

CITY ORDINANCE NO. 1720-2011



CITY OF SANTA ROSA

ENVIRONMENT

CODE



Acknowledgments

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**REPUBLIC OF THE PHILIPPINES
PROVINCE OF LAGUNA
CITY OF SANTA ROSA**

**OFFICE OF THE SANGGUNIANG
PANLUNGSOD**

**CITY ORDINANCE NO. 1720
Series of 2011**

**“AN ORDINANCE ENACTING THE
ENVIRONMENT CODE OF THE CITY
OF SANTA ROSA,
PROVINCE OF LAGUNA”**

*Be it enacted
by the Sangguniang Panlungsod of the City of
Santa Rosa
in session assembled, that:*

ARTICLE I

TITLE OF THE ORDINANCE

Section 1. Title of the Ordinance. This Ordinance shall be known as the Environment Code of the City of Santa Rosa, Province of Laguna, and shall be hereinafter referred to as the Code.

ARTICLE II

AUTHORITY, VISION AND MISSION

Section 2. Authority. This Code is enacted pursuant to the following laws:

- a) 1987 Philippine Constitution – particularly:

Art. XII, Sec. 2 which states: “All lands of the public domain, waters, minerals, coal, petroleum, and other mineral oils, all forces of potential energy, fisheries, forests or timber, wildlife, flora and fauna, and other natural resources are owned by the State. xxx”

Art. II, Section 15 which states: “The State shall protect and promote the right to health of the people and instill health consciousness among them;” and

Art. II, Section 16 which states: “The State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature.”

RA 7160, otherwise known as the Local Government Code of 1991, particularly:

Book 1, Title 1, Chapter 1, Section 3 (i) which states: “Local government units shall share with the national government the responsibility in the management and maintenance of ecological balance within their territorial jurisdiction, subject to the provisions of this Code and national policies.”;

Book III, Title III, Chapter 3, Article 1, Section 455, (b) (2) (3) (vii) on the powers of the City Mayor which states: “Adopt adequate measures to safeguard and conserve land, mineral, marine, forest, and other resources of the city;” and

Section 458 (1) (vi), on the powers of the Sangguniang Panlungsod which states: “Approve ordinances and pass resolutions necessary for an efficient and effective city government and in this connection, shall: protect the environment from destructive activities 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 balance.”

Section 3. Vision. It is the vision of the City to be “a highly developed premier City of South Luzon that is dynamic and progressive with pro-active and efficient governance.”

Section 4. Mission. It is the mission of the City to “attain total human development through an integrated strategy anchored on poverty alleviation, capacity-building, promotion of health and wellness, protection of the environment, and maintenance of a peaceful community.”

Section 5. Purposes. The purposes for which this Environment Code is being enacted are the following:

- a) For the Environment Code to be an instrument so that the vision/mission of the City may be realized;
- b) Operationalize the mandate provided by the Local Government Code that local government units shall share with the national government the responsibility in the maintenance of ecological balance within their territorial jurisdiction;
- c) Put into motion the powers of the City Government to enact ordinances and resolutions to protect the environment;
- d) Ensure that residents of the City, present and future generations, will enjoy a balanced and healthful ecology in accord with the rhythm and harmony of nature;
- e) Provide guidance to the City Government, other government agencies, business and commercial establishments as well as the

general public in environmental protection and management;

- f) Set up institutional mechanisms which will oversee the implementation and monitoring of the Code;
- g) Provide a quick response mechanism for the City Government to take immediate actions on environmental law violations;
- h) Forge partnerships and other administrative arrangements with the DENR, LLDA, NWRB, LTFRB and with other government agencies, non-government organizations, the academe, the church and other sectors in the sound management, development and protection of the environment of the City of Santa Rosa; and
- i) Provide for funding support as may be needed to implement, monitor and strengthen environmental protection and management in the City.

Section 6. Operative principles. This Code is based on the following principles:

- a) The City is blessed with rich natural resources, conducive to healthful living and progressive businesses. Investors abound in the area bringing development to its people. These developments can only be sustained if the environment of the City will be properly managed, conserved, developed and protected.
- b) All developments and activities in the City must be consistent with environmental laws and the laws of nature.

- c) The City will spearhead and enlist the participation of its people to a clean and progressive City.

Section 7. Declaration of policy. It is the policy of the City that all developments in its jurisdiction will conform to the laws of nature and to national and local laws relating to land, air and water.

Section 8. Definition of terms. As used in this Code, the following words and phrases shall mean as follows:

- a) “Administrative arrangement” refers to the agreement entered into between and among the City and other government agencies such as the DENR, LLDA, NWRB, LTO, LTFRB, DOLE, DOH pursuant to this Code, whereby the City recognizes the authority, jurisdiction and mandates of the national agency and the national agency empowers and share with the City its enforcement and monitoring functions to ensure effective implementation of national laws in the City.

- b) “Biological diversity” means the variability among living organisms from all sources including terrestrial, marine, and other aquatic ecosystem and the ecological complexes of which they are part; this includes diversity within species, between species and ecosystems.

- c) “City” refers to the City of Santa Rosa.

- d) “City ENRO” refers to the City Environment and Natural Resources Office.

e) “Detention pond” is a low lying area that is designed to temporarily hold a set amount of water while slowly draining to another location. It temporarily detains the water and keeps the run-off at a desired rate. This is for purposes of flood control when large amounts of rain could cause flash floods. Such ponds eventually dry up.

f) “DENR” refers to the Department of Environment and Natural Resources, which, under Executive Order 192, Series of 1987 is the primary government agency responsible for the conservation, management, development and proper use of the country’s environment and natural resources.

g) “Development Clearance” refers to the clearance granted by LLDA to establish development projects and activities in the Laguna de Bay Region.

h) “Discharge Permit” refers to the clearance or legal authorization granted by LLDA to a person to discharge liquid waste or wastewater of specified concentration and volume into any sewer system or any water body that directly or eventually drains into the Laguna de Bay for a specified period of time and under such terms and conditions as contained in said permit.

i) “DOH” refers to the Department of Health.

j) “DPWH” refers to the Department of Public Works and Highways.

k) “Dry goods” refer to any product that does not require refrigeration or freezing for its long use such as textile and clothing.

l) “Ecological solid waste management” refers 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.

m) “Eco-park” refers to ecological parks to be established in barangays where people can commune and enjoy nature.

n) “Effluent” refers to any wastewater, partially or completely treated, or in its raw natural state or liquid waste flowing out through a pipe or a single outlet structure from a manufacturing/industrial plant or wastewater treatment plant.

o) “EMB” refers to the Environmental Management Bureau.

p) “Emission” refers to the act of passing into the atmosphere an air contaminant, pollutant, gas stream and unwanted sound from a known source.

q) “Environment” refers to the quantity, quality, diversity and sustainability of renewable and non-renewable natural resources, including the ambient environment such as the atmosphere, climate, sound, and odors that are critical determinants of the quality of life. In a broad sense, it shall include the total environment of man such as economic, social, cultural, political, and historic factors.

r) “Environmental Compliance Certificate (ECC)” refers to the document issued by the government

agency concerned certifying that the project under consideration will not bring about an unacceptable environment impact and that the proponent has complied with the requirements of the environmental impact statement system and that the proponent will further comply with the obligations set forth in said ECC for its continued operations.

s) “Flood neutral development” refers to land development that mitigates flooding by retaining/detaining additional flood waters due to conversion of permeable lands within a property.

t) “Hazardous wastes” refer to substances that are without any safe commercial, industrial, agricultural, or economic usage and which may cause danger to health and safety of people, plants and animals.

u) “HLURB” refers to the Housing and Land Use Regulatory Board.

v) “LLDA” refers to the Laguna Lake Development Authority, a special agency created under R.A. No. 4850.

w) “LTO” refers to the Land Transportation Office.

x) “LTFRB” refers to the Land Transportation, Franchising and Regulatory Board.

y) “LWC” refers to the Laguna Water Company.

z) “Materials Recovery Facility” refers to the station where recyclable solid waste materials are stored and includes a solid waste transfer station or sorting station, drop-off center, a composting facility and a recycling facility.

- aa) “Mayor” refers to the City Mayor of Santa Rosa.
- bb) “NWRB” refers to the National Water Resources Board.
- cc) “Person” refers to natural or juridical person.
- dd) “PG-ENRO” refers to the Provincial Government Environment and Natural Resources Office of Laguna.
- ee) “Plastic bag” refers to sando bag, pouch, plastic shopping bag and plastic film bag. It is a type of flexible packaging material made of thin, plastic film that is used for containing and transporting goods and other products (commercial or industrial). It shall also refer to thin gauge packaging medium that is used as bags or wraps.
- ff) “Primary packaging material” refers to those materials used as the first bag or packaging material for the goods or products.
- gg) “Private lands” refer to lands owned by private persons.
- hh) “Public lands” refer to lands owned by the government.
- ii) “Rain garden” is a planted depression that allows rainwater run-off from impervious urban areas like roofs, driveways, walkways, parking lots, and compacted lawn areas the opportunity to be absorbed. This reduces rain run-off by allowing storm water to soak into the ground (as opposed to flowing into storm drains and surface waters).

jj) “Retention pond” is a pond that has water and retains water at all times. It is designed to hold a specific amount of water indefinitely. The pond has a drainage leading to another location when the water level gets above the pond capacity, but still maintains a certain capacity.

kk) “Sanitary landfill” refers to a waste disposal site designed, constructed, operated and maintained in a manner that exerts engineering control over significant potential impacts arising from the development and operation of the facility.

ll) “Secondary packaging material” refers to those types of packaging materials used for wet goods to provide support to the primary packaging material first used and is intended to better the packaging and for the convenience of the handler as well.

mm) “Segregation” refers to a solid waste management practice of separating 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.

nn) “Segregation at source” refers 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.

oo) “Smoke belching vehicles” are vehicles that emit excessive smoke than that allowed by law and

regulations that endangers health of people when being exposed and may lead to various lung-related ailments.

pp) “Solid wastes” refer to all discarded household, commercial wastes, non-hazardous institutional and industrial wastes, street sweepings, construction debris, agricultural wastes, and other non-hazardous/non-toxic solid wastes.

qq) “Solid waste management” refers to the discipline associated with the control of generation, storage, collection, transfer and transport, processing, and disposal of solid wastes in a manner that is in accord with the best principles of public health, economics, engineering, conservation, aesthetics, and other environmental considerations, and that is also responsive to public attitudes.

rr) “SREC” refers to the Santa Rosa Environment Council which is tasked to oversee and monitor the implementation of this Code.

ss) “Styrofor” refers to a packaging material used as food containers, disposable cups, plates, etc.

tt) “Swales” are drainage systems with linear, shallow, open channels which are trapezoidal or parabolic in shape. They are vegetated and may be employed only by low-density development projects.

uu) “Waste management” refers to the practice of properly disposing wastes through segregation, recycling, and other activities.

vv) “Wet goods” refer to any product such as fish, meat, poultry products, fruits, vegetables and cooked/baked

foods and other similar goods that require refrigeration, freezing or plastic packaging to maintain its freshness or usefulness.

ARTICLE III LAND RESOURCES MANAGEMENT

Section 9. Operative principles.

The City of Santa Rosa envisions to be a model in ecological management of lands.

- a) Lands in the City shall be used for the purpose for which they have been classified. The Comprehensive Land Use Plan (CLUP) of the City, enacted pursuant to law shall be used as basis in land classification and use.
- b) Private lands, whether for agricultural, residential, commercial or industrial purpose bear social functions. As such, landowners are enjoined to responsibly use these lands.
- c) The necessary easements as provided by laws must at all times be observed in infrastructures.
- d) Public lands must be devoted for public use. The City shall establish eco-parks for the enjoyment of its people.
- e) All lands – whether public or private must be maintained for their ecological functions such as water infiltration and recharge, soil fertility, soil stabilization and erosion control among

others. All landowners, residents and all establishments must likewise ensure cleanliness at all times and must comply with the laws on integrated solid waste management and the toxic and hazardous wastes.

- f) All remaining flora and fauna in the City shall be protected, conserved and restored.

Section 10. Green management of public lands.

All public lands in the City, whether owned by the national or city government shall be managed ecologically. For this purpose, the administrators of these public lands, in addition to the primary purpose for which the lands are being used shall have plans to ecologically manage the same. All offices holding said public lands must also ensure cleanliness at all times in their own areas and in their peripheries. The administrators of all public lands shall submit an annual report on the status of their green management of the land they occupy to the City ENRO.

Section 11. Green management of private lands. All private lands shall be, as much as possible placed in productive condition and be managed ecologically. For this purpose, private landowners shall put in productive use their landholdings. All landowners shall likewise ensure that their lands and/or buildings are clean at all times in their own areas and in their peripheries.

Section 12. Establishment of eco-park in every barangay. Within one (1) year from the passage of this Code, every barangay in the City shall establish an eco-park or eco-parks which will showcase best environmental practices in the barangay and shall also serve as common

playground for its residents. Open spaces in subdivision areas may be used as eco-parks. Every barangay is mandated to include in their annual budget the funds necessary to maintain said eco-parks.

Section 13. Requiring landowners to cut their grasses during summer months. All landowners, whether public or private, shall be required to cut and dispose properly the grasses during the months of February to June of every year to prevent grass fires.

Section 14. Development of Cuartel de Santo Domingo as eco-park. The Cuartel de Santo Domingo shall be established as City eco-park for the use of the city residents. The Mayor shall make administrative arrangements with concerned national agencies so that the City can effectively make use of a portion of said area. Thereafter, the Mayor shall come up with a development plan for the said eco-park for submission to the Sangguniang Panlungsod.

Section 15. Protection of trees in the City. The City recognizes that the matter of tree cutting in public and private lands is within the jurisdiction of the DENR. For this purpose, the Mayor, within sixty (60) days from the passage of this Code shall enter into administrative arrangements with the DENR for said agency to assist in protecting the trees within the City. In no case shall centennial trees be cut unless authorized by National Historical Institute under appropriate guidelines.

Section 16. Tree inventory, mapping and tagging. The City Government in coordination with the DENR shall formulate and adopt a program to number all trees within the City. The tallying classification shall be applicable to all trees that are of the maturing age and shall

reflect classification of trees by species, information on location and ownership.

Section 17. City tree planting program. The City, in coordination with DENR, and pursuant to Presidential Executive Order No. 26, Series of 2011, otherwise known as the National Greening Program shall implement a tree planting program which will involve students, teachers, government and private employees and other citizens.

Section 18. Registration of chain saws. Aside from DENR requirements pursuant to the Chainsaw Act, the City Government shall require all owners and operators of chain saws and similar tree-felling equipment to register the same with the City ENRO and to secure a permit prior to operation.

Section 19. Prohibition on the burning of agricultural wastes. Burning of agricultural wastes from rice or from any planting materials especially rice stack or rice hulls is hereby prohibited.

Section 20. Greening of street shoulders, islands and subdivision open spaces. Street islands as well as both shoulders of roads and condominiums shall be planted with shade or ornamental trees in a manner that is scientifically and agriculturally acceptable at intervals sufficient for healthy growth of such flora and create adequate shade. All subdivision developers shall be inspected to ensure that the spaces allotted for parks and playgrounds are planted with trees.

ARTICLE IV
AIR QUALITY, NOISE MANAGEMENT AND
ENERGY SAVING PRACTICES

Section 21. Operative principles.

The City of Santa Rosa envisions to be a model City in air quality and noise management and a City which encourages energy saving practices.

- a) The City recognizes that measures should be in place to manage and control air and noise pollution to ensure that the health and well being of its people are protected. For this purpose, the City, pursuant to Sec. 17 of RA 7160 reaffirms its authority to enforce pollution control laws and take over the testing and apprehension of smoke belching vehicles and in the abatement of noise and nuisance.
- b) The City reaffirms the principles enunciated in RA 8749 (Clean Air Act of 1999) to the effect that the responsibility of cleaning the habitat and environment is primarily area-based; that polluters must pay; and that a clean and healthy environment is for the good of all, and should therefore be the concern of all.
- c) The City will partner and enter into administrative arrangements with DENR, DOH and LTO to further minimize pollution in the City.

Section 22. Vehicle emissions control. The City in coordination with the LTO shall establish a permitting system to ensure that the emission of vehicles operating within the City is in accordance with the standards provided for under existing laws. Administrative arrangements with

LTO shall endeavor to deputize the City Government to undertake the necessary testing and initiate the prosecution of those in violation.

Section 23. Industrial air pollution control. The City in collaboration with DENR, shall ensure that industrial firms operating within the City shall comply with air quality standards, periodically tests the emissions of industrial firms and establish adequate capability to respond to citizen's complaints on industrial air pollution.

Section 24. Regulating noise pollution. The City shall be responsible in evaluating the noise generating potential of infrastructure projects as part of its responsibility in the grant of zoning clearances and building permits. All projects which generate potential noise level must conform to the standards established by the DENR, the Occupational Health and Safety Standards of the DOLE, the DOH and other offices and shall be required to install soundproofing devices and eliminate vibration. In consultation with DENR, DOLE and DOH and other offices, noise and vibration standards shall be set for both mobile and stationary engines, factories, pub houses, restaurants, karaokes, amusement parks and other similar establishments.

Section 25. Ambient air quality and noise level monitoring stations. The City in collaboration with the DENR and other offices shall establish, operate and maintain noise and ambient air quality sampling and monitoring stations to ensure that its residents enjoy air quality and are protected from noise pollution.

Section 26. Regulating tricycle operations. Within six (6) months from the passage of this Code, the Mayor shall determine the carrying capacity of the City with respect to

tricycles and will set a cap to those that will be allowed to ply. Thereafter, no additional franchises shall be issued. Tricycle operators shall be required to install pollution and noise reduction devices in their units prior to the grant and/or renewal of franchise.

Section 27. Prohibition of smoking in public places and public vehicles. Smoking inside a public building or an enclosed public place including public vehicles and other means of public transport or in any enclosed area outside of one's private residence, private vehicle, private place of work or any duly designated smoking area is hereby prohibited.

Section 28. Measures against offensive odor. The City shall require industries or other businesses whose operations emit odor which causes secondary disturbances such as nausea, insomnia and overall discomfort to adopt measures that will mitigate the odor pollution including dilution by ventilation or dispersal, combustion or oxidation, neutralization or odor masking. Upon recommendation of the SREC, until such time that measures is in place, the operations of said industries or businesses will be suspended.

Section 29. Close coordination with DENR. Consistent with Section 36 of RA 8749 which mandates that the "Department shall provide LGUs with technical assistance, training and continuing capability building program to prepare them to undertake full administration of air quality management and regulation within their territorial jurisdiction", the Mayor shall, within six (6) months from the passage of this Code enter into suitable administrative arrangements with DENR, particularly with EMB and come up with a comprehensive program on air quality management to implement said mandate. The City shall seek deputation from the DENR to enable it to monitor air and

noise pollution and industrial pollution and likewise strengthen its quick response mechanism in environmental law violations.

Section 30. Promotion of environment-friendly alternative transport systems. The City shall encourage and provide incentives to persons who will utilize alternative and environment-friendly transport systems.

Section 31. Promotion of energy-saving practices. The City shall put in place and encourage shift to energy-saving measures such as daylight saving time, efficient lighting systems and utilization of solar and wind energy and anti-idling in parking areas. Incentives will be given to establishments which will showcase best energy-saving measures.

Section 32. Grant of tax exemptions/tax incentives. Within six (6) months from the passage of this Code, the Mayor shall submit to the Sangguniang Panlungsod Omnibus Guidelines for the grant of tax incentives and/or tax exemptions to best practices in solid waste management (e.g. subdivisions not anymore requiring collection of garbage); renewable energy practitioners; efficient use of water; and other environment-friendly operations.

ARTICLE V WATER RESOURCES MANAGEMENT

Section 33. Operative principles.

The City of Santa Rosa envisions to be a model in sustainable water management. The City will ensure that:

- a) The primary need of its residents for domestic water will be perpetually met.
- b) Water will be made available and prioritized in the following order: domestic use, ecological flows, and economic use (i.e. agricultural, industrial and recreational).
- c) Due to the transboundary nature of water resources and flooding, the City will coordinate with nearby LGUs such as Cabuyao and Biñan in Laguna and Silang in Cavite to ensure sustainable water supply and to minimize flooding.
- d) The City adopts RA 9275 otherwise known as the Philippine Clean Water Act.

A. Provisions to Ensure Perpetual Water Supply

Section 34. City of Santa Rosa Water Resources Management Plan. Within one (1) year from the passage of this Code, the Mayor, together with barangay officials, LLDA, EMB, NWRB, LWC, other national government agencies, local water districts and private sector groups shall formulate an Integrated Water Resources Management Plan for the City. Public consultations shall be conducted prior to the adoption of the plan.

Section 35. Administrative arrangements with NWRB. The City recognizes that the NWRB is the national agency mandated to regulate and coordinate water resources management and development. NWRB is likewise responsible for the conservation and protection of all water resources by regulating their utilization and allocation through the grant of water permits and certificates of public conveyance. To ensure that those granted water permits and certificates of public conveyance comply with their permits and franchises, a coordinated monitoring and enforcement of the law shall be done by NWRB and the City. Within six (6) months from the passage of this Code, the Mayor shall initiate administrative arrangements with NWRB for:

- a) Joint monitoring and enforcement of water-related laws;
- b) Deputation of City Officials to assist NWRB;
- c) Regulation on the grant of rights to drill wells; and
- d) Monitoring the volume of water extracted by grantees of water permits and certificates of public conveyance.

Section 36. Regulating the installation of overhead water tanks in subdivisions. The use of centralized overhead water tanks in subdivisions shall be regulated. The Mayor shall formulate the necessary guidelines to regulate overhead installation of water tanks taking into account availability of water for all.

B. Provisions to Ensure Water Quality

Section 37. Water quality monitoring. Within one (1) year from the effectivity of this Code, the Mayor, in consultation with LLDA, EMB, NWRB, LWC, other national government agencies and private sectors shall come up with a master plan for effective water quality monitoring of major water bodies and ground water in the City, including identification of potable water sources.

Section 38. Administrative arrangements with LLDA. Since the major water body of the City – the Laguna de Bay, falls within the jurisdiction of LLDA, within six (6) months from the passage of this Code, an administrative arrangement shall be initiated by the Mayor with LLDA so that the City can assist LLDA:

- a) Require industries to establish water treatment facilities;
- b) Control effluents and other pollutive substances entering waterways and preventing contamination;
- c) Require resource users to adopt precautionary measures, clean production techniques, recycling and waste audits and minimization in all stages of industrial operations;
- d) Control effluent discharge from point sources;
- e) Secure waste management disposal of commercial and backyard livestock farming;
- f) Control of illegal structures along shoreline areas; and,
- g) Monitor and enforce LLDA rules and regulations including deputation of LGUs.

Section 39. Environmental clearance from City ENRO for backyard livestock and poultry farms. Backyard livestock and poultry farms in the City that are otherwise exempt from ECC requirements from DENR must obtain an environmental clearance from the City ENRO.

Section 40. Prohibition on the disposal of effluent and sludge. No person shall dispose or cause to allow disposal of effluent and sludge from motor repair shops, motor pools, vehicle garage and terminals, car wash and junk shop establishments, gasoline stations, livestock and poultry and other similar establishments into the drainage canals, creeks, rivers or any water bodies including land areas to avoid pollution.

Section 41. Annual environmental clearance of industrial firms. All industrial firms shall be subjected to an annual environmental clearance evaluation of the City ENRO and any firm found to be violating its environmental responsibilities shall not be issued business permits until corrective measures are instituted.

The City shall coordinate with the DENR, LLDA and other offices conducting regular environmental monitoring to synchronize, consolidate and simplify environmental monitoring forms and guidelines.

Section 42. Protection of public water infrastructures. The Mayor shall identify waterworks and irrigation systems and shall take measures to ensure that engineering works and infrastructure projects within the City do not adversely impact water quality.

Section 43. Protection of riverbanks, easements, rights of way and greenbelts. The Mayor shall adopt adequate measures for establishing clearance and greenbelts along river banks and lakeshore areas as prescribed by law, and Presidential Decree No. 1067 which provide that “banks or rivers and streams and seashores of the seas throughout their entire length and within a zone of three (3) meters in urban areas, twenty (20) meters in agricultural areas and forty (40) meters in forest areas, along margins are subject to easement for public use in the interest of recreation, navigation, floatage, fishing and salvage”.

Section 44. Maintenance of drainage systems. The Mayor shall adopt necessary measures to ensure that adequate City and barangay drainage systems are established and maintained to prevent the negative effects of all types of effluents on both surface and underground water quality.

Section 45. Health and sanitation measures. The Mayor shall adopt appropriate measures to assist barangay officials improve environmental sanitation by expanding the use of sanitary toilets for waste disposal. Such assistance shall, if necessary include, but not limited to direct investments in public health, education and strict enforcement of the Building Code.

Section 46. Water wells, rainwater collectors and spring development. Pursuant to RA 6716 otherwise known as the “Rainwater Collection and Spring Protection Act of 1989”, the City, in coordination with the DPWH shall undertake the construction of water wells, rainwater collectors, development of springs and inventory and rehabilitation of existing water wells (open and artesian) in all barangays, including the effective monitoring of the same.

C. Provisions to Prevent or Minimize Flooding

Section 47. Scope and coverage. These provisions shall apply to all contractors, developers and planners who are undertaking or intend to undertake land development projects in the City of Santa Rosa.

Section 48. Regulation of construction and development activities. Construction and development activities within the City shall be regulated in consideration of the need to ensure that the water supply of the City continues to be sufficient for the needs of its residents. Contractors, developers and/or planners intending to develop areas within the City of Santa Rosa shall submit their plans for consideration and approval to the City through its City ENRO to ensure compliance with this Code and the City Engineer's Office to ensure compliance with the National Building Code. The City ENRO shall review the plans and assess whether these are in conformity with the guidelines and design standards provided in this Code. The endorsement of the City ENRO shall be a pre-requisite to the issuance of the development permit issued by the City Government.

Section 49. Guidelines in the construction and development of land in the City. In addition to the provisions of P.D. 957, its implementing rules and regulations, and the regulations of the HLURB, the following guidelines shall be observed by contractors, developers and planners:

- (a) The problem of water recharge and flooding shall be taken into consideration in the formulation of land development plans;
- (b) Methods/measures to address problems of recharge and flooding shall be employed subject

- to the design parameters provided herein;
- (c) Drainage and storm water and rainwater run-off into water bodies and retention/detention ponds shall be ensured;
- (d) Permeable materials shall be used in surface areas located in open spaces;
- (e) Rainwater harvesting methods are encouraged;
- (f) Regular maintenance of the measures referred to in item (a) shall be undertaken;
- (g) A significant portion of the developed land shall be allotted for recharge; and
- (h) Vegetation shall be encouraged.

Section 50. Methods/measures to address problems of recharge and flooding. To address the problems of recharge and flooding in the City, future land developments shall be flood neutral. Contractors, developers and/or planners shall incorporate in their development plans provisions for retention ponds, detention ponds, rain gardens and/or swales insofar as these are appropriate in the area being developed.

Section 51. Pond design elements. The design of the ponds shall be guided by the following:

- (a) Ponds should preferably have a gradual graded-slope configuration;
- (b) Ponds should be constructed away from emergent or other wetlands so as not to cause alteration of hydrology;
- (c) Ponds should be sited in previously disturbed areas to avoid habitat loss;
- (d) Ponds should ideally be located near the river in consideration of the force of gravity on the water; and

- (e) The size and dimensions of the pond shall be determined on the basis of the pond design guidelines/standards of the Department of Public Works and Highways (DPWH), the formulation of which is provided in the following section.

Section 52. Pond design calculation/ computation.

The size of the pond shall be calculated using the Rational Formula ($Q = CiA$) or any appropriate methodology set by the DPWH and/or the Philippine Institute of Civil Engineers.

The size of the detention or retention pond shall be at least 2% of the total area for low and medium-density residential development, parks, golf courses or any development with less than 30% built-up area and at least 4% of the total area for high-density residential, commercial and industrial development or any development with more than 30% built-up area. These areas can be sited on within the 30% open space of the subdivision, or in any other place as may be determined by the developer.

Section 53. Effect of non-compliance with guidelines. Contractors, developers and/or planners who fail to comply with the foregoing in their plans shall not be endorsed for approval of the City ENRO. Failure of the contractors, developers and/or planners to execute their approved plans shall be sanctioned with the revocation of their development permit, without prejudice to making the necessary remedial measures at their own expense.

Section 54. Rewards and incentives. The Mayor shall give rewards and due recognition to contractors, developers and/or planners who adopt and comply with the best practices for water resources conservation and

protection. Likewise, appropriate incentives for entities which shall adopt and/or introduce innovative methods, measures, technologies, techniques and processes that will reduce flooding and/or encourage water recharge in the City shall be formulated.

Section 55. Administrative arrangements with the LGUs of Cabuyao and Biñan in Laguna and Silang in Cavite. Within six (6) months from the passage of this Code, the Mayor shall initiate and enter into administrative arrangements with the LGUs of Cabuyao, Biñan and Silang to ensure sustainable water supply and to minimize flooding.

ARTICLE VI INTEGRATED WASTE MANAGEMENT AND POLLUTION CONTROL

Section 56. Operative principles.

The City of Santa Rosa envisions to be a model in waste management and free from any form of pollution.

The City recognizes that the increasing level of economic activities and population growth would lead to an increase in the volume of wastes and have adverse impact on the environment and health of the populace, and hereby adopts the following principles:

- a) The City shall adhere to the provisions of RA 6969, otherwise known as the “Toxic Substances and Hazardous Nuclear Wastes Control Act of 1990”, and RA 9003,

otherwise known as the “Ecological Solid Waste Management Act of 2000”.

- b) The City shall adhere to the provisions of the “Stockholm Convention on Persistent Organic Pollutants” and shall coordinate with the DENR and other government agencies to ensure that these pollutants do not find their way to the City.
- c) The City recognizes the primary role of the LGUs in solid waste management and for this purpose, commits to manage its solid wastes properly in accordance with RA 9003 and its 10-Year Comprehensive Ecological Solid Waste Management Plan.
- d) The City shall enlist all sectors of society in solid waste management.
- e) The City recognizes the crucial role of barangays and the police in implementing RA 9003. For this purpose, the City shall give primary responsibility to its barangay officials and police officers to ensure compliance to the mandates of RA 9003.
- f) The City shall come up with a system of rewards and incentives for those championing solid waste management and corresponding penalties and obligations to violators.

Section 57. Responsibility of establishments in solid waste management. All establishments, whether for profit or not, shall, before they are issued the necessary Mayor's Permits make an undertaking that they shall be responsible for the cleanliness in their respective establishments and in their peripheries, and if the Mayor's Permit is for renewal, a report on the status of their cleanliness and a commitment/undertaking to be responsible for the cleanliness in their own establishments and in their peripheries.

At their own expense, establishments shall likewise display in their respective businesses that they advocate and support a Clean City of Santa Rosa or words to that effect.

The Mayor or his duly authorized representative shall have the authority to inspect any establishment at any time during office hours to inspect their cleanliness programs and campaigns. All those found to be in violation will be issued citation tickets and be required to undertake cleaning operations.

Section 58. Requiring all public vehicles to put up own wastebaskets/waste receptacles. All public utility vehicles such as jeepneys, buses, tricycles and taxis shall put up their own wastebaskets/waste receptacles in their vehicles.

Section 59. Prohibiting littering, spitting, urinating and/or defecation of human or other wastes in public places and vacant lots. It shall be prohibited for any person to litter, spit, urinate, defecate human waste or excreta and otherwise dump wastes in vacant lots, sidewalks, street plazas, public landmarks and all other public places in the City.

Section 60. Responsibility of schools, churches, subdivision owners/managers. All schools, churches and subdivision owners/managers shall likewise make an undertaking that for their continued operations, they will have their own cleanliness program within their vicinities and in their peripheries. At their own expense, schools, churches and subdivision owners are encourage to display in their respective establishments that they advocate and support a clean City of Santa Rosa.

The heads of the churches, schools and subdivisions shall inculcate and involve their constituents in the City's cleanliness program all year round.

The Mayor or his authorized representative shall have the authority to inspect any school, church or subdivision at any time during office hours to inspect their cleanliness programs and campaigns. The Mayor shall likewise conduct an annual search for the cleanest school, church or subdivision.

Section 61. Regulating the use of plastic bags. Six (6) months after the effectivity of this Code, no business establishment and vendor shall provide plastic bags to their consumers for the carrying and transport of dry goods.

Section 62. Prohibition on the use of styrofor. Six (6) months after the effectivity of this Code, no business establishment and vendor shall use styrofor and other similar materials as containers for food produce and other products.

Section 63. Prohibition on the selling of plastics bags and styrofor. Six (6) months after the effectivity of this Code, no business establishment and vendor shall offer or sell plastic bags and styrofor.

Section 64. Barangay and police officers to be in the forefront of integrated waste management.

Every barangay official, police officer in the City shall have the responsibility to ensure that the provisions of RA 9003 are enforced. For this purpose, every barangay official and police officer shall ensure that their respective areas of assignments are clean and shall assist in the apprehension of violators of RA 9003. Once a month, barangay officials and police officers shall likewise conduct their own cleanliness program to showcase to the people their leadership in complying to the provisions of RA 9003. The Barangay Chairperson and Chief of Police shall submit a quarterly report to the Mayor through the City ENRO on their accomplishments in this regard. The City ENRO shall come up with a yearly reward system on the cleanest barangay or police station.

Section 65. Segregation and collection of solid waste at barangay level. As provided for under Section 10 of RA 9003, segregation and collection of solid waste shall be conducted at the barangay level specifically for biodegradable, compostable and reusable waste. Every Barangay Chairperson shall make a quarterly report on their activities in this regard and submit the same to the City ENRO.

Section 66. Establishment of Materials Recovery Facility. Within six (6) months from the passage of this Code, every barangay or cluster of barangays must establish their own Materials Recovery Facility.

Section 67. Toxic and hazardous wastes. The City hereby adopts the provisions of RA 6969 in the handling and disposition of toxic and hazardous wastes.

Section 68. Administrative arrangements with DENR. The Mayor shall initiate administrative arrangements with the DENR for more effective implementation of the City's 10-Year Comprehensive Ecological Solid Waste Management Plan.

ARTICLE VII INSTITUTIONAL MECHANISMS TO IMPLEMENT THE CODE

Section 69. Operative principles.

The City of Santa Rosa envisions all of its citizens united in environmental protection and management.

- a) The City recognizes that the sound management of the environment cannot be done by the City alone. For this purpose, it shall enter into partnership arrangements with DENR, LLDA, NWRB, other government agencies, non-government organizations, business entities, religious and all other sectors of the community in environmental protection and management.
- b) The Mayor shall call upon the entire citizenry of the City and rally the people towards environmental conservation, protection, restoration and enhancement.
- c) The City shall also set up a "Quick Response Mechanism" to immediately respond to environmental law violations.

Section 70. Strengthening of City ENRO. The Office of the City ENRO is hereby re-organized and will be headed by a City ENRO, a Supervising Environmental Management Specialist who shall act as the Assistant City ENRO and five (5) Divisions namely: Administrative, Pollution Control, Regulatory and Enforcement, Information and Education Campaign, Environmental Conservation and Enhancement and Research and Development.

Within six (6) months from the passage of this Code, the City ENRO shall come up with a Manual of Operations and Systems and Procedures.

Section 71. Creation of Santa Rosa Environment Council. There is hereby created the Santa Rosa Environment Council (SREC), composed of the following as members:

1. City Mayor
2. SB Chair on Environment
3. DENR Regional Executive Director or representative
4. LLDA General Manager or representative
5. Chief of Police
6. Representative from the academe
7. Representative from the business sector
8. Non-government organization on environment
9. Representative from the media
10. Representative from the women sector
11. Representative from the homeowners association sector

The members/representatives from numbers 6-11 shall be chosen from among their respective sectors, who must be a recognized leader in the sector, of unquestionable integrity, and a passion for the environment, and a bonafide resident of the City of Santa Rosa.

The members shall elect from among themselves the set of officers, whose term shall be coterminous with the LGU City elected officials. The Co-Chair of the SREC shall come from the private sector.

All members of the City Council and Department Heads shall serve as ex-officio member/resource person in the SREC.

The SREC may also invite other resource persons/sector representatives as it may deem necessary and appropriate.

Section 72. Functions. The SREC shall meet at least once every quarter and shall have the following functions:

- a) Serve as a venue to discuss various environmental breakthroughs, issues and problems in the City and act on the same either by taking direct action and/or recommend the same to the appropriate body/office;
- b) Monitor progress of implementation of the City's Environment Code;
- c) Make the discussions, deliberations and findings of the SREC public except when the SREC itself decides that the same is confidential;
- d) Recommend environmental plans to the

- Sangguniang Panlungsod;
- e) Take the lead role in information and education campaigns; and
 - f) Mobilize the SREC members in support of environmental protection and management. Meetings may be rotated among the different barangays or in some other places.

Section 73. City ENRO to act as secretariat. The City ENRO shall serve as the Secretariat of the SREC, and for this purpose:

- a) Assist the SREC in ensuring that regular meetings are conducted;
- b) Prepare preliminarily the agenda for every meeting for approval of the Chair of SREC;
- c) Follow-up on meetings' attendance to ensure that quorum and maximum participation of members are achieved;
- d) Take down minutes of meetings, and prepare summary of meetings and agreements reached;
- e) Follow-up on agreements reached and report the same in the next meeting;
- f) Provide technical support to the members; and
- g) Undertake such actions and assistance as the Chairperson or the members may direct.

Section 74. Creation of the City of Santa Rosa Green Army. The City Mayor is hereby authorized to create the Santa Rosa Green Army so that environmental laws are enforced in the City. The Santa Rosa Green Army shall be composed of volunteer citizens groups with good moral character and a passion for the environment. The Green Army shall be given the necessary training to ensure that they have the qualifications and technical competence to

perform their functions. The criteria for being accepted in the Green Army and the responsibilities attendant to being a member shall be promulgated by the Mayor.

Professionals in the City shall be encouraged to join the Green Army.

Section 75. Setting up of environment desks in barangays and PNP Offices. Within six (6) months from the passage of this Code, all Barangay Chairpersons and the City Chief Police Officer shall establish environment desks in their units to act on immediate complaint of its residents.

Section 76. Incorporating environmental concerns in school curricula. All school levels in the City - elementary, high school, tertiary and masteral degrees shall incorporate environmental protection and management in the school curricula. The students shall likewise be enjoined to participate in the cleaning and environmental protection of the City. For this purpose, all schools shall submit a yearly report to the Mayor thru the City ENRO on the progress of accomplishments.

Section 77. Information and education campaigns. The Mayor shall come up with yearlong sustained information and education campaigns designed to educate and elicit people's participation in environmental protection and management.

Section 78. System of recognition. The Mayor shall come up with programs and projects on a yearly basis to give recognition to champions of environmental protection and management.

Section 79. Quick response mechanism. In all cases of violations of environmental laws, notwithstanding that the DENR, LLDA, NWRB or some other national agency is the national government agency primarily responsible for the enforcement of national laws, the City through City ENRO and Green Army, pursuant to Rule 11 of the Supreme Court Administrative Matter No. 09-6-8, otherwise known as the Rules of Procedure for Environmental Cases, approved on April 10, 2010, may arrest a person violating environmental laws, even without a warrant in the following instances, quoted, thus:

- “a) When in his presence, the person to be arrested has committed, is actually committing or is attempting to commit an offense; or
- b) When an offense has just been committed, and he has probable cause to believe that based on personal knowledge of the facts or circumstances that the person to be arrested has committed it.

Individuals deputized by the proper government agency who are enforcing environmental laws shall enjoy the presumption of regularity under Section 3(m), Rule 11 of the Rules of Court when effecting arrests for violations of environmental laws.”

Section 80. Deputation and training of Santa Rosa Green Army. Within six (6) months from the passage of this Code, the Mayor shall enter into appropriate administrative arrangements with DENR and LLDA to deputize and give proper training to the Green Army. The Mayor may likewise enlist service providers to conduct the training.

Section 81. Declaration of City of Santa Rosa Environment Day. The date of the passage of this Environment Code and every year thereafter is hereby declared as the City of Santa Rosa Environment Day.

The Mayor shall promulgate the necessary mechanics for the celebration of the City Environment Day with the end in view of institutionalizing the same and inculcating to every resident of the City the importance of the environment.

ARTICLE VIII FUNDING

Section 82. Operative principle. The City shall ensure sustainable funding for environmental protection and management.

Section 83. Funding. Within six (6) months from the passage of this Code, the Mayor shall submit to the Sangguniang Panlungsod for its consideration the Annual Budget necessary to implement and monitor this Code. The plan shall include the budget for the operations of the City ENRO, the Santa Rosa Green Army and the SREC. The plan shall also identify the fund sources necessary to carry out the mandates under this Code.

Section 84. Special account. There is hereby established a special account to be known as Environmental Account in the books of the City. All collections from fines and penalties collected under this Code and donations for environmental projects of the City shall accrue to said account and shall be used solely to finance environmental projects.

The Mayor upon the recommendation of the SREC shall issue the guidelines for the proper and judicious disbursements of said funds. In no case shall personal services be charged against the Environmental Account. The SREC shall act as the oversight body for the Special Account.

ARTICLE IX PENALTIES

Section 85. Operative principle. Penalties that will be imposed for violations of this Code have the primary purpose of educating the violator of the importance of environmental protection and management. The City shall however impose punitive measures to those who will continue to violate this Code.

Section 86. Persons responsible for violation of Code. Any person who violates any of the provision of this Code shall be penalized as herein below set forth. In case of partnerships or corporations, aside from the penalties to be imposed on the actual violator, the managing partner or executive officer shall also be required to render environmental community work.

Section 87. Environmental community work. Immediately after the passage of this Code, the Mayor shall issue the necessary guidelines on the imposition of environmental community work. Environmental community work, rather than punitive aims to inculcate upon the violator the importance of environmental protection and management. It has the objective of turning the violator into an advocate.

Section 88. Violation of Sections 10 and 11 on Green Management of Public Lands and Private Lands shall be penalized as follows:

First offense Fine of five hundred pesos (Php 500.00), and four (4) hours environmental community work and/or one (1) day imprisonment.

Second offense Fine of one thousand pesos (Php 1,000.00), four (4) hours environmental community work and/or two (2) days imprisonment.

Third and subsequent offense Fine of five thousand pesos (Php 5,000.00) and thirty (30) days imprisonment.

Provided, that for the first and second offense, the Mayor is authorized to compromise the case by imposing only the fine and environmental community work if the offender does not contest the citation against him.

Section 89. Violation of Section 12 on establishment of eco-park in every barangay. The Barangay Chairperson and the elected barangay officials shall be held administratively liable.

Section 90. Violation of Section 13 on cutting of grasses during summer.

First offense Fine of five hundred pesos (Php 500.00) and four (4) hours environmental community work.

Second offense Fine of one thousand pesos (Php 1,000.00 and four (4) hours environmental community work.

Third and subsequent offense Fine of two thousand pesos (Php) 2,000.00 and four (4) hours environmental community work.

In addition, the grasses will be cut at the expense of the landowner.

Section 91. Violation of Section 18 on registration of chainsaws. The violator shall be penalized by a fine of not less than one thousand pesos (Php 1,000.00) but not more than three thousand pesos (Php 3,000.00) and imprisonment of not less ten (10) days but not more than twenty (20) days at the discretion of the court.

Section 92. Violation of Section 22 on vehicle emission control. Any vehicle driver who violates the vehicle emission control set by the City in accordance with the standards set by the national government be penalized as follows:

First offense Citation ticket, confiscation of driver's license, fin of one thousand pesos (Php1,000.00) and four hours environmental community work.

Second and subsequent offense Citation ticket, confiscation of driver's license, fine of two thousand pesos (Php 2,000.00) and impounding of vehicle until such time that the vehicle meets the standards.

Section 93. Violation of Section 19 on the burning of agricultural wastes. Any person who shall burn agricultural wastes from rice or from other planting materials

including rice stacks and rice hulls shall be punished by a fine of one thousand pesos (P1,000.00) or imprisonment of one (1) month or both at the discretion of the Court from agricultural lands up to one (1) hectare or a fine of two (2) thousand pesos (P2,000.00) or imprisonment of two (2) months or both at the discretion of the court where the agricultural wastes come from agricultural lands exceeding one (1) hectare.

Section 94. Violation of Section 23 on industrial air pollution control standards. Any person who violates the quality standards for industrial air pollution shall be penalized in accordance with the penalties set by the DENR and LLDA. In addition, the violator shall be required to render four (4) hours environmental community work.

Section 95. Violation of Section 27 on smoking in public places and public vehicles. Any person caught smoking shall be penalized as follows:

First offense	Fine of five hundred pesos (Php 500.00) and four (4) hours environmental community work.
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Second offense	Fine of one thousand pesos (Php 1,000.00) and four (4) hours environmental community work.
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Third and subsequent offense	Fine of two thousand pesos (Php 2,000.00) and four (4) hours environmental community work.
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Section 96. Violation of Section 58 and Section 59 on putting up of wastebasket/waste receptacle in public vehicles and on littering, spitting, urinating and/or defecation of human and other wastes in public places and vacant lots.

First offense	Fine of five hundred pesos (Php 500.00), four (4) hours environmental community work and/or one (1) day imprisonment.
Second offense	Fine of one thousand pesos (Php 1,000.00), four (4) hours environmental community work and / or two (2) days imprisonment.
Third and subsequent offense	Fine of five thousand pesos (Php 5,000.00) and thirty (30) days imprisonment.

Provided, that for the first and second offense, the Mayor is authorized to compromise the case by imposing only the fine and environmental community work, if the offender does not contest the citation against him.

Section 97. Violation of Sections 61, 62 and 63 on the banning the use of plastics bags as packaging materials for dry goods and regulating the use of plastic bags on wet goods, use of styrofoams and selling of plastic bags.

First Offense	Fine of five hundred pesos (Php 500.00), and four (4) hours environmental community work and /or one (1) day imprisonment.
Second Offense	Fine of one thousand pesos (Php 1,000.00), four (4) hours environmental community work and/or two (2) days imprisonment.

Third Offense	Fine of five thousand pesos (Php 5,000.00) and thirty (30) days imprisonment.
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Provided, that for the first and second offense, the Mayor is authorized to compromise the case by imposing only the fine and environmental community work, if the offender does not contest the citation against him.

Section 98. Violation of Section 64 on responsibility of barangay and police officers to enforce RA 9003. Any barangay or police officer who does not apprehend violators or call the attention of establishments to clear their surroundings, or who does not undertake monthly clean-up operations shall be penalized as follows:

First offense	Fine of five hundred pesos (Php 500.00) and four (4) hours environmental community work.
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Second offense	Fine of one thousand pesos (Php 1,000.00) and four (4) hours environmental community work.
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Third and subsequent offense	Fine of two thousand pesos (Php 2,000.00) and four hours environmental community work.
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In addition, administrative sanctions shall be imposed on said police officer or barangay official.

Section 99. Violation of any provision of this Code to which no specific penalty is imposed or commission of any of the prohibited acts which do not carry a specific penalty, shall be penalized by a fine of not less than five

hundred pesos (Php 500.00) but not more than five thousand pesos (Php 5,000.00) at the discretion of the court.

Section 100. Incentive to the City of Santa Rosa Green Army. Members of the Santa Rosa Green Army who are able to apprehend violators of this Code shall be entitled to twenty five percent (25%) of the fines collected in accordance with the guidelines to be set up by the Mayor upon the recommendation of the SREC.

ARTICLE X

ADMINISTRATIVE PROCEDURE ON THE IMPOSITION OF FINES, ENVIRONMENTAL COMMUNITY WORK AND FILING OF CASES

Section 101. Operative principle. The administrative procedure on the imposition of fines, environmental community work and filing of cases shall be simple and expedient.

Section 102. Issuance of citation tickets. Violators of the provisions of this Code will be issued a Citation/Violation Ticket by the Santa Rosa Green Army, the Police or any other deputized officer and will be informed of the infraction committed, corresponding fines to be paid, the hours required for environmental community work, and the imprisonment penalty imposable.

Section 103. Payment of fines and rendering of environmental community work. If the violator does not contest the citation, the violator shall pay the fine and render environmental community work. Otherwise, the violator shall be brought to the police station for the filing of the necessary charges in court.

Section 104. Procedure in cases where violation of provision includes suspension or cancellation of business license.

The violator shall be given citation ticket and be required to explain within seventy two (72) hours why the business establishment will not be suspended or closed, or why no criminal charges shall be filed against the violator.

Said explanation shall be given in writing to the City ENRO who shall evaluate the explanation, and if unsatisfactory, either recommend to the Mayor the suspension or cancellation of the business permit, or file the corresponding cases in court as the case may be.

Section 105. Administrative sanctions and citizens suits. Officials of the concerned local government and national agencies who fail to comply with this Code when required, or who fail to enforce the provisions of this Code and its Implementing Rules and Regulations shall be charged administratively in accordance with the Ombudsman Law, Civil Service Rules and Regulation, RA 7160 and other existing laws, rules and regulations.

Any citizen may file an appropriate civil, criminal or administrative action in the proper court or bodies against:

- a) Any person who violates or fails to comply with the provisions of this Code or its Implementing Rules and Regulations;
- b) Other implementing agencies or any public officers who willfully or grossly neglects the performance of an act specifically enjoined as a duty by this Code or its Implementing Rules and Regulations.

This Code adopts the “Rules of Procedure for Environmental Cases” issued by the Supreme Court as SC Administrative Matter No. 09-6-8-SC promulgated April 2010.

This Code adopts the “Rules of Procedure for Environmental Cases” issued by the Supreme Court as SC Administrative Matter No. 09-6-8-SC promulgated April 2010.

ARTICLE XI MISCELLANEOUS PROVISIONS

Section 106. Authority of the Mayor to issue supplemental guidelines or Implementing Rules and Regulations. The Mayor may from time to time issue supplemental guidelines to strengthen the implementation of this Code.

Section 107. Repealing clause. All City ordinances, resolutions, circulars, memoranda, executive orders or rules and regulations inconsistent with the provisions of this Code are hereby repealed or modified accordingly.

Section 108. Separability clause. If for any reason or reasons, any part of the provision or provisions of this Code shall be held unconstitutional or invalid, other parts hereof which are not affected thereby shall continue to be in full force and effect.

Section 109. Effectivity clause. This Code shall take effect after the lapse of ten (10) days from the date of publication in a newspaper of general circulation, and after three (3) consecutive weeks posting in prominent places within the City and a review of the Sangguniang Panlalawigan.

UNANIMOUSLY APPROVED.

CERTIFICATION:

I hereby certify to the correctness of the quoted ordinance.

(SGD) **CYNTHIA M. GOMEZ**
Secretary to the Sangguniang Panlungsod

Certified Correct:

(SGD) **ARNEL DC. GOMEZ**
City Vice-Mayor

Approved:

(SGD) **ARLENE B. ARCILLAS**
City Mayor

For Further Information, please contact:

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