main office that will overlook the agricultural waste management system in the city. Issuance of environmental permits and monitoring of agricultural businesses, such as farms and factories, shall fall unto the MENRO's function. As such, they will have to cooperate with different offices such as the Municipal Agriculture Office, Barangay Councils and other government offices, in order to implement, monitor and control the agricultural waste management system.
- b) The MENRO, together with the Municipal Agriculture Office, shall help disseminating information about proper agricultural waste management to the agriculture sector. They will go hand in hand as well in the monitoring of activities within the industry to check whether they comply to proper procedures and standards set upon them, and to take note and act on any issues and problems in managing agricultural waste.
- c) The Punong Barangay in coordination with MENRO shall be responsible for monitoring and issuing Brgy. Clearance for agriculture-related business permits to farms within their vicinity. They shall see to it that the livestock farms and processors of agricultural products maintain safe and secured waste management disposal of their effluent and that none of these shall be drained nearby bodies of water without treatment application. Complaints and problems regarding environmental issues directing to agricultural farms or companies under their jurisdiction shall be reported to the MENRO for action, monitoring and recording.

**Section 70. *Basic Policies.* –**

- a) The Municipal Agriculture Office shall have demonstration projects on how to properly compost agricultural waste such as animal manure, biodegradable wastes and crop residues.
- b) Dead animals shall be buried in well-drained sites.
- c) Proper zoning guidelines and building instructions shall be set for the agricultural farms and companies or enterprises. Livestock farms shall be at least 500 to 1,000 meters away from built-up areas such as residential, commercial, institutional and industrial sites. In the case of existing

livestock farms near built-up areas, pollution management plan emphasizing on mitigating/control measures must be formulated and submitted by the owner to MENRO. For Municipal and private abattoirs or slaughterhouses, they should be away from residential or institutional areas for at least 1 kilometer to minimize odor nuisance.

- d) An agricultural enterprise or farm that will generate pollution that may or may not result to complaint from nearby households or establishment shall be required to have and submit an environmental management plan in handling their agricultural waste. This environmental management plan shall be one of the requirements necessary to obtain business permit, from the Municipal Government.
- e) Backyard and medium scale livestock and poultry farms exempted from obtaining Environmental Compliance Certificate from DENR must get Environmental Certificate from MENRO and Veterinary certificate at Municipal Agriculture Office.
- f) No person, group or company shall dispose effluent and sludge from livestock and poultry into the drainage canals, creeks, rivers and riparian zone to avoid surface water pollution.
- g) Owners of livestock and poultry farms should establish manure and wastewater treatment and utilization program to avoid pollution of surface water and groundwater, produce organic fertilizer and biogas for fuel and power generation, reduce foul odor nuisance.
- h) Planting of bamboo and trees in the riparian zone shall be promoted to trap animal waste and nutrients in the runoff.
- i) Sale of antibiotics or any veterinary drugs with high residues in animal products from agricultural supplies or veterinary drug stores should require prescription of a veterinarian.
- j) Livestock and poultry raising communities must have a buffer zone in the zoning ordinance to protect this industry from urban sprawl that would result to future environmental issue on odor and housefly nuisance generated from these communities.
- k) Burning of farm residues, dried grassland, agricultural waste and animal carcasses in agricultural farms shall strictly be prohibited by the barangay officials and public order and peace officers to reduce greenhouse gas emission, which contributes to global warming and to prevent soil erosion in the kaingin.
- l) Good agricultural practices (GAP) and Good Animal Husbandry Practices of the Department of Agriculture should be promoted by Municipal Agriculture Office.
- m) The use of red label pesticides for food crops is strictly prohibited.
- n) The Municipal Agriculture Office shall provide regular training on integrated pest management and use of safety

gears for applying pesticides, safe and secured disposal of empty containers of pesticides for farming communities.

- o) Establishment of functional environmental management system for the Municipal slaughter house including efficient biodigester and effluent treatment facility to ensure security and safety of meat products and sound work environment for workers.

**Section 71. *Prohibited and Punishable Acts.*** – For purposes of this Title, the following are the prohibited acts:

- a. Disposal of effluents from livestock and poultry into the drainage canals, creeks, rivers and riparian zone is not allowed to avoid surface water pollution.
- b. Burning of large amount of farm residues, agricultural waste and animal carcasses is prohibited.
- c. The use of red label pesticides for food crops is strictly prohibited.
- d. No establishments or stores without permit from the Municipal Government shall sell, store, handle and buy harmful or toxic agricultural chemicals within the Municipal jurisdiction.

**Section 72. *Piggeries and Poultry Farms.*** – The following are additional regulation on piggeries and poultry farms:

1. All piggery and poultry farms operating within the Municipality shall be subjected to the usual business permitting procedures, particularly the securing of locational clearance and environmental permits.
2. The structure of a piggery or poultry farm shall be situated with an area of good drainage system. Flood prone areas and other environmentally critical areas shall be avoided.
3. The structure of a piggery or poultry shall be at least 500 to 1000 meters away from residential areas and 200 meters away from major roads or highways.
4. Backyard piggery shall be regulated in the rural residential area with a maximum of three (3) heads but totally banned in the urban areas. Any person who wanted to or has already established a piggery or poultry farm and the like in an area of two (2) hectares and above are required to allot 10% of his or her total land area for growing trees and fruit bearing trees.
5. The Office of the Mayor through the MENRO shall be in charge of fulfilling the provisions of this Section. Any piggery or

poultry farm, be it in a backyard, shall be subjected to inspection by the MENRO at any time it deems necessary.

**Section 73. Commercial – Backyard Scale Hog Farms.** – Existing and still to be established commercial-backyard scale piggeries/hog farms shall be required to submit mitigating measures or waste treatment options before Sanitary and Business Permits can be issued by the Municipal Health Office and the Office of the Mayor respectively, identified herein:

- (1) Waste water reduction/minimization such as: use of drums or storage water tanks during cleaning operation; installation of mechanical drinkers to minimize consumption and wastage of water; Feed and water trough modification;
- (2) Waste treatment options such as: installation of biogas digester, lagoon system, drying of manure, establishment of a pelleting plant (organic fertilizer) and/or common treatment facilities.

**Section 74. Fines and Penalties.** – Without prejudice to the penalties imposed by other laws any violation of the provisions of this Title shall be held liable as follows:

- a. Violators shall be fined with the amount of Php. 500 .00 or equivalent community environmental work for the first offense, Php 1,000.00 or equivalent community environmental work for the second offense and cancellation of business permit or closure of business. For the third and succeeding offense, the violator shall suffer payment of fine amounting to Php 2,500.00 and/or imprisonment of not more than six (6) months or both, upon the discretion of the Court.

The Barangay Chairman will be responsible for monitoring the undertaking of environmental community work by the violator to better understand the detrimental effect of such illegal practice.

## TITLE VII FISHING REGULATION ON RIVERS AND OTHER PUBLIC WATER WAYS

**Section 75. Purpose.** – This Title is enacted for the following purposes:

- a) to achieve food security as the overriding consideration in the utilization, management, development, conservation and protection of fishery resources in order to provide the food needs of the population.

- b) to ensure the rational and sustainable development, management and conservation of the fishery and aquatic resources in Municipality, consistent with the primordial objective of maintaining a sound ecological balance, protecting and enhancing the quality of the environment.
- c) to protect the rights of fisherfolk, especially of the local communities with priority to municipal fisherfolk, in the preferential use of the municipal waters.

**Section 76. Operative Principles.** - Waters may be appropriated and used in accordance with the provisions of Water Code of the Philippines which are hereby adopted. Appropriation of water, as used in this Code, is the acquisition of rights over the use of waters or the taking or diverting of waters from a natural source in the manner and for any purposed allowed by law.

All rivers, streams, aquifers, ponds, swamps and Municipal Waters within the Municipality are considered aquatic resources.

Use of water for fisheries is the utilization of water for the propagation and culture of fish as a backyard or commercial enterprise.

**Section 77. Regulatory Provisions.** - The MENRO, together with the Municipal Agriculture Office shall monitor closely the practices in the aquatic sector and ensure that procedures being done are within the sanitation and environmental standards/laws as provided for in this Code and other regulations and requirements imposed by MENRO and other government agencies.

**Section 78. Institutional Set-up.** -

- a. The MENRO shall be the main office that will overlook the agricultural waste management system in the city. Issuance of environmental permits and monitoring of fishery businesses, shall fall unto the MENRO's function. As such, they will have to cooperate with different offices such as the Municipal Agriculture Office, Barangay Councils and other government offices, in order to implement, monitor and control the fisheries waste management system.
- b. The MENRO, together with the Municipal Agriculture Office, shall help indisseminating information about proper fisheries waste management to the agriculture sector. They will go hand in hand as well in the monitoring of activities within the industry to check whether they comply to proper procedures and standards set upon them, and to take note and act on any issues and problems in managing fisheries waste.

- c. The Punong Barangay in coordination with MENRO shall be responsible for monitoring and issuing Brgy. Clearance for fisheries business permits to farms within their vicinity. They shall see to it that the fisheries farms and processors of agricultural products maintain safe and secured waste management disposal of their effluent and that none of these shall be drained nearby bodies of water without treatment application and burning of fish meals is prohibited, may lead to air pollution that will affect human health. Complaints and problems regarding environmental issues directing to fishery farms or companies under their jurisdiction shall be reported to the MENRO for action, monitoring and recording.

**Section 79. *Basic Policies.*** – Under this Title, the Municipality shall be guided by the following policies:

- a) The Municipal Agriculture Office shall have demonstration projects on how to manage aquatic production.
- b) Dead animals shall not be fed to fisheries, especially Swine carcasses under precaution to African Swine Fever and other related diseases of swine, Poultry carcasses under precaution to Avian Influenza and other related diseases, those carcasses must be buried 6 feet below the ground in accordance to farm biosecurity.
- c) Feeding of meat scraps, opals, and other dressing plant waste products may be implemented as long as they have secure documents.
- d) Good agricultural practices (GAP) and Good Animal Husbandry Practices of the Department of Agriculture should be promoted by Municipal Agriculture Office.

**Section 80. *Prohibited and Punishable Acts.*** – Under this Title, the following are prohibited acts:

- a) Disposal fishpond water into the agricultural land, drainage canals, creeks, rivers and riparian zone is not allowed to avoid surface water pollution unless it was treated or clean.
- b) Feeding of animal carcasses without a valid permit and secure documents.
- c) Burning of fish meal or agricultural by products that will feed too aquatic resources.
- d) And any acts that may contribute to air, land and water pollution.

**Section 81. *Fines and Penalties.*** – Without prejudice to the penalties imposed by other laws any violation of the provisions of this Title shall be penalized as follows:

*For first offense: a fine of Php. 500.00 or equivalent community environmental work for the first offense,*

*For Second offense: a fine of Php 1,000.00 or equivalent community environmental work for the second offense and cancellation of business permit or closure of business.*

*For the third and succeeding offense: a fine of Php 2,500.00, cancellation of business permit or closure of business, and/or imprisonment of not more than six months or both, upon the discretion of the Court.*

The Barangay Chairman will be responsible for monitoring the undertaking of environmental community work by the violator to better understand the detrimental effect of such illegal practice.

### **TITLE VIII**

#### **REGULATION ON COLLECTION, POSSESSION, REARING AND BREEDING OF WILDLIFE FLORA AND FAUNA**

**Section 82. *Collection of Wildlife.*** – Collection of wildlife is strictly [prohibited in the Municipality. However, it may be allowed provided that the act of collecting shall be in accordance rules and regulation set forth by the Department of Environment and Natural Resources. Furthermore, that in the collection of wildlife must be with appropriate and acceptable wildlife collection techniques with least or no detrimental effects to the existing wildlife population and their habitat.

1. Collection of wildlife may be allowed for scientific researches, breeding/propagation, bioprospecting, commercial purposes, or for other activities as may be authorized by the Municipal Environmental and Natural Resources Office (MENRO), subject to compliance with the requirements and conditions specified and subsequent rules and regulations as may be hereinafter promulgated.
2. The quantity of individuals per species to be collected shall not exceed the municipal quota approved by the MENRO that shall be determined on the basis of the best scientific and/or commercial and other significant data available to the MENRO after conducting a review of the status of the species. The MENRO shall likewise indicate the areas of collection, whenever possible.
3. Appropriate and acceptable wildlife collection techniques with least or no detrimental effects to the existing wildlife populations and their habitats shall be used in said collection with due consideration to the welfare of the wildlife species.
4. Prior Informed Consent from the concerned indigenous people in accordance with RA No. 8371 (Indigenous Peoples Rights Act (IPRA))

of 1997) or prior clearance from the concerned local government unit and in the case of protected areas, from the Protected Area Management Board (PAMB) and other relevant agencies, bodies or institutions which exercise authority over the collection area shall be obtained, in accordance with the provisions of this Order.

5. Collection of threatened species, their by-products and derivatives shall be allowed only for scientific, or breeding or propagation purposes in accordance with Section 23 of RA 9147.
6. Collection of wildlife, except threatened species, by indigenous peoples shall be allowed for traditional use and not primarily for trade. In case the collection is for breeding/propagation or for commercial purposes, they shall secure the necessary permit pursuant to this Order and subsequent rules or regulations that may be hereinafter promulgated.

**Section 83. *Possession of Wildlife.*** – No person or entity shall be allowed possession of wildlife unless such person or entity can prove financial and technical capability to maintain said wildlife: Provided, That the source was not obtained in violation of RA 9147.

1. The MENRO shall determine the financial and technical capability of the possessor of wildlife, taking into consideration the maintenance requirements and value of the subject wildlife.
2. Local Transport of Wildlife, By-Products and Derivatives. Local transport of wildlife, by-products and derivatives collected or possessed through any other means shall be authorized unless the same is prejudicial to the wildlife and public health.

**Section 84. *Breeding or Propagation of Wildlife Resources.*** – Breeding or propagation of wildlife for commercial purposes shall only be allowed by the MENRO or the authorized representative through the issuance of wildlife/culture permit: Provided, that only progenies of wildlife raised, as well as unproductive parent stock shall be utilized for trade: Provided further, that commercial breeding operations for wildlife, whenever appropriate, shall be subject to an environmental study.

## TITLE IX

### **PRIVILEGE AND INCENTIVE ON PERSON, PARTNERSHIP OR CORPORATIONS ENGAGED IN ORGANIC FARMING**

**Section 85. *Promotion of organic farming.*** – The Municipal Government shall extend privileges and incentives for the production and propagation of organic farm inputs by maximizing their use in all government and government-supported agricultural production, research and demonstration programs. Incentives shall also be provided to farmers whose farms have been duly certified as compliant to the Philippine National Standards (PNS). Further, the DA may give cash reward in

recognition of the best organic farm in the country. The DA, the DAR, the DOST, the DILG, the Department of Trade and Industry (DTI), the DepEd, the Department of Finance (DOF), the Land Bank of the Philippines (LBP), and other government lending and non-lending institutions shall also assist organic input producers and organic farmers through the provision of adequate financial, technical, marketing and other services and resources.

**Section 86. *Privileges.*** – In order to encourage and promote organic farming, the Municipality shall grant the following privileges to persons, associations, groups, cooperative, corporations and other entities engaged in organic farming:

1. To recognize by the Local Government Unit (LGU) of Bustos, individual, organization, cooperative, or corporation engage in organic farming must enroll in Registry System for Basic Sectors in Agriculture (RSBSA). Once they enrolled and recognized, they are in the priority list to be endorsed by the LGU Bustos in attending different trainings under the Organic Agriculture Program that will help in strengthening their organic farming. Also, they are the priority to receive technical assistance in strengthening organic farming.
2. As an organization or cooperative, they shall apply for the Department of Agriculture (DA) accreditation or the Rice Competitiveness Enhancement Fund (RCEF) accreditation. As approved, they can request farm machineries and equipment and postharvest facilities to DA Region III and endorsed by the Municipal Agricultural Officer (MAO) and Municipal Mayor.
3. Priority consideration will be given to any organic goods made in Bustos when it comes to exhibition and sales at the municipal organic trading post.
4. A quarterly night market will be held on municipal property to allow recognized individuals, groups, cooperatives, and corporations who engage in organic farming to advertise their businesses and goods.
5. The LGU shall give priority to purchasing organic fertilizer produce from the municipality, which will then be given to the designated beneficiaries or used for any other purpose.

**Section 87. *Incentives.*** – In order to encourage and promote organic farming, the Municipality shall grant the following incentives to persons, associations, groups, cooperative, corporations and other entities engaged in organic farming:

1. The Local Government Units are encouraged to provide incentives to organic input production either through reduction of amount of local taxes, fees, and charges imposed or exemption on business taxes. The LGUs through its Sanggunian shall determine the incentives, the amount and duration of exemption to be granted.

2. Exemption from the payment of duties on the importation of agricultural equipment, machinery and implements as provided under Republic Act No. 9281, which amends Republic Act No. 8435 or the Agriculture and Fisheries Modernization Act (AFMA).
3. Provision of preferential rates and special window to organic input producers and users by the LBP.
4. Subsidies for certification fees and other support services to facilitate organic certification;
5. Zero-rated value-added tax (VAT) on transactions involving the sale/purchase of bio-organic products, whether organic inputs or organic produce.
6. Income tax holiday and exemption for seven (7) years, starting from the date of registration of organic food and organic input producers on all income taxes levied by the National Government.
7. The following incentives shall be given only to organic agriculture entities/farmers registered with (Bureau of Agricultural and Fisheries Product Standards) BAFPS and those which are classified as micro, small and medium enterprises. The BAFPS shall annually provide the Department of Finance list of qualified entities/farmers and enterprises, among others.
8. The LGUs together with Government Financial Institutions (GFI) shall put up and provide guarantee funds for small organic farmers, artisanal fisherfolks and indigenous peoples.
9. Duly certified organic farms shall be provided subsidy of the total certification cost subject to the guidelines of the National Organic Agriculture Board (NOAB).
10. Subsidy shall be granted only to organic farmer producers whose products are intended for local market. For products intended for the export market, subsidy shall be given only to micro, small and medium enterprises, indigenous people and agrarian reform beneficiaries.
11. Only farms which have complied with the organic agriculture standards as evidenced by the actual inspection report shall be entitled to subsidy. In case of denial of the application and upon proof of non-compliance of the "must be" complied requirements of the standard, the farmer applicant shall bear the cost of certification.
12. Group certification for contiguous farms adopting the same farming system shall be encouraged.
13. In case of funding constraints, small land and aquaculture farms, micro, small and medium enterprises, indigenous people shall be accorded the top priority for the granting of the subsidy.
14. Certified farms found violating the terms and conditions of the certification agreement shall no longer be entitled to subsequent subsidy. If there is an appeal, said farms, shall after verification and show proof of compliance, shall be eligible for subsidy.
15. The cost of recertification shall be valid only for two applications. Thereafter, a socialized subsidy based on the farmers

- income, farm size and crops grown shall be granted. A detailed guideline for socialized subsidy shall be set by the Board.
16. The subsidy shall be paid directly to the certifier upon certification of the inspected farm.
  17. Organic farms shall be covered under the Philippine Crop Insurance Corporation (PCIC) guidelines and policies.

**TITLE X**  
**WATER QUALITY GUIDELINES AND GENERAL EFFLUENT STANDARDS**

**Section 88. Declaration of Policy.** – It is the policy of the Municipality to pursue a policy of economic growth in a manner consistent with the protection, preservation and revival of the quality of our fresh, brackish and marine waters.

**Section 89. Objectives.** – The objective of this Title is to provide guidelines for the classification of water bodies in the country; determination of time trends and the evaluation of stages of deterioration/enhancement in water quality; evaluation of the need for taking actions in preventing, controlling, or abating water pollution; and designation of Water Quality Management Areas (WQMA). In addition, this Order is issued to set the General Effluent Standards (GES).

**Section 90. Scope and Coverage.** – The WQG applies to all water bodies in the Municipality: freshwaters and groundwater; and shall be used for classifying water bodies, determining time trends, evaluating stages of deterioration or enhancement in water quality, and as basis for taking positive actions in preventing, controlling, or abating water pollution. Moreover, this WQG shall be used in the process of designating WQMA.

**Section 91. Classification of Water Bodies.** – For purposes of maintaining water quality according to its intended beneficial usage, the following classification of waterbodies shall be adopted.

**Water Body Classification and Usage of Freshwater**

Classification	Intended Beneficial Use
Class AA	Public Water Supply Class I — Intended primarily for waters having watersheds, which are uninhabited and/or otherwise declared as protected areas, and which require only approved disinfection to meet the latest PNSDW
Class A	Public Water Supply Class II — Intended as sources of water supply requiring conventional treatment

	(coagulation, sedimentation, filtration and disinfection) to meet the latest PNSDW
Class B	Recreational Water Class I — Intended for primary contact recreation bathin, swimming, etc.
Class C	<ol style="list-style-type: none"> <li>1. Fishery Water for the propagation and growth of fish and other aquatic resources</li> <li>2. Recreational Water Class II — For boating, fishing, or similar activities</li> <li>3. Fora •culture, irrigation, and livestock water</li> </ol>
Class D	Navigable waters

For unclassified water bodies, classification shall be based on the beneficial use as determined by EMB.

**Section 92. *Water Quality Guidelines.*** – The rules and regulations established in this section are intended to maintain and preserve the quality of all water bodies based on their intended, beneficial usage and to prevent and abate pollution and contamination to protect public health, aquatic resources, crops, and other living organisms.

Guidelines for Water Quality (Freshwater and Marine Waters). The WQG provided for in Tables 3-6 of DENR Administrative Order No. 2016-08 shall be maintained for each water body classification. For purposes of this Title, the parameters defining the WQG are categorized as primary or secondary parameters.

Primary parameters in Table 3 of DENR Administrative Order No. 2016-08 are the required minimum water quality parameters to be monitored for each water body. Secondary parameters (Tables 4-6) are other water quality parameters to be used in baseline assessment as part of the Environmental Impact Assessment and other water quality monitoring in accordance with DENR Administrative Order No. 2016-08 (Recommended Parameter-s, Frequency and Duration of Sampling) of the Ambient Water Quality Monitoring Manual issued through EMB Memorandum Circular 2008-008.

Water quality monitoring procedures [i.e. water quality monitoring plan, sampling, quality assurance (QA), quality control (QC), etc.] shall also be in accordance with the above-mentioned EMB Memorandum Circular 2008-008.

**Section 93. *Guidelines for Groundwater Quality.*** – Groundwater shall be maintained at a quality consistent with its intended beneficial usage. For purposes of preserving and protecting groundwater quality, the

WQG set forth in Table 7 of DENR Administrative Order No. 2016-08 shall be maintained.

**Table 7. Groundwater quality Guidelines**

Intended Beneficial Use	Groundwater Quality Guidelines
Source of Potable Water and Other Domestic Use	Adopt Class A WQG (except BOD and Dissolved Oxygen)
Bathing and Other Primary Contact Recreation	Adopt Class B WQG (except BOD and Dissolved Oxygen)
Irrigation, Fish Culture, Livestock Watering	Adopt Class C WQG (except BOD, Dissolved Oxygen, and Total Suspended Solids)

**Section 94. General Effluent Standards.** – Discharges from any point source shall at all times meet the effluent standards set forth in Tables 2-3 of DENR Administrative Order No. 2016-08 to maintain the required water quality per water body classification. The GES shall be used regardless of the industry category.

Effluent used for irrigation and other agricultural purposes shall conform to the Department of Agriculture Administrative Order 2007-26 or the Guidelines on the Procedures and Technical Standards for the Issuance of a Certification Allowing for the Safe Re-use of Wastewater for the Purposes of Irrigation and Other Agricultural Uses.

Effluent quality monitoring procedures (i.e. effluent quality monitoring plan, sampling, QA, QC, etc.) shall be in accordance with the Effluent Quality Monitoring Manual issued through EMB Memorandum Circular 2008-008.

**TITLE XI**  
**WATER CONSERVATION PROGRAM**

**Section 95. Declaration of Policy.** – It shall be the policy of Bustos to intervene actively in improving the management of water resources, through the implementation of various programs aimed towards the conservation of all water resources.

**Section 96. Scope and Application.** – This shall cover all possible programs geared towards the protection, conservation and preservation of all water sources of Bustos.

**Section 97. *Water Conservation Programs.*** –The Municipality of Bustos shall actively encourage the civil society, the academe and the business sector in undertaking environmental-related activities, specifically in organizing, educating, motivating and disseminating information to the people in order to address water-related issues and problems.

The WaterCom shall be the lead in all information, education and communications (IEC) campaign strategies.

Water conservation programs shall include, but may not be limited to, the following:

1. Conduct of Barangay-based public education and information programs to disseminate the importance of water;
2. Legislation on the regulation of requirements for water conservation in residential, commercial, industrial, and institutional establishments, in compliance to existing sanitation and water conservation laws;
3. Promotion of establishing the use of rainwater harvesting in all barangays;
4. Encouraging the use of water saving devices like aerators, specifically at the household level;
5. Conduct of tree-planting and other reforestation activities in partnership with environmental organizations;
6. Integration of lectures on water conservation and water demand management concept in all schools;
7. Adoption of technologies promoting water conservation, which may include conserving gardens, grey water reuse in irrigation, etc.;
8. Monitoring of the safety and potability of all local water resources;
9. Cleanup, rehabilitation and restoration of rivers, creeks, and other tributaries and water sources; and
10. Development of IEC materials on water conservation.

**Section 98. *Water Conservation and Public Information Action Plan.*** – The WaterCom shall formulate a 5-Year Water Efficiency and Public Information Action Plan that shall embody all water conservation programs that may be determined by the same.

**Section 99. *Monitoring and Evaluation.*** – The WaterCom shall cause the monitoring and evaluation of the implementation and effectiveness of the different water conservation programs identified in the Water Conservation and Public Information Action Plan.

Communication of the results of the monitoring and evaluation to the appropriate agencies or offices shall be conducted every semester.

**Section 100.** *Inter-agency and Inter LGU Linkages.* – For purposes of this Environmental Code, the Municipality of Bustos shall closely coordinate with adjacent local government units for a more comprehensive and collaborative solution to water supply and conservation problems.

It shall also coordinate with local water utility and other agencies, such as the DENR, that are in charge with water utilization and water conservation.

**TITLE XII**  
**REGULATION ON OBSTRUCTION AND EASEMENT OF PUBLIC WATERWAYS**

**Section 101.** *Purpose.* – This Title is enacted for the following purposes:

1. To enhance its ecological balance, reduce disaster risk from hazard events by addressing vulnerabilities and increasing capacities of people, communities and the Municipal Government, in order to establish a safe and resilient Municipality.
2. To come up with rules, regulations and ordinances, which prohibits indiscriminate dumping/throwing/littering of garbage, refuse, filth and other kinds of waste on easements such as rivers, lakes, canals, drainage and other waterways and outlets, as well as, prohibit and prevent the encroachments, constructions and obstructions on water easements.
3. It is also the policy of the Municipality to remove, dismantle all illegal structures, provide resettlement areas for affected informal settler families, provide assistance and compensation to other affected stakeholders with vested legal rights, and observe due process of law.
4. It is likewise the policy of the Municipality to promulgate plans, programs and projects for Disaster Risk Reduction in general, and in particular, to recover, restore and rehabilitate and protect setback areas, public easements and right of ways.

**Section 102.** *Measurement of Legal Easement.* – Banks or rivers and streams with channels at least five (5) meters wide or continuously flowing rivers and streams even with less than five (5) meters width, creeks, shall be subjected to legal easement of three (3) meters in urban areas, twenty (20) meters in agricultural areas.

**Section 103.** *Related Policies.* –

1. No person shall be allowed to stay in this zone longer than what is necessary for recreation, fishing or salvage or to build structures of any kind.
2. Unauthorized obstruction of a river or waterway, or occupancy of a river bank without permission.
3. All individuals or group entities owning or managing the establishments and structures are found to be in violation of the rules on the establishment of legal easements, whether private or owned by the government, shall be subjected to possible relocation and demolition, if warranted.
4. The Agency thru the Municipal Planning and Development Office, the Municipal Engineers Office, and other pertinent Offices of the Municipality, shall ensure that measures are undertaken to amend, revise and improve comprehensive land use plans and zoning ordinances, building and infrastructure rules and regulation, permits and licenses, taking into account identified setback areas, and no build zones, in consonance with DENR DAO 2021-07, the Water Code, and other provisions of law;
5. Develop, promote, and implement a comprehensive hazard and disaster prevention and control measures of the City, together with partner stakeholders, to build community resiliency against flood and other hazards, and to institutionalize arrangements and measures for reducing disaster risks from flooding, and other climate risks and hazards, and enhancing disaster preparedness and response capabilities at all levels of the Municipality;
6. Implement the relevant provisions of Presidential Decree (PD) No. 856 or the "Sanitation Code of the Philippines," as amended; Republic Act (RA.) No. 9275 (Clean Water Act), and RA. No. 9003 (Ecological Solid Waste Management Act), and further improve the rules, regulations, which prohibits indiscriminate dumping/throwing/littering of garbage, refuse, filth and other kinds of wastes, in setback zones, public right of ways and easements, open space, rivers, drainage and other waterways and outlets, as well as, the encroachments and obstructions caused by various types of structures.

**Section 104.** *Programs related to obstruction and easement of public waterways.* – The Municipality of Bustos shall promote the following short and long-term restoration and rehabilitation programs:

1. Repair and maintenance work on waterways, such as drainage and canals;

2. Immediate flood control projects, such as de-clogging operations, strategic deployment and use of portable and mobile pumps and other measures;
3. Clean up and water quality improvement thru regular ambient water sampling activities to monitor water quality of Angat River system and its tributaries as well as the sampling of effluent or wastewater discharge from establishments adjacent river systems and setback areas. Also, regular monitoring of waterways to ensure that floating solid wastes and other debris are collected to prevent them from ending up on waterways and outlets of the municipality;
4. Repair and rehabilitation of old drainage, creeks canals waterways, walk ways, and the like;
5. Provide engineering intervention projects in flooding zones and areas, biological and solid. waste management, waste re-use, recycling, flood controls and water management, such as but not limited to, water impoundment projects, diversion, irrigation, river bank and waterways and de-clogging;
6. Regular clean-up drives of in- rivers, lakes, tributaries, canals and other waterways and outlets;
7. Sustained and continuing advocacy and information, education and communication campaigns and activities on environmental education, Ordinance provisions, programs and projects;
8. Encourage and promote public-private partnership in sustainable and profitable environmental programs and projects;

**Section 105.** *Dangerous areas and Illegal structures on waterways and other river banks.* – relative to rivers and waterways, the following are considered dangerous structures:

- (1) those structures erected on danger areas such as *esteros*, riverbanks, waterways (in accordance with Sec 28 of RA 7279).
- (2) Prohibited building of structures within a given length along banks of rivers and other waterways, (in accordance with Art. 51 of PD 1067 or the Water Code):
  - i. within a zone of three (3) meters in urban areas,
  - ii. twenty (20) meters in agricultural areas and

- iii. forty (40) meters in forest areas, along their margins, are subject to the easement of public use in the interest of recreation, navigation, floatage, fishing and salvage. No person shall be allowed to stay in this zone longer than what is necessary for recreation, navigation, floatage, fishing or salvage or to build structures of any kind.
- a. The MENRO, Engineering Office and the Municipal Planning and Development Office shall jointly identify illegal and dangerous structures mentioned in the preceding section.
- b. That the local chief executive, upon the recommendation of the aforementioned offices, shall coordinate with the Department of Public Works and High Ways, Department of Interior and Local Government, Housing and Land Use Regulatory Board and concerned national agencies for the removal and relocation of the dwelling erected on dangerous areas and illegal structures.

**Section 106.**        *Prohibited Acts.* – Under this Title, the following acts are prohibited:

1. Discharging, depositing or causing to be deposited matter of any kind directly or indirectly along the margins or the water of the river, tributaries, canals and channels, and other waterways where the same shall be liable to be washed into surface water either by storm floods or other occurrences which cause water pollution or impede the natural flow of the river system;
2. Transporting, dumping throwing or discharging of sewage sludge, industrial and special waste, from whatever source, into the setback areas, rivers, waterways and outlets, parks and open spaces, streets, public places adjacent to any form of body of water;
3. Operating facilities and discharging regulated water pollutants, or in such a manner cause unauthorized increase in volume or strength of any wastes in excess of the permissive discharge specified under any existing permit, or without the valid required permits or under revoked permit and violation of any condition imposed by the Municipality;
4. Discharging injecting or allowing to seep into the soil or sub-soil any substance in any form that would pollute the river groundwater;
5. Undertaking activities development and expansion projects or operating wastewater and sewerage facilities in violation of Environmental Impact Statement System established under Presidential Decree No. 1586 and its implementing rules and regulations;

6. Directly using booster pumps in the distribution system or tampering with the water supply in such a way as to alter or impair the quality of the water;
7. To issue permits to build or construct any type of structures within the setback zones and all waterways, parks, public right of way and easements prescribed by The Water Code and DENR DAO 2021-07.
8. Unauthorized construction, installation or operation of any industrial or commercial establishments, including any sewage works, or any extension or modification thereof or addition thereto, the operation of which would increase discharge of waste directly into the water, air and/or land resources or would otherwise alter their physical, chemical, or biological properties in any manner not already lawfully authorized;
9. Depositing or causing, suffering or procuring to be deposited material of any kind in any place on the bank of any tributaries where the same shall be liable to be washed by storms or floods, or otherwise, whereby may be impeded or obstructed or increase the level of pollution of such water;
10. It is unlawful for any person/s, private or public corporations, to use sidewalks, easements relative to public waterways and other similar public spaces for commercial and personal purposes shall be prohibited, including, but not limited to; selling of goods by sidewalk vendors; washing and drying of clothes; vehicles garage; dumping of garbage or litter; construction of pens or cages of animals; storing soft drinks or bottle drinks in cases; storing of household appliances and furniture; storing of junk and recyclable materials; use as storage of construction materials and equipment; house or business extension; installation of permanent fence or gate; use of sidewalks for plat, trees and planters; installation of signs or billboards; parking of vehicles; using of sidewalks for drinking liquor and beverages; drying of rice, corn, tobacco and other agricultural crops and riding motorcycles and scooter.

**Section 107.** *Penalties.* –Without prejudice to the penalties imposed by other laws for violation of the provisions of preceding Section (Prohibited Acts), shall be penalized as follows:

- 1st offense - One Thousand (P1 ,000.00) Pesos
- 2nd offense - Three Thousand (P2,000.00) Pesos
- 3rd and Subsequent Offenses - Five Thousand (P2,500.00) Pesos or imprisonment for six (1) months or both such fine and imprisonment at the discretion of the court.

The above penalties shall be without prejudice to a separate cost or suit for damages which may be imposed or filed by the Municipality.

**Section 108.** *Appeal.* – An appeal for extension of time may be made to the Office of the Mayor upon receipt of the 2nd Notice of Violation, but such extension of time whenever granted shall not exceed one (1) month. Such appeal must be made within the seventy-two (72) hours from the receipt of the 2nd Notice to Vacate;

**Section 109.** *Liability of public officials and employees.* – Any official or employee who violates any of the mandatory and prohibited provision of this policies shall be penalized under the Administrative Code, R.A. 6713, or the Code of Conduct and Ethical standards for Public Officials and Employees, or R.A. 3019 or the Anti-graft and Corrupt Practices Act;

### **TITLE XIII**

## **USE OF ENVIRONMENTALLY FRIENDLY AND RENEWABLE ENERGY AS ALTERNATIVE SOURCE**

**Section 110.** *Purpose of this Title.* –

1. To raise awareness, interest and commitment to energy conservation;
2. To assist private sectors and other interested parties in the development and utilization of renewable and cleaner source of energy in the Municipality;
3. To promote use of appropriate technologies and practices on energy conservation.

**Section 111.** *Pursuing the Development of Renewable Energy* –

1. Promote and support renewable energy as well as other energy efficient technologies and environment-friendly materials and technologies within Municipality.
2. Accelerate the exploration and development of renewable energy resources to achieve energy self-reliance, through the adoption of sustainable energy development strategies.

**Section 112.** *Use of Natural Gas.* -

- a. The Municipality of Bustos shall support the development and expansion of natural gas projects provided that no valuable natural resources will be lost. Provide further, that the environmental health and safety of the constituents shall be

given with outmost importance by regular monitoring and reposting of all critical operational and environmental parameters such as ambient air quality and water quality.

- b. Encourage all commercial vehicles to run on CNG to reduce the consumption of imported petroleum products consequently reducing air pollution emissions.

**Section 113.**      *Alternative Fuel.* – All businesses with potential biogas by-products such as swine, poultry and livestock, and biomass generators are required to develop and operate biogas projects to contribute in the reduction of water pollution and Greenhouse Gases (GHG) emissions.

**Section 114.**      *Resource Recovery.* – Resource Recovery is the extraction of material or energy from wastes. Encourage the production of biogas from wastewater sludge. In addition, a number of methods have been researched regarding use of wastewater sludge and excreta as fuel sources.

**Section 115.**      *Adoption of Energy Efficient and Clean Technologies and Practices.* –

1. The Municipal Government shall favor the used of collective non-motorized vehicles in the Municipality. The Municipal Government therefore may designate and open roads for access to non-motorized vehicles.
2. The public shall be encouraged to cooperate in the Municipal Government programs consistent with the National agenda such as use of bicycles and electric vehicles, anti-idling, carpooling especially for official travels, and car less day scheme.
3. Starting with the Municipal Government and all government agencies and offices in the Municipality shall adopt an Enercon Program to reduce consumption of electricity and fuel by at least 10%. Similarly, non-government, commercial/business and industries shall adopt Enercon programs following the most beneficial schemes.
  - a. Switching-off lighting when areas are unoccupied such as toilets, corridors or even office areas out-of-hours.
  - b. Use of daylight sensors to switch on/off or dim lighting to pre-defined levels to take into account the natural light and thus reduce consumption. Energy audit shall therefor be implemented to government buildings, industrial and commercial establishments.
4. Shift to energy efficient lighting in residential, government, commercial and industrial establishment shall be adopted. Fluorescent light and/or skylights instead of incandescent light bulbs shall be used.

**Section 116.**      *Energy Conservation Technique.* –

1. With dwindling supply of fossil fuel and concerns on the impact of greenhouse gases on climate change, optimize energy and utilize renewable energy sources;
2. Maximize day-lighting and natural ventilation;

**Section 117.** *Prohibited and Punishable Acts.* – Under this Title the following are prohibited:

1. Any person, group or company found to deceive using any device, scheme or artifice to illegally manipulate energy consumption shall be punished accordingly;
2. No individual, group or company shall be allowed to sell diluted concentration of fuels;
3. Any gasoline station found using or allowing the use of tampered dispensing machines so that the volume of the fuel purchased is not consistent with the amount paid by the client shall be penalized.

**Section 118.** *Fines and Penalties.* – Any person who commits any of the prohibited acts provided in the immediately preceding section shall be penalize and be fined an amount not less than Php 2,500.00 or imprisonment for a period not exceeding six (6) months, or both in the discretion of the Honorable Court. If the offense is committed by a firm, corporation, partnership or other juridical entity, the chief executive officer, president, general manager or person-in-charge shall be held liable.

#### TITLE XIV

#### **ENVIRONMENTAL REQUIREMENTS ISSUANCE OF PERMIT**

**Section 119.** *Environmental Assessment Policies.* –The Municipality of Bustos hereby adopts policies that will promote the environment-friendly activities of business, industry, and settlements in the urban areas and suburbs as far as infrastructure and social services are concerned.

- 1.1 It should be ascertained that any proposed project needing the approval of the Municipal Government requiring the issuance of a permit would not cause significant negative environmental impact on the physical, biological, and socio-economic environment.
- 1.2 There shall be conducted a yearly inspection of local business sites and premises to determine the preservation of the physical environment. Should there be findings of the degradation, destructions or violations of the environment appropriate and immediate actions shall be instituted to mitigate or control the effects of such environmental

degradation and the full force of the law shall be applied to the violators.

**Section 120.**        *Development Permit.* – The Development Permit is the final permit issued or granted to any developer already issued with Locational Clearance which will allow him/her proceed with the detailed and necessary development activities as reflected in the approved plans.

Bustos residents or any developer who owns a piece of land or has the authority to use a piece of land for the development of a subdivision or memorial park project within the municipality provided that the concerned piece of land conforms with the land use plan and policy of the LGU.

**Section 121.**        *For Application for Subdivision Development Permit.* – An Environmental Compliance Certificate (ECC) duly issued by the Environmental Management Bureau (EMB) of the Department of Environment and Natural Resources (DENR) is a requirement in the Issuance of Development Permit for subdivision development, to ensure site suitability and public safety;

If the establishment of the subdivision project is physically feasible and does not run counter to the approved zoning and land use plan of the city or municipality and the subdivision plan complies with these Rules, the same shall be approved and a development permit shall be issued upon payment of the prescribed processing fee.

A development permit is a time application from date of issuance if no physical development is introduced. If project has been issued a development permit, a locational clearance is deemed incorporated therein.

**Section 122.**        *For application of Memorial Park; Approval of the Preliminary Development Plan.* –For all projects located in cities or municipalities with or without a Land Use Plan and/or Zoning Ordinance, a preliminary approval shall be required. Copies of the following shall be submitted in duplicate to the city/municipality concerned.

- A. Site Development Plan/Scheme to be approved should be accessible to Persons with Disabilities (PWDs) in accordance with BP 344 otherwise known as the Accessibility Law and the Magna Carta for disabled persons (RA 7277) reflecting therein the layout of streets, pathways, plots, parking areas, support facilities, signages and other features in relation to existing site condition using a scale ranging from 1:200 to 1:2,000 duly signed and sealed by a licensed environmental planner.
- B. 2 sets of the following documents duly Signed and sealed by a licensed geodetic engineer:

1. Vicinity map/location map at a scale of 1:10,000 with a radius of 500 meters from the project site indicating existing utilities such as main traffic arteries. Drainage system and outfall, etc. and community facilities like church, school and housing areas among others.
2. Topographic Plan to include existing conditions as follows:
  - a. Property boundary lines, bearing and distances;
  - b. Streets and easements, right-of-way width and elevation on and adjacent to the project;
  - c. Ground elevation/contour of the site; for ground that slopes less than 2%, indicate spot elevations at all breaks in grade, along all drainage channels and at selected points not more than 30 meters apart in all directions; for ground that slopes more than 2%, indicate contours with an interval of not more than 0.5 meter for more detailed preparation of plans and construction drawings.
  - d. Other conditions on the land: water courses, marshes, rock outcrops, wooded areas, isolated preservable trees 0.30 meters or more in diameter, houses and other significant features;
  - e. Proposed public improvements: highways or other major improvements planned by public authorities for future construction on or near the project.
- C. Zoning Certification issued by Department of Human Settlements and Urban Development (DHSUD) or the municipality, thru the Municipal Planning and Development Office (MPDO).
- D. Certified true copy of Environmental Compliance Certificate (ECG) or Certificate of Non-Coverage (CNC) duly issued by the Department of Environmental and Natural Resources (DENR).
- E. Certified True copy of conversion order or exemption clearance from the Department of Agrarian Reform (DAR)
- F. Certified true copy of Title and Survey Plan.

Approval of the preliminary memorial park cemetery plan shall be valid only for a period of 180 days from date of approval. A revalidation can be availed of only once after said period.

**Section 123.**      *Approval of Final Memorial Park/Cemetery Plan.*

– After the preliminary approval of the Memorial Park/Cemetery the owner or developer shall proceed with the preparation and submission to the city/municipality concerned in duplicate the following:

- A. Final Memorial Park/Cemetery Plan consisting of the site development plan at any of the following scales: 1:200 or 1:1,000 or any scale not exceeding 1:2,000 indicating the following duly Signed and sealed by a licensed environmental planner:
  1. Layout of roads right-of-way width and gradient, easements and similar data for alleys, if any;

2. Plot boundaries, numbers, total land area and block numbers; (verified survey returns of mother title, sections and blocks including number of lots per block in each section and technical descriptions of road lots, open spaces, facilities, and blocks).
  3. Site data, total land area, number of saleable plots, typical plot size, areas allocated for roads and pathways, and other facilities and amenities.
- B. Engineering plans duly signed and sealed by a licensed civil engineer based on applicable Engineering Code and Design Criteria in accordance with the following:
1. Profile derived from existing topographic map duly signed and sealed by a geodetic engineer showing the vertical control, designed grade, curb elements and all information needed for construction.
  2. Typical roadway sections showing dimensions and slopes of pavement, sidewalks, shoulders, benching and others.
  3. Details of roadway showing the required thickness of pavement, sub-grade treatment and sub-base on the design analysis.
- C. Storm drainage duly signed and sealed by a licensed sanitary engineer of civil engineer.
1. Profile showing the hydraulic gradients and properties of the main lines including structures in relation with the road grade line.
  2. Details of drainage and miscellaneous structures such as various types of manholes, catch basins, inlets (curb, gutter, and drop), culverts and channel linings.
- D. Centralized or combined storm and sewer system duly signed and sealed by a licensed sanitary engineer.
- E. Site grading plan duly Signed and sealed by a licensed civil engineer.
- F. Plans with the finished contour lines superimposed on the existing ground the limits of earthwork embankment slopes, cut slopes, surface drainage, drainage outfalls and others.
- G. Electrical plan and specifications duly signed and sealed by a licensed professional electrical engineer and duly approved by the city/municipal electrical engineer.
- H. Landscaping plan indicating plant/tree species and other natural/man-made landscaping features e.g. lagoon, garden, benches, etc. duly signed and sealed by a licensed landscape architect.
- I. Summary of Project Study indicating market. source/s of fund, statement of income, cash flow and work program.
- J. Certified True Copy of Title or other evidence of ownership or intent to sell and authority to develop signed by the owner, Tax Declaration and current real estate tax receipt.
- K. Clearances/Permits/Certifications from other agencies applicable to the Project:

1. Clearances/Permits from National Water Resources Board (NWRB)
    - a. Clearance stating that the memorial park/cemetery is not located on ground where the water table is not higher than 4.50 meters below the ground surface.
    - b. Water permit whenever a well within the project site shall be dug.
    - c. Permit to operate the well.
  2. Certified True Copy of Conversion Order or Exemption Clearance from the Department of Agrarian Reform (DAR) authorizing a change in use from agricultural to non-agricultural, where applicable.
  3. Permit from the Department of Public Works and Highways (DPWH) when necessary, e.g. when opening an access to a controlled traffic artery.
  4. Initial and operational clearances from the Department of Health.
  5. Certified True Copy of Environmental Compliance Certificate (ECG) or Certificate of Non-Coverage (CNC) duly issued by the Department of Environment and Natural Resources (DENR).
- K. Joint affidavit of owner/developer and licensed environmental planner that the memorial park/cemetery plan conforms to the standards and requirements of these rules and that development thereof shall be made in accordance with the program submitted to the Board or city/municipality concerned.
- L. List of names of duly licensed professional who signed the plans and other similar documents in connection with application filed with the DHSUD or MPDO indicating the following information:
1. Surname;
  2. First Name;
  3. Middle Name;
  4. In case of married women professional also their maiden name;
  5. Professional license number, date of issue and expiration of its validity; and,
  6. Professional tax receipt and date of issue.

If the application for the project is physically feasible and the plan complies with the zoning ordinance of the city or municipality where it is situated and with these rules, the project shall be issued a development permit issued by the Board or city/municipality concerned upon payment of the prescribed processing fee and under such conditions as may be imposed by the Board or city/municipality concerned. A final approval/development permit shall be valid for a period of 2 years from date of issue, however, if physical development such as clearing and grubbing, road excavation, filling and compaction, et c. is not commenced within said period, the grantee of the permit may apply for its revalidation within the next succeeding year.

If development permit expires, no development shall be allowed unless a new application for approval is filed.

**Section 124.** *Building Permit.* – No person, firm or corporation, including any agency or instrumentality of the government shall erect, construct, alter, repair, move, convert or demolish any building or structure or cause the same to be done without first obtaining a building permit therefor from the Building Official.

**Section 125.** *Application for Permits.* – In order to obtain a building permit, the applicant shall file an application therefor in writing and on the prescribed form from the Office of the Building Official. Every application shall provide at least the following information:

1. A description of the work to be covered by the permit applied for;
2. Certified true copy of the TCT covering the lot on which the proposed work is to be done. If the applicant is not the registered owner, in addition to the TCT, a copy of the contract of lease shall be submitted;
3. The use or occupancy for which the proposal work is intended;
4. Estimated cost of the proposed work.

To be submitted together with such application are at least five sets (5) of corresponding plans and specifications prepared, signed and sealed by a duly registered mechanical engineer in case of mechanical plans, and by a registered electrical engineer in case of electrical plans, except in those cases exempted or not required by the Building Official under this Code.

**Section 126.** *Processing of Building Permits.* – The processing of building permits shall be under the overall administrative control and supervision of the Building Official and his technical staff of qualified professionals.

In processing an application for a building permit, the Building Official shall see to it that the applicant satisfies and conforms with approved standard requirements on zoning and land use, lines and grades, structural design, sanitary and sewerage, environmental health, electrical and mechanical safety as well as with other rules and regulations promulgated in accordance with the provisions of this Code.

**Section 127.** *Issuance of Building Permits.* – When satisfied that the work described in an application for building permit and the plans and specifications submitted therewith, conform to the requirements of this Code and other pertinent rules and regulations, the Building Official shall, within fifteen (15) days from payment of the required fees by the applicant, issue the building permit applied for.

The Building Official may issue a permit for the construction of only a part or portion of a building or structure whenever the plans and specifications submitted together with the application do not cover the entire building or structure.

Approved plans and specifications shall not be changed, modified or altered without the approval of the Building Official and the work shall be done strictly in accordance thereto.

**Section 128.**      *Validity of Building Permits.* – The issuance of a building permit shall not be construed as an approval or authorization to the permittee to disregard or violate any of the provisions of this Code.

Whenever the issuance of a permit is based on approved plans and specifications which are subsequently found defective, the Building Official is not precluded from requiring permittee to effect the necessary corrections in said plans and specifications or from preventing or ordering the stoppage of any or all building operations being carried on thereunder which are in violation of this Code.

A building permit issued under the provisions of this Code shall expire and become null and void if the building or work authorized therein is not commenced within a period of one (1) year from the date of such permit, or if the building or work so authorized is suspended or abandoned at any time after it has been commenced, for a period of 120 days.

**Section 129.**      *Non-Issuance, Suspension or Revocation of Building Permits.* – The Building Official may order or cause the non-issuance, suspension or revocation of building permits on any or all of the following reasons or grounds:

- a. Errors found in the plans and specifications.
- b. Incorrect or inaccurate data or information supplied.
- c. Non-compliance with the provisions of this Code or of any rule or regulation

Notice of non-issuance, suspension or revocation of building permits shall always be made in writing, stating the reason or grounds therefor.

**Section 130.**      *Appeal.* – Within fifteen (15) days from the date of receipt of advice of the non-issuance, suspension or revocation of permits, the applicant/permittee may file an appeal with the building official who shall render his decision within fifteen days from date of receipt of notice of appeal. The decision of the Building Official shall be final subject only to review by the Office of the Municipal Engineer.

**Section 131.**      *Inspection and Supervision of Work.* – The owner of the building who is issued or granted a building permit under this Code shall engage the services of a duly licensed architect or civil engineer to

undertake the full-time inspection and supervision of the construction work.

Such architect or civil engineer may or may not be the same architect or civil engineer who is responsible for the design of the building.

It is understood however that in either case, the designing architect or civil engineer is not precluded from conducting inspection of the construction work to check and determine compliance with the plans and specifications of the building as submitted.

There shall be kept at the jobsite at all times a logbook wherein the actual progress of construction including tests conducted, weather conditions and other pertinent data are to be recorded.

Upon completion of the construction, the said licensed architect or civil engineer shall submit the logbook, duly signed and sealed, to the Building Official. He shall also prepare and submit a Certificate of Completion of the project stating that the construction of building conforms to the provisions of this Code as well as with the approved plans and specifications.

**Section 132.** *Occupancy Permit.* – No building or structure shall be used or occupied and no change in the existing use or occupancy classification of a building or structure or portion thereof shall be made until the Building Official has issued a Certificate of Occupancy therefor as provided in this Code.

A Certificate of Occupancy shall be issued by the Building Official within thirty (30) days if after final inspection and submittal of a Certificate of Completion referred to in the preceding Section, it is found that the building or structure complies with the provisions of this Code.

The Certificate of Occupancy shall be posted or displayed in a conspicuous place on the premises and shall not be removed except upon order of the Building Official.

**Section 133.** *Fees.* – The fees to be paid under this Title shall be based on area coverage using standard rates provided by DHSUD Schedule of Rates and Approved Local Revenue Code of the Municipality (per category/classification).

## TITLE XV

### ENVIRONMENTAL REQUIREMENTS FOR APPROVING PLAN

**Section 134.** *Subdivision Development Plan.* – Residential subdivision projects shall conform with the following minimum design

standards, zoning ordinance/s, as well as pertinent provisions of the National Building Code if project is with housing component:

#### A. Site Criteria

##### 1. Location

Conformity with Zoning Ordinance/Comprehensive Land Use Plan.

Subdivision projects shall be located in residential zones or other areas appropriate for residential uses. If there is no Zoning Ordinance or approved Comprehensive Land Use Plan, the dominant land use principle and site suitability factors cited herein shall be used in determining suitability of a project.

Subdivision projects supportive of other major urban activities (e.g. housing for industrial workers) may be allowed in area zoned for the said urban activities.

##### 2. Physical Suitability

Subdivision projects shall be located within suitable sites for housing and outside hazard prone areas and protection areas as provided for by pertinent laws. Critical areas (e.g. areas subject to flooding, landslides and those with unstable soil) must be avoided.

The site shall be stable enough to accommodate foundation load without excessive earthmoving, grading or cutting and filling.

##### 3. Accessibility

The site must be served by a road that is readily accessible to public transportation lines. Said access road shall conform with the standards set herein to accommodate expected demand caused by the development of the area. In no case shall a subdivision project be approved without the necessary access road/right-of-way. Said access road right-of-way may be constructed either by the developer or the local government unit.

#### B. Planning Considerations

1. Area Planning - Planning and designing of subdivision projects shall take into account the following:
  - a. safety and general welfare of the future occupants;
  - b. adequate, safe, efficient and integrative road circulation system servicing every lot therein;

- c. judicious allocation of land uses for diversity and amenity;
- d. preservation of site
- e. proper siting or orientation of lots;
- f. harmony with existing and proposed development in the vicinity;
- g. Application of workable design principles or parameters for a well-planned and self-sustaining environment.

When a developer or planner submits a Planned Unit Development (PUD) type of project, the layout shall likewise conform to the standards for residential/condominium projects.

- a. Open spaces - Open spaces shall conform to the provisions of P.D. 1216 and its implementing rules and shall include the following:
  1. Streets -adequate and safe means of vehicular and pedestrian circulation and easements for utilities and planting strips, shall be provided.
  2. Walks -paved walks shall be provided to the living units from streets, parking spaces and from living units to play areas.
  3. Parks and playground - suitable recreational area(s) shall be allocated within the subdivision. Where applicable, a hierarchy of such recreational areas may be provided for, such that, a strategically located main park area is supplemented or complemented by one or more smaller pocket(s) or areas for recreational use. These areas must be accessible to living units and free from any form of hazard or risk\_ Said parks and playgrounds shall be cleared and free from any debris. Parks and playgrounds as much as possible shall be at street level.
- b. Facilities and Amenities - Areas required for subdivision facilities and amenities shall be judiciously allocated in accordance with the provisions herein specified.
- c. Density - Density of subdivision projects shall conform with the residential densities set forth in the zoning ordinance of the city/municipality where project is located. Where there is a mixture of housing types within the subdivision (such as single-detached, row house, town houses, etc.), density shall include the total number of dwelling units in multi-storey structure plus the total number of lots intended for single and semi-detached houses.

## 2. Site Preservation:

- a. Slope - The finished grade shall have a desired slope to allow rain water to be channeled into street drains. Where cut and fill is necessary, an appropriate grade shall be attained to prevent any depression in the area. Grading and ditching shall be executed in a manner that will prevent erosion or flooding of adjoining properties.
- b. Preservation of Site Assets- Suitable trees with a caliper diameter of 200 millimeters or more, shrubs and desirable ground cover per Department of Environment and Natural Resources (DENR) rules shall be preserved. Where a good quality top soil exists in the site, it shall be banked and shall be preserved for finishing grades of yards, playgrounds, parks and garden area.
- c. Ground Cover - Grass, shrubs, plants and other landscaping materials used for groundcover shall be of a variety appropriate for its intended use and location. They shall be planted so as to allow well-tended cover of the area.

## 3. Easements - Subdivision projects shall observe and conform to the following provisions on easements as may be required by:

- a. Chapter IV, Section 51 of The Water Code, on water bodies;
- b. National Power Corporation (NPC), on transmission lines;
- c. PHIVOLCS per Resolution No. 515, Series of 1992, on identified fault traces;
- d. Other public utility companies and other entities' right-of-way;
- e. National/local government units for projects abutting national roads (primary roads) where adequate easement shall be provided for, including loading and unloading areas;
- f. Other related laws.

## 4. Circulation - Depending on the classification of roads adjacent to the subdivision and the size of the project site, road network should result into a hierarchy of functions and should define and serve the subdivision as one integrated unit.

- a. Roads complemented with path walks within the subdivision  
must be so aligned to facilitate movement and to link the subdivision to the nearest major transportation route and/or adjacent property.

Whenever there are existing roads within the project site which shall be made part of the subdivision plan, these

shall be improved in accordance with the standards set forth herein.

- b. Streets should conform to the contours of the land as far as practicable.

Where a proposed project adjoins a developed property, roads within the said project shall be connected/integrated/aligned with existing ones.

Where a proposed project adjoins undeveloped property, a provision for future connection shall be mandatory.

- c. As far as practicable, streets shall be laid out at right angles to minimize critical intersections such as blind corners, skew junction, etc.
- d. Roads shall conform to sound engineering practices.
- e. Subdivision projects shall comply to the pertinent requirements of Batas Pambansa No. 344, otherwise known as the Accessibility Law.

5. Installation of Street Names/Signs - The developer shall bear the cost of installation of street names/signs coincident with the construction of streets.

**Table 1. Planning and Design Standards  
For a Residential Subdivision Project  
Under PD 957**

PARAMETERS	OPEN MARKET HOUSING	MEDIUM COST HOUSING		
1. Project Location	Within suitable sites for housing and outside potential hazard prone and protection areas.	Within suitable for housing and outside potential hazard prone and protection areas.		
	<p style="text-align: center;">a. 70% (maximum) b. 30% (minimum)</p> <p>Mandatory allocation for parks and playgrounds per tabulation below:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; text-align: center; border: none;">Density (No. of Lots or Dwelling Unit Per Hectare)</td> <td style="width: 50%; text-align: center; border: none;">Percentage of Grosss Area Allocated for parks and playgrounds</td> </tr> </table> <p>In no case shall an area allocated for parks and playgrounds be less than 100 sqm and the same shall be strategically located with in the subdivision.</p>		Density (No. of Lots or Dwelling Unit Per Hectare)	Percentage of Grosss Area Allocated for parks and playgrounds
Density (No. of Lots or Dwelling Unit Per Hectare)	Percentage of Grosss Area Allocated for parks and playgrounds			
b.2 Area Allocated for community facilities	Mandatory provision of areas for community facilities such as neighborhood multi-purpose center for housing projects and with area 1 hectare and above. These areas are non-saleable. However, the developer may provide areas for community facilities such as schools and commercial centers in excess of the mandatory requirement set forth in this rule which shall be deemed saleable. The use of the said area shall be indicated in the plan and annotated in the title thereto. (Refer to Table <u>1</u> )			
b.3 Circulation System	Observe hierarchy of roads			

PARAMETERS	OPEN MARKET HOUSING	MEDIUM COST HOUSING
3. Minimum Lot Areas a. Single Detached  b. Duplex/Single-Attached  c. Rowhouse	120sqm  96sqm  60sqm	100sqm  50sqm  50sqm
	<p>Saleable lots designated as duplex and/or rowhouse lots shall be provided with housing components.</p> <p>Price of saleable lots intended for single-detached units shall not exceed 40% of the maximum selling price of houses and town packages.</p>	
4. Minimum Lot Frontage 4.1 Single Detached a. corner lot b. regular lot c. irregular lot d. interior lot 4.2 Single Attached/ Duplex 4.3 Row house		12m 10 m 5m 3m  5m  4m
5. length of Block	Maximum length of block is 400 meters. however, blocks exceeding 250 meters shall be provided with an alley approximately at mid-length.	
6 Roads Right of Way  Project size range	Major road Collector Minor Road	Major Road Collector Minor Road
2.5 has. & below Above 2.5- 5 has Above 5 • 10 has. Above 10 - 15 has. Above 15 • 30 has. Above 30 has.	10 m . 5m 12 m 10 m 5m 12 m 10 m 8m 12 m 10 m 5m 15 m 12 m 10 m 15 m 12 m 10m	10m . 5m 10m . 8m 12 m 10 m 5m 12m 10 m 8m 12m 10 m 5m 15 m 12m 10m
	A 6.0 meter service road, both ends connecting to a minor road, shall be allowed for blocks not exceeding 60 meters.	

PARAMETERS	OPEN MARKET HOUSING		MEDIUM COST HOUSING	
	ROW	CARRIAGEWAY	ROW	CARRIAGEWAY
Motor Court Alley	6 2	5 2	6 2	5 2
	Alley is a 2-meter wide walkway which shall be used to break a block and to serve both pedestrians and for emergency purposes. It shall not be used as access to property.			
	<p>Right-of-Way (ROW) of major roads shall be increased as project size increases.</p> <p>Major roads shall maintain a uniform width of road right-of-way. Tapering of road width shall not be allowed, where the road right-of-way is wider than the prescribed standard for the interconnecting road of the proposed subdivision.</p> <p><b>NOTE:</b></p> <p>1. Interior subdivision project must secure right-of-way to the nearest public road and the right-of-way shall be designated as interconnecting road with a minimum width of 10 meters. This fact shall be annotated on the title of said road lot and must be donated and deemed turned over to the LGU upon completion of the said interconnecting road. (See Figure 1).</p> <p>2. Subdivision projects abutting main public road must provide a setback of 3-meter deep by 5-meter in length at both sides of the subdivision entrance to accommodate loading and unloading of passengers. (See Figure 2)</p> <p>3. Subdivision projects shall have provision for future expansion where applicable, by designating a minimum interconnecting road right-of-way of 10 meters.</p>			
8. Hierarchy of Roads per Project Size Range				
2.5 has. & below	major, minor, motor court, alley		major, minor, motor court, alley	
Above 2.5 - 5 has.	major, collector, minor, motor court, alley		- do -	
Above 5 - 10	- do -		major, collector, service road, minor, motor court, alley	
Above 10 - 15 has.	- do -		- do -	
Above 15 - 30 has.	- do -		- do -	
Above 30 has.	- do -		- do -	

PARAMETERS	OPEN MARKET HOUSING	MEDIUM COST HOUSING
9. Roads Specifications a. Planting Strip (PS)** Sidewalk (SW)  <b>ROW</b> 15 m 12 m 10 m 8 m 6 m (Service Road)	<b>PS</b> 1.3 m 0.8 m 0.8 m 0.4 m optional	<b>SW</b> 1.2 m 1.2 m 1.2 m 0.6 m optional
b. Road Pavement Major Minor Motor Court Sidewalk Alley	Concrete/Asphalt Concrete/Asphalt Concrete/Asphalt Concrete/Asphalt Concrete/Asphalt	Concrete/Asphalt Concrete/Asphalt Concrete/Asphalt Concrete/Asphalt Concrete/Asphalt
	Concrete road pavement shall have a minimum thickness of 150 millimeters and a minimum compressive strength of 20.7 MPa while roads may either be concrete of same thickness and compressive strength or asphalt with minimum thickness of 50 millimeters.  Sidewalk pavement shall have a minimum compressive strength of 17.2 MPa.	
10. Water Supply	Mandatory connection to appropriate public water system; centralized water supply system.  Each subdivision shall have at least an operational deepwell and pump sets with sufficient capacity to provide Average Daily Demand (ADD) to all homeowners.	
a. Minimum Water Supply Requirement	150 liters per capita per day for household connection	
b. Fire Protection Demand	Provision for fire protection shall comply with the requirements of the Fire Code of the Philippines.	

PARAMETERS	OPEN MARKET HOUSING	MEDIUM COST HOUSING
11. Electrical Power Supply	<p>Mandatory individual household connection to primary and alternate sources of power if services are available in the locality.</p> <p>Mandatory provision of street lighting per pole if 50-meter in distance; at every other pole, if less than 50- meter in distance.</p> <p>Electric bills shall be proportionately shouldered by the users thereof, prior to issuance of COC and turn over of open space to LGU.</p> <p>Installation practices, materials and fixtures used shall be in accordance with the provision of the Philippine Electrical Code and local utility company.</p>	
12. Drainage System	<p style="text-align: center;">Underground</p> <p>The drainage system must conform to the natural drainage pattern of the subdivision site, and shall drain into appropriate water bodies, public drainage system or natural outfalls.</p> <p>For both open market and medium cost subdivision projects, underground drainage system shall be properly engineered and environmentally sound, and shall be provided with adequate Reinforced Concrete Pipes (RCP), catch-basins, manholes/inlets and cross drain for efficient maintenance. Minimum drainage pipe diameter shall be 30 centimeters.</p>	
13. Sewage Disposal System		
a. Septic Tank	<p>Individual septic tank shall conform to the standards and design of the Sanitation Code of the Philippines (PD 856) and its Implementing Rules and Regulations.</p>	
b. Connection to Community Sewer System	<p>Whenever applicable, connection shall be made to an approved public or community sewer system subject to the requirements and provisions of the Sanitation code of the Philippines and other applicable rules and regulations.</p>	
14. Garbage Disposal System	<p>Provide sanitary and efficient refuse collection and disposal system whether independently or in conjunction with the local government garbage collection and disposal services.</p>	

**Section 135. Development of Industrial Subdivision.** - Development of Industrial subdivisions shall conform with the land use plan or zoning ordinance of the locality having jurisdiction over the project site, the pertinent provisions of the National Building Code (PD 1096), Sanitation Code (PD 856) and other codes, applicable laws and rules affecting roads and related services and the standards set forth herein.

### **Design Guidelines:**

In evaluating whether or not development of industrial subdivisions shall be allowed, the following guidelines shall be observed:

1. Site Criteria – Industrial subdivision shall be located in areas classified as or appropriate for industrial use based on site inspection guidelines issued by the Commission.
2. Design and Planning Considerations – Layout of Industrial subdivision shall ensure economy, efficiency and flexibility. The natural features of the site shall be preserved for environmental considerations.
3. Land allocation – Allocation of land shall be based on the needs of the prospective tenants/buyers and the provision of minimum facilities/utilities.
4. Land Regulations – Land regulation within the area may be restored to for purposes of regulating the type and mixture of industrial activities to be undertaken including the bulk and height of factory buildings to be established in the site, provided, however, that such regulations would be in conformity with the existing zoning regulations and other pertinent laws and provided further that such regulations would be approved by the Commission prior to implementation and shall form part of the contract of lease or deed of sale of the industrial plots.

### **Design Standards:**

1. Plots – Minimum plots shall be 50 square meters.

The length and width of the plot shall be adequate to provide off-street service and parking facilities in addition to the industrial requirements. Thus, for regular-shaped plots, the plot frontage shall not be less than half the depth of the plot. For irregular shaped plots, the minimum plot frontage shall be 10 meters and the depth shall not be more than thrice that of the frontage.

Where a subdivision contains an existing or proposed limited access to highway, expressway or railroad track, lot shall not front such transportation line unless provided with a service road along the same.

2. Blocks – The length of blocks shall not exceed 500 meters. Each block shall be designed to provide adequate spaces for buildings and accessories; convenient but economical access and utility run and proper circulation.

3. Setbacks – Minimum yard requirements and setbacks of building from property lines shall be in accordance with the National Building Code and local zoning ordinance.
4. Easements – Where the subdivision lies along or is traversed by as watercourse/drainage way, channel or stream, the following easements along the entire length of the banks of rivers and streams, shores and seas and lake shall be observed, as provided in the Water Code:
  - a. Three (3) meter setback for all urban areas
  - b. Twenty (20) meter easement for all agricultural uses
  - c. Forty (40) meter easement for all forest uses

That above easements shall be subject for public use as stipulated in the Implementing Rules and Regulations of the Water Code.

5. Buffer – Buffer strips at least 10 meters wide along the entire stretch of the submission where conflicting uses shall be maintained. Such buffer strip may be in the form of a perimeter road, a parking area or preferably a strip planted to trees.
6. Roads – Roads in industrial subdivision shall follow the hierarchal system and shall be classified as main, secondary and service, all of which shall be of concrete pavement. Dead End shall not be allowed.
7. Pathways – The separation of vehicular and pedestrian traffic shall be encouraged. Pathways shall have a minimum width of four (4) meters and shall be paved to connect to road network, factory buildings and facilities within the subdivision.
8. Parking, Loading and Unloading Areas – Allocation for parking spaces within each lot shall be conform with the provisions of the National Building Code.
9. Entrance and Exit Points – Entrance and exit points within the subdivision shall be strategically located for security and emergency considerations.
10. Services/Utilities Facilities
  - a. Water Supply System
  - b. Waste Disposal System
    - i. Industrial Waste
    - ii. Sewage Waste
    - iii. Solid Waste Disposal
  - c. Storm Drainage System
  - d. Power Supply and Communication
  - e. Facilities and Amenities

**Section 136.** *Approval of Development Plan.* – The MPDO/Zoning Administrator shall review and approve preliminary SDP and issue development permit are hereby enjoined to revisit and update their processes to ensure their alignment to HLURB Resolution No. 794, series of 2006 and the revised IRRs of Presidential Decree No. 957 and Batas Pambansa No. 220.

Approval of the preliminary subdivision development plan will be valid only for a period of 180 days from date of approval.

## **TITLE XVI** **SEPTAGE AND SEWERAGE REGULATION**

**Section 137.** *Septage and Sewerage Regulation.* – Septage and Sewerage Regulation shall be controlled and regulated under **Pambayang Kautusan Blg. 2018-13**, otherwise known as the “**Septage and Sewerage Ordinance of Bustos, Bulacan**”.

However, any provision thereof not consistent herewith is hereby amended.

## **TITLE XVII** **TOXIC SUBSTANCES AND HAZARDOUS AND NUCLEAR WASTES CONTROL**

**Section 138.** *Purpose.* – This Title is geared towards the protection the Municipality, its environment and inhabitants from the effects of toxic substances and hazardous and nuclear wastes.

**Section 139.** *Prohibition.* – Pursuant to R.A. No. 6969, the following are prohibited in the Municipality of Bustos, Bulacan:

- a) Knowingly use a chemical substance or mixture manufactured, processed or distributed in violation of R.A. No. 6969 or implementing rules and regulations or orders;
- b) Failure or refusal to submit reports, notices or other information, access to records, as required by R.A. No. 6969, or permit inspection of establishment where chemicals are manufactured, processed, stored or otherwise held;
- c) Failure or refusal to comply with the pre-manufacture and pre-importation requirements; and
- d) Cause, aid or facilitate, directly or indirectly, in the storage, importation, or bringing into Municipality’s territory, even in

transit, either by means of land, air or by any means of transportation or otherwise keeping in storage any amount of hazardous and nuclear wastes in any part of the Municipality.

**Section 140.** *Ban on Extremely Toxic Chemicals.* – It shall ban the use or utilization of extremely toxic and dangerous chemicals in any operational phase of factories, processing plants and agro-chemical establishments including transport or trans-shipment within the boarder of the Municipality taking into account the provisions of R.A. 6969 otherwise known as the Toxic Substances and Hazardous and Nuclear Waste Control Act of 1990 and its implementing rules and regulations in DENR Department Administrative Order No. 29.

**Section 141.** *Total ban on the use of industry producing nuclear wastes.* – No industry producing nuclear wastes shall be allowed to operate within the territorial jurisdiction of Bustos, Bulacan.

**Section 142.** *Ban on waste treatment.* – No waste treater or treatment facility operating in the Municipality shall accept, store, treat, recycle, reprocess or dispose of hazardous wastes unless done in accordance and with permission from the DENR.

**Section 143.** *Quarterly Inspection of Entities Engaged in Chemical Manufacturing.* – All businesses engaged in chemical use and manufacturing shall be subjected to a quarterly inspection by the Municipal Environment and Natural Resources Office to ensure compliance of safety measures and appropriate procedures. However, if public safety so requires, the Municipal authorities shall conduct unscheduled inspection.

## TITLE XVIII MINING AND QUARRYING CONTROL

**Section 144.** *Prohibition on mining and exploration.* – No mining operation and exploration shall be allowed in the Municipality.

**Section 145.** *Regulation on quarrying.* – Quarrying operation in the municipality may be allowed provided, that:

1. No quarrying operation rights are exclusive to the Filipino citizens and natural persons only;
2. Must conform and comply with the laws on quarrying and rules and regulation issued by the DENR;
3. Must be issued a permit from the Provincial Government;
4. Must not emit air or water pollution, odor, disturbing noise, or any other form of pollution;
5. Must not exceed the allowed area of land to quarry;

6. Quarrying activity can only be done from six o' clock in the morning (6:00AM) from six o' clock in the afternoon (6:PM);
7. Vehicles used in transporting quarrying materials must be covered and no particles must fall out of the vehicle/truck;
8. Must submit quarrying plan prior to the start of operation and monthly report to the MENRO; the MENRO shall design submissions and reportorial requirements, method, contents of the report and others as it deemed necessary;
9. Must not pose a danger to life and limb of any individual;
10. Must not drastically affect adjoining properties;
11. Must not affect life and habitat of wildlife;
12. Must conduct environmental rehabilitation.

**Section 146.** *Extraction of sand and gravel.* – Extraction of sand and gravel is allowed in the municipality, provided that the person granted the right to extract sand or gravel and its operation must conform with the rules and regulation regarding the said activity, as well as on the regulation on quarrying set forth in the preceding section.

**Section 147.** *Inspection.* – The MENRO shall conduct inspection of the quarrying and extraction cite and operation, before, during and after the operation. The MENRO shall design plan on conducting inspection.

## TITLE XIX REGULATION ON INDUSTRIAL WASTEWATER

**Section 148.** *Purpose.* – This Title is intended to secure that operation of all industrial businesses shall not drastically affect environment.

**Section 149.** *Prohibition.* – No industrial businesses shall be allowed to discharge any chemical substance to any waterways.

**Section 150.** *Establishment and maintenance of water treatment facility and materials recovery facility.* – Aside from the Waste Disposal System, as required under this Code, industries with an area of not less than one (1) hectare or occupied by more than 212 persons are required to devote at least five per cent (5%) of its total land area for the establishment, operation and maintenance its own water treatment facility and materials recovery facility.

While industries with more than 20 hectares and all industrial complex are required to devote at least 10 percent (10%) of its total land area for the establishment, operation and maintenance its own water treatment facility, materials recovery facility and a portion thereof shall be devoted to tree planting or other environmental programs of the respective industry.

**Section 151.** *Discharge of clean water waste.* – After undergoing water treatment procedure water waste may be discharged to waterways provided that waste water conforms with the minimum standard of Water Quality Guidelines and General Effluent Standards set forth in this Code.

**TITLE XX**  
**AIR POLLUTION CONTROL**

**Section 152.** *Declaration of Principles.* – In accordance with Republic Act No. 8749, the Municipality shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature.

Shall promote and protect the global environment to attain sustainable development while recognizing the primary responsibility of local government units to deal with environmental problems.

The Municipality recognizes that the responsibility of cleaning the habitat and environment is primarily area-based.

The Municipality also recognizes the principle that “polluters must pay”.

Finally, the Municipality recognizes that a clean and healthy environment is for the good of all and should, therefore, be the concern of all.

**Section 153.** *Declaration of Policies.* – The Municipality shall pursue a policy of balancing development and environmental protection. To achieve this end, the frame work for sustainable development shall be pursued. It shall be the policy of the Municipality to:

- (a) Formulate a holistic national program of air pollution management that shall be implemented by the government through proper delegation and effective coordination of functions and activities;
- (b) Encourage cooperation and self-regulation among citizens and industries through the application of market-based instruments;
- (c) Focus primarily on pollution prevention rather than on control and provide for a comprehensive management program for air pollution;
- (d) Promote public information and education and to encourage the participation of an informed and active public in air quality planning and monitoring; and

(e) Formulate and enforce a system of accountability for short and long-term adverse environmental impact of a project, program or activity. This shall include the setting up of a funding or guarantee mechanism for clean-up and environmental rehabilitation and compensation for personal damages.

**Section 154.**        *Recognition of Rights.* – Pursuant to the above-declared principles, the following rights of citizens are hereby recognized and the Municipality shall guarantee their enjoyment, which are:

- a) The right to breathe clean air;
- (b) The right to utilize and enjoy all-natural resources according to the principles of sustainable development;
- (c) The right to participate in the formulation, planning, implementation and monitoring of environmental policies and programs and in the decision-making process;
- (d) The right to participate in the decision-making process concerning development policies, plans and programs projects or activities that may have adverse impact on the environment and public health;
- (e) The right to be informed of the nature and extent of the potential hazard of any activity, undertaking or project and to be served timely notice of any significant rise in the level of pollution and the accidental or deliberate release into the atmosphere of harmful or hazardous substances;
- (f) The right of access to public records which a citizen may need to exercise his or her rights effectively under this Act;
- (g) The right to bring action in court or quasi-judicial bodies to enjoin all activities in violation of environmental laws and regulations, to compel the rehabilitation and cleanup of affected area, and to seek the imposition of penal sanctions against violators of environmental laws; and
- (h) The right to bring action in court for compensation of damages resulting from the adverse environmental and public health impact of a project or activity.

**Section 155.**        *Role of the Municipality in Air Quality Management.* – The Municipal Government shall share the responsibility in the management and improvement of air quality within its territorial jurisdiction. Among other functions and responsibilities of the LGU:

1. It shall actively participate in the Governing Board of the airshed it rightfully belongs to ensure the protection of health and welfare of the residents within potentially polluted areas. It shall implement air quality standards set by the Board which shall not exceed the maximum permissible standards set by national laws in areas within their jurisdiction.
2. It shall prepare and develop an action plan consistent with the Integrated Air Quality Improvement Framework to attain and maintain the ambient air quality standards within the airshed.
3. It shall prepare a compliance scheme in accordance with the Air Quality Management Area Plan subject to review and approval of the governing board. It shall also prepare and implement contingency plans and other measures including relocation when necessary.
4. It shall develop and submit to the DENR a procedure for carrying out the action plan for their jurisdiction. A multi-sectoral monitoring team from the Municipality of Bayog with broad public representation shall be convened by the DENR to conduct periodic inspections of air pollution sources to assess compliance with emission limitations contained in their permits.

**Section 156.**      *Industrial Air Pollution.* – No industry shall be allowed to discharge or emit hazardous air pollutants, including but not limited to particulate matter, sulfur dioxide, nitrogen oxides, and other toxic chemicals.

**Section 157.**      *Fugitive dust and/or particles.* – No person shall allow the emission of fugitive dust and/or particulate from any source whatsoever, including, but not limited to, vehicular movement, transportation of materials, construction, alteration, demolition or wrecking, or industry-related activities such as loading, storing or handling without taking reasonable precautions to prevent such emissions. In line with such precautions, the following are hereby adopted.

- (1) Covering of open loaded trucks transporting materials likely to give rise to airborne dust, odor and other fugitive particles.
- (2) Treatment or removal of all air pollutants e.g., dust, fumes, gases, mists, odorous matters or vapors or any combination thereof prior to discharge into the open air.
- (3) In case of building construction or demolition, quarrying operations or clearing of land, precautions shall be carried out to ensure that fugitive dusts remain within the premises of the activity conducted.

- (4) The emission of dust, dirt or fly as from any source or activity which shall pollute the air and render it unclean, detrimental, un-healthful or hazardous or cause visibility to be impaired, shall not be permitted.

**Section 158.** *Pollution from Motor Vehicles.* – No motor vehicles shall be allowed to be used or operate, whether public or private, in all streets, roads, alleys, whether national or local roads, even on waterways, that exceeds the acceptable smoke emissions of carbon or sulfur dioxide or any other harmful substance, allowable in accordance with the DENR standards.

The Municipality shall cooperate with the Land Transportation Office and with the Provincial Government of Bulacan in the conduct of anti-smoke belching program.

**Section 159.** *Pollution from cigarette smoking.* – cigarette smoking inside a public building or an enclosed public place including public vehicles and other means of transport or in any enclosed area outside of one's private residence, private place of work or any duly designated smoking area is hereby prohibited.

**Section 160.** *Ban on Incineration.* – Incineration, hereby defined as the burning of municipal, biomedical and hazardous waste, which process emits poisonous and toxic fumes, is hereby prohibited.

**Section 161.** *Burning of other waste materials.* – No burning of any materials, such as but not limited to plastics, rubber, tires, electrical wires, polystyrene or urethane foam, woods, boards, papers, cartons, fabrics, logs, trees, leaves, grasses, “dayame”, agricultural wastes, or any other waste materials, in open space, fields, roads, alleys river banks, or other open fields where smoke is directly released into the air. This prohibition includes small scale traditional burning also known as “siga”,

However, this prohibition does not include the following acts:

- i. open fire cooking of food for human consumption;
- ii. fires for recreational or ceremonial purposes;
- iii. fires for the prevention and control of diseases and pests; and,
- iv. fires for training personnel in the methods of firefighting.

## TITLE XXI ODOR EMISSION CONTROL

**Section 162.** *Control of Odors from Processing of Animal Matter.* – The following shall be the governing rules for the control of odors from processing of animal matters:

(a) No person shall operate or use any device, machine, equipment or other contrivance for the reduction of animal matter unless all gases vapors and entrained effluents from such facility are incinerated at a temperature of not less than 649 degrees Celsius for a period of not less than 0.3 second, or processed in such a manner as determined by the MENRO to be equally or more effective for the purpose of air pollution control.

(b) A person incinerating or processing gases, vapors or gas entrained effluents pursuant to this Sub-section shall provide, properly install and maintain in good working and fully functional operation devices as specified by the MENRO for indicating temperature, pressure or other operating conditions.

The provisions of this Section shall not apply to any device, machine, equipment or other contrivance used exclusively for the processing of food for human consumption in food service establishments.

**Section 163.** *Requirements for Other Odor Control Measures.* – The MENRO shall implement the following odor control measure requirements for animal matter:

(a) Effective devices, equipment and/or measures shall be installed and operated such that no vent, exhaust pipe, blow-off pipe or opening of any kind shall discharge into the outdoor air any odorous matter, vapors, gases or dust, or any combination thereof that create odors or other nuisances in the neighborhood of the plant.

(b) Odor-producing materials shall be stored and handled in a manner such that odors produced from such materials are confined at the point of origin, particularly ensuring that gases, vapors, fumes or dusts shall be properly treated before discharging or releasing them into the atmosphere, as required in Subsection (a) above.

**Section 164.** *Prohibitions.* – The following are prohibitions under this Article:

- a. No person or entity shall cause, allow or permit the discharge of air pollutants which lead or contribute to an objectionable odor.
- b. No person or entity shall store, pump, handle, process, load, unload, or use in any process or installation volatile organic compounds solvents without applying known vapor emission control devices or systems deemed necessary and effective as ordered by the MENRO or his duly authorized representative.
- c. No person or entity shall conceal, abet, aid or facilitate the discharge of air pollutants in the atmosphere.

d. No person or entity shall commit any act similar to the foregoing.

**Section 165.** *Sanctions.* – Any person or entity who commits or causes the commission of any of the foregoing prohibition in this article is punishable by a fine not to exceed Two Thousand Five Hundred pesos (P2,500.00) per violation, without prejudice to the filing of appropriate charges in court under this Ordinance and applicable laws, rules and regulations. In addition to the foregoing, business establishments found violating any provision of his ordinance shall be ordered closed and permits previously issued shall be revoked.

## TITLE XXII NOISE POLLUTION CONTROL

**Section 166.** *Noise and Vibration.* – To protect public health and welfare against nuisance caused by excessive noise, the Municipality in coordination with the DENR and various sectors within the Municipal Government shall set standard for noise reduction at the sources which include but not limited to:

1. Construction and manufacturing activities;
2. Vehicles, mufflers, stereo system;
3. Pub houses, restaurants and karaoke bars; and
4. Public gatherings such as concerts, rallies, etc.

All noise and vibration-producing machineries shall be enclosed by a building and shall be provided with effective noise-absorbing materials, noise silencers and mufflers and an open yard of not less than twenty (20) meters from the nearest adjoining property planted to dense trees as buffers. To minimize vibrations, machineries should be mounted on shock-absorbing materials.

**Section 167.** *Tolerable Decibel Levels.* – The Municipal Government shall limit sound within its territorial jurisdiction to less than seventy decibels (70dB) or as prescribed by the National Standards; except during town or barangay festivities, activities, or celebrations, public events, and other traditional occasions or celebrations.

**Section 168.** *Regulation on the use of sound system.* – No sound system, *karaoke*, *videoke* or the like shall be allowed to operate or to be used exceeding ten o'clock in the evening (10:00PM) during Saturdays and eight o'clock in the evening (8:00PM) from Sundays to Fridays; except during town or barangay fiesta, activities or other celebration/occasions allowed, permitted or sponsored by any branches or subdivisions of the local government.

**Section 169.** *Use of mobile sound system or tricycle sounds.* – No mobile sound system or tricycle sounds exceeding the allowable decibel herein set forth, shall be allowed except during town or barangay festivities, activities or celebration.

**Section 170.** *Use of open pipe or modified muffler.* – No vehicle with open or modified muffler emitting unnecessary loud disturbing or annoying noise shall be allowed to be used on any roads, streets, alleys, avenues, waterways or other passage ways, used for transportation, within the territorial jurisdiction of Bustos, Bulacan.

**Section 171.** *Regulation in construction and manufacturing activities.* – All persons, entities and the like, is hereby mandated to reduce noise on its construction or manufacturing activities. Use of sound and vibration mitigating equipment, solution or device are highly encouraged.

Any complaint from any member of the community shall cause the temporary stoppage or the construction or manufacturing activity until proven that the noise complained of does not amount to any form of disruption of daily natural work or activity of the complaining person. However, if the complaint was substantiated the construction or manufacturing activity may be allowed to resume only upon the proof of implementation or installation of noise/vibration mitigation device.

**Section 172.** *Regulation on Pub houses, disco, night clubs, restaurants, karaoke bars, and other the same establishments.* – Regulation on Pub houses, disco, night clubs, restaurants, karaoke bars, and other the same establishments shall be enclosed by a building and shall be provided with effective noise-absorbing materials, noise silencers and mufflers and an open yard of not less than twenty (20) meters from the nearest adjoining property planted to dense trees as buffers.

Any complaint from any member of the community shall cause the temporary stoppage or the establishment activity until proven that the noise complained of does not amount to any form of disruption of daily natural work or activity of the complaining person. However, if the complaint was substantiated the establishment activity may be allowed to resume only upon the proof of implementation or installation of noise/vibration mitigation device.

**Section 173.** *Regulation on public gatherings such as concerts, rallies, and the like.* –Subject to the approval of the national or local governments, public gatherings such as concerts, rallies, and the like are allowed to produce noise but only from the beginning of the activity and must stop upon the cessation of the activity.

## TITLE XXIII

### ENVIRONMENTAL ASSESSMENT, INSPECTION AND MONITORING

**Section 174. *Environmental Assessment Policies.*** – The Municipality hereby adopts policies that will promote the environment-friendly activities of business, industry, and settlements in the urban areas and suburbs as far as infrastructure and social services are concerned. It should be ascertained that any proposed/existing project needing the approval of the Municipal Government requiring the issuance of a permit would not cause significant negative environmental impact on the physical, biological, and socio-economic environment. The MENRO shall conduct a yearly inspection of business sites and premises to monitor their compliance. The conduct of an inspection with or without due notice and shall be provided access/entry whenever it deemed necessary especially in the course of determining pollution source with or without a complaint. Should there be findings of the degradation, destructions or violations of the environment, appropriate and immediate actions shall be instituted to mitigate or control the effects of such environmental degradation and the full force of the law shall be applied to the violators.

**Section 175. *Annual Environmental Assessments.***– The operations, premises facilities and systems of all industrial, manufacturing and similar business establishments shall be subject to an annual environmental assessment (Environmental Compliance Monitoring Activity) which shall be conducted by the Municipal Environment and Natural Resources Office (MENRO) other than those periodically conducted by the Department of Environment and Natural Resources (DENR), the Philippine Economic Zone Authority and all other environmental authorities.

**Section 176. *Environmental Assessment and Other Requirements.*** – Environmental Impact Assessment or Statement shall be required only from those industries and major construction development activities as determined by the National Government and/or its concerned agencies. The Municipal Environment and Natural Resources Officer shall require Environmental Compliance Certificate or a Certificate of Non-Coverage, Discharge Permit, Permit to Operate and all other pertinent permits and may impose additional requirements to development/business permit applicants depending on the scale of proposed/existing business operation and its corresponding environmental aspects and impacts.

**Section 177. *Right to ingress-egress.*** – In conducting inspection, assessment and monitoring the MENRO and the “Bantay Kalikasan” shall have the right to freely enter and freely leave the premises subject of inspection, assessment or monitoring.

Provided, that the “Bantay Kalikasan” may only exercise its right to ingress-egress upon the presence or mandate of the Municipal Mayor.

**Section 178. *Right to break open.*** – If denied of ingress-egress, the MENRO shall have the right to break any door, gate, window or any edifice in order to enter and leave the premises subject of inspection, assessment or monitoring.

**Section 179. *Reportorial requirement.*** – After the inspection, assessment or monitoring, the MENRO shall submit a written report within fifteen (15) days therefrom to the Municipal Mayor; who shall accordingly act based on the report.

#### **TITLE XXIV** **CLIMATE CHANGE EFFECT MITIGATION POLICIES**

**Section 180. *Declaration of principles.*** – In the spirit of the 2026 Paris Agreement, it shall be the Municipality's principle to strengthen resilience and enhance abilities to adapt to climate impacts and to take part on the global endeavor of reducing green gas emissions toward livable and healthy earth.

**Section 181. *Earth Month; day.*** – The Municipality of Bustos, Bulacan hereby declare and celebrate the month of April as Earth Month and April 22 of every year as Earth Day.

**Section 182. *Celebration and activities on Earth Month and Earth Day.*** – The Municipality, through the MENRO, shall design a program for the celebration of Earth Month and Earth Day in the Municipality of Bustos, Bulacan.

**Section 183. *Information dissemination program.*** – The MENRO shall disseminate information to popularize Earth Month and Earth Day, and the programs of the Municipality in celebrating the same.

**Section 184. *Climate Change Awareness program.*** – The MENRO shall formulate program on climate change awareness and resiliency.

**Section 185. *Participation of schools, peoples' organization, non-governmental associations, environmental groups, etc.*** – The Municipality shall include in the program the participation of schools, peoples' organization, non-governmental associations, environmental groups, etc.

**Section 186. *Earth Hour.*** – The entire Municipality shall devote one (1) hour of each year of no use of electricity. All those who are living

or sojourning the Municipality shall be encourage to participate in the said activity.

**Section 187.** *Environmental Month.* – Pursuant to P.D. No. 237. Series of 1989, it is hereby proclaimed the month of June as the Environmental Month in the Municipality of Bustos, Bulacan. The MENRO shall design and implement activities and programs for the celebration of Environmental Month.

**Section 188.** *Tree Planting activity.* – Pursuant to P.D. 643 and Republic Act No. 10176, the Municipality hereby designate June 25 of every year as the “*Arbor day*”, celebrated through tree planting and conduct of other forms of relevant activities.

This activity shall be spearheaded by the MENRO, in coordination with other government institutions and the private sectors.

**Section 189.** *Protection of the Ozone Layer.* – Pursuant to the 1987 Montreal Protocol, the Municipality hereby obliged to take its part in protecting the ozone layer, thus:

1. Prohibits or ban the manufacture, selling and use of aerosols with CFC content e.g., spray nets, pesticides, fertilizers, etc. in the Municipality,
2. Prohibits the use of yellow fire extinguishers containing halons in the Municipality; and,
3. Require refrigeration and air-conditioning shops, including factories and manufacturing entities, to institute measures to avoid the release of CFC’s directly into the atmosphere.

#### **TITLE XXV**

#### **PROTECTION, CONSERVATION AND PROPAGATION OF NATIVE FISH AND OTHER SPECIAL SPECIES IN THE MUNICIPALITY**

**Section 190.** *Rational.* –The Angat River is a major waterway located in the Province of Bulacan. It starts in the Sierra Madre mountains and passes through several municipalities in the Province of Bulacan, one of which is the Municipality of Bustos, Bulacan, before flowing into the Manila Bay. It is also known as the Bulacan River.

The river serves as the main source of water for Greater Manila and therefore can be considered very important to the livelihood of the people and the economy of the country. The Bustos, Angat and Ipo Dams are located in the Angat River.

The Municipality of Bustos has benefited greatly through its geographic location and the nature of its natural landscape. It is one of the municipalities that consists of a vast agricultural area and hosts the Afterbay Regulator Dam or Bustos Dam, the source of irrigation water in Bulacan and some parts of Pampanga.

The river of the jurisdiction of the Municipality of Bustos has many natural water resources, like the following:

1. **Catfish** – Catfish is a type of bony fish that lives in freshwater. Catfish is a well-known fish with a “beard” or “mustache”, its skin is black and slippery and its sting hurts, but it is delicious grilled, fried and pickled. This is another common river fish. Catfish love rivers and they feed on invertebrates and aquatic plants.
2. **Bangus** –Bangus or milkfish is a popular fish in the Philippines. This is generally considered a river fish because of their habitat in estuaries and rivers. Bangus are known for their soft flesh and delicious taste.
3. **Tilapia** – is another common river fish. It is known for its large scales and rapid growth. Tilapia is easy to raise and can be grown in fishponds or rivers.
4. **Shrimp** – is a crustacean (a form of shellfish) with an elongated body and a primarily swimming mode of locomotion – typically belonging to the *Caridea* or *Dendrobranchiata* of the order *Decapoda*, although some crustaceans outside of this order are also referred to as “shrimp”, and may be classified locally as:
  - **Alamang**- This is a type of shrimp that rarely exceeds an inch in length;
  - **Hipongputi or White Shrimp** - Its body color is a mixture of gray and yellow with red feet and tail;
  - **Taganton** - This is a very small shrimp whose head is wider than its body;
  - **Ulang** - This is a freshwater shrimp with strong pincers. It is found infreshwater and rivers. It grows from 40-60 grams in 4-5 months or more than 90 grams in 6-7 months.
  - **Suahe** - Its body is unevenly covered with fine spotted hair;
  - **Sugpo** - Its body reaches thirteen inches (13 inches) in length;
5. **Lokaok** – Is a freshwater fish found in Angat river. It is a small shinyfish very similar to the kind of fish called “ayungin”.

6. **Liwalo or martiniko** – is a variety of climbing perch with scientific name of *Anabas testudineus*. Is a species of amphibious freshwater fish in the family Anabantidae (the climbing gouramis). A native class of fish found in several countries in the South and Southeast Asia. The climbing perch is euryhaline and can grow to 25 cm (9.8 in) in total length. Outside its native ranges, it is an invasive species that can live without water for 6-10 hours and move on land by crawling/wriggling the body with its pectoral fins.
7. **Gurami – Gouramis, or gouramies** /go'ra:mi/, are a group of freshwater *anabantiform* fish that comprise the family *Osphronemidae*. The fish are native to Asia—from the Indian Subcontinent to Southeast Asia and northeasterly towards Korea. The name "gurami", of Indonesian origin, is also used for fish of the families *Helostomatidae* and *Anabantidae*. Many gouramis have an elongated, feeler-like ray at the front of each of their pelvic fins. All living species show parental care until fry are free swimming.
8. **Dalag or Bulig** – with scientific name of *Ophiocephalus striatus*, a smaller "dalag", *bulig* is a medium sized mudfish. A native fresh water fish found in Southeast Asia. The fish survives the dry season by hibernating under the dried soil and come out during wet season. Commonly found in rivers, rice fields, swamps and other closed body of water.

**Section 191.** *Protection and propagation program.* – In order to protect native fish and other wild life naturally found, reared or propagated in the Municipality, latter adopts the following programs:

**1. Cleaning the river:**

- a. No throwing or dumping of garbage into rivers. Litter can harm the health of fish and other life in the river.
- b. Implementation of cleanup drives or cleaning rivers in your community.

**2. Use of Clean Water:**

- a. No dumping of chemicals or pollutants into rivers. This can harm the health of fish and other aquatic organisms.

**3. Use of Fertilizer and Pesticides Carefully**

- a. Impose proper and careful use fertilizer and pesticides.
- b. Promoting environment friendly pesticides.
- c. Encourage, promote and support organic farming.

**4. Use of Legal Fishing:**

- a. Mandate and promote fishing regulations and laws.
- b. Prohibition on the use dynamite and cyanide or any type of destructive fishing.

**9. Implementation of Reforestation.**

- a. The MENRO in coordination with other government agencies and private entities shall conduct study, planning and execute reforestation programs in the Municipality.

**10. Education and Campaign.**

- a. The MENRO in coordination with other government agencies and private entities shall conduct study, planning and execute education and dissemination campaign in barangays, communities and schools.

**TITLE XXVI**

**SCHEDULE OF FEES AND PENALTY**

**Section 192.** *Environmental Inspection fee.* – Is paid by businesses inspected by the Municipality, through the MENRO, for environmental purposes. This fee is intended to shoulder the cost of inspection of which the Municipality may incur.

The rate of fee is six thousand pesos (Php. 3,000.00) per inspection.

**Section 193.** *Garbage Collection, transportation and tipping fee Service Fee.* – This is a fee for collection, transportation and tipping of garbage intended to shoulder the cost of collection that the Municipality may incur.

All commercial and industrial establishments whose garbage are collected by the Municipality must pay collection, transportation and tipping service fee in the amount of P2,000.00 per cubic meter of collected garbage. A fraction of thereof shall be considered as one (1) cubic meter. The amount shall be payable prior or within five (5) days from collection.

**Section 194.** *Use of Municipality's Materials Recovery Facility.* – For businesses that transport its own waste to the Municipal Materials Recovery Facility or Transfer Station, the said businesses must shall pay One Thousand Three Hundred pesos (Php.1,300.00) per cubic meter for tipping.

A fraction of thereof shall be considered as one (1) cubic meter. The amount shall be payable prior or within five (5) days from collection.

**Section 195.** *Penalty for failure to pay fee within the prescribed period.* – Any person or entity who failed to pay the required fee in the preceding section shall pay a penalty of ten percent (10%) of the total service fee, and additional twenty percent (20%) for every ten (10) days of delay or failure to pay which shall be based on the total service fee.

**TITLE XXVII**  
**PENAL PROVISIONS**

**Section 196.** *Penalty for non-segregation of garbage.* – Non-segregated garbage shall also be collected provided that the owner shall pay additional fine for failure to segregate, which shall be:

a. *For residential Household* – The person who caused and/or did not segregate garbage or the head of the family shall be penalized as follows:

1 <sup>st</sup> Offense	:	Written warning/Notice of violation
2 <sup>nd</sup> Offense	:	fine of Php. 300.00
3 <sup>rd</sup> Offense& succeeding offence	:	fine of Php. 500.00

b. *For Businesses* – The person who caused and/or did not segregate garbage, and/or the responsible corporate officer/s or employee/s, and/or the owner thereof shall be penalized as follows:

1 <sup>st</sup> Offense	:	fine of Php. 1,000.00
2 <sup>nd</sup> Offense	:	fine of Php. 2,000.00
3 <sup>rd</sup> Offense & succeeding offence	:	fine of Php. 2,500.00

**Section 197.** *Penalties of other violation.* – For violations of any provision of this Code of which penalties aren't provided for in specific Title/s, shall be penalized as follows:

- a. First Offense : Fine of Php. 500.00 and/or imprisonment of one (1) day to ten (10) days, or both on the discretion of the court.
- b. Second Offense : Fine of Php. 1,000.00 and/or imprisonment of eleven (11) days to twenty (20) days, or both on the discretion of the court.
- c. Third Offense : Fine of Php.1,500.00 and/or imprisonment of twenty-one (21) days to thirty (30) days, or both on the discretion of the court.

**Section 198.** *Confiscation of materials, equipment, tools, gadgets, machineries used in the commission of the offense.* – Any materials, equipment, tools, machineries and other synonymous objects used in the commission of the offense violating any provision of this Code shall be confiscated for purposes of evidence gathering which shall be surrendered to the Court of jurisdiction.

**Section 199.** *Voluntary payment of fines with voluntary submission to perform community service.* – Any person or entity violating any provision of this Code may voluntarily pay fine with community service. In such case, the Municipality may, at its option, no longer file a case in court against the said person. Provided, that the Municipality will still mandate the violator for abatement of pollution or environmental repairation of the damaged caused.

**Section 200.** *Conduct of community service.* – Any person or entity who availed the benefit under the preceding Section shall perform community service designed and approved by the MENRO. Provided that the community service program shall be limited to environmental works and must not exceed 4 hours a day of work of not more than five (5) days per violation.

In case, the person cannot afford the fine imposed by this Code, the violator may still be granted the benefit under the preceding Section provided that the community service required to be performed shall be doubled.

**Section 201.** *Polluter's pay Principle.* – For environmental damages caused by pollution, the Municipality may institute necessary action for recovery of damages and for environmental rehabilitation against those who caused pollution and damage to environment.

**Section 202.** *Violation of juridical entity.* – Company officials, officers and/or employee who caused, instructed, mandated, supervised, cooperated, participated or committed an act amounting to a violation of any provisions of this Code, of which penalty is not provided in the previous Titles, shall be held liable in accordance with the following:

- a. First Offense : Fine of Php1,500.00 and/or imprisonment of one (1) day to ten (10) days, or both on the discretion of the court.
- b. Second Offense : Fine of Php2,000.00 and/or imprisonment of eleven (11) days to twenty (20) days, or both on the discretion of the court.

- c. **Third Offense** : Fine of Php.2,500.00 and/or imprisonment of twenty-one (21) days to thirty (30) days, or both on the discretion of the court.

Furthermore, the Municipality may immediately suspend, cancel or revoke the company's or business's Business Permit and caused the cessation of the operation of the business.

**Section 203.** *Violation of government Officials.* – If a government official or employee, in relation to his duties and function, commits an act amounting to violation of this Code, aside from the penalty herein imposed, the violator may also be subjected to administrative proceedings.

**Section 204.** *Application of Barangay Conciliation.* – Any violation of this Code shall not require prior referral to barangay conciliation.

## **TITLE XXVIII** **IMPLEMENTING RULES AND REGULATION**

**Section 205.** *Implementing Rules.* – The Municipal Solid Waste Management Board is hereby mandated to issue Implementing Rules and Regulation for the proper implementation of this Code, within sixty (60) days from effectivity hereof.

## **TITLE XXIX** **FINAL PROVISIONS**

**Section 206.** *Applicability Clause.* – Provisions of such other laws and regulations as they pertain to the subject matters included in this Code, applicable in the Municipality are made integral parts of this Code.

**Section 207.** *Separability Clause.* – If, for any reasons, any part or provisions of this Code shall be declared unconstitutional or invalid by the court, or suspended or revoked by competent authorities, other parts of the provisions hereof which are not affected shall continue to be in full force and effect.

**Section 208.** *Repealing Clause.* – All ordinances, executive orders, proclamations and administrative regulations, or parts thereof, which are inconsistent with any provisions of this Code, are hereby repealed or modified accordingly.

**Section 209.** *Effectivity.* – This Code shall take effect after ten (10) days from the date of publication in a newspaper of local circulation

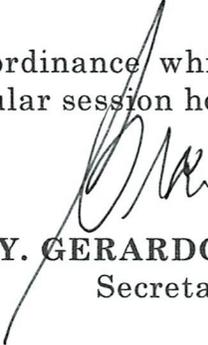
or after posting of the same in three (3) conspicuous places in the Municipality.

ENACTED, 23<sup>rd</sup> of December, 2024 at the Amado Raymundo Session Hall.

  
Martin S.J. Angeles, MMPA  
Municipal Vice Mayor and  
Presiding Officer of the Sangguniang Bayan

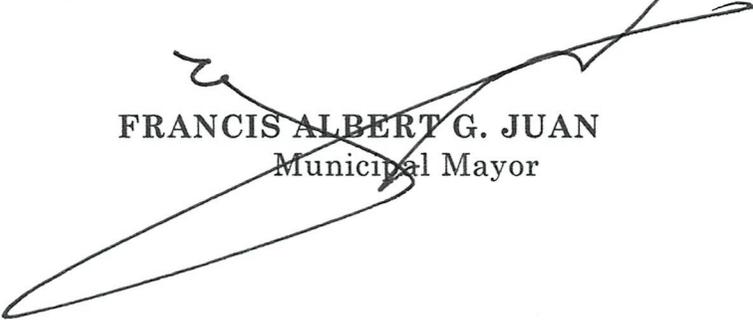
**CERTIFICATION:**

I HEREBY CERTIFY that the foregoing ordinance which was duly enacted by the Sangguniang Bayan during its regular session held on 23<sup>rd</sup> of December, 2024.

  
ATTY. GERARDO S. BRIASA  
Secretary

*Attested:*

Signed today, 31 of January 2025

  
FRANCIS ALBERT G. JUAN  
Municipal Mayor