

63rd Regular Session

ORDINANCE NO. SP-1711, S-2006
(PO2006-105)

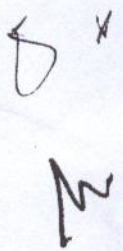
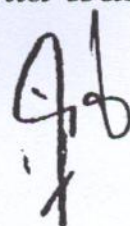
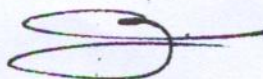
AN ORDINANCE REGULATING THE OPERATION OF JUNK SHOPS IN QUEZON CITY AND IMPOSING PENALTY FOR VIOLATION THEREOF AND FOR OTHER PURPOSES.

Introduced by Councilors ELIZABETH A. DELARMENTE, BERNADETTE HERRERA-DY, VICTOR V. FERRER, JR., ROMMEL R. ABESAMIS, JOSEPH P. JUICO, WINSTON "Winnie" T. CASTELO, RAMON P. MEDALLA, VOLTAIRE GODOFREDO L. LIBAN III, ERIC Z. MEDINA, ALLAN BUTCH T. FRANCISCO, JORGE B. BANAL JR., FRANZ S. PUMAREN, WENCEROM BENEDICT C. LAGUMBAY, EDCEL B. LAGMAN, JR., ALMA F. MONTILLA, RESTITUTO B. MALAÑGEN, BAYANI V. HIPOL and XYRUS L. LANOT.

WHEREAS, there is a need to regulate the operation of Junk Shops within the territorial jurisdiction of Quezon City so as to protect the welfare of the constituents as well as the environment;

WHEREAS, it is the policy of the state to utilize environmentally-sound methods that maximize the utilization of valuable resources and encourage resources conservation and recovery;

WHEREAS, it is likewise the policy of the state to ensure the proper segregation, collection, transport, storage, treatment and disposal of solid waste;



WHEREAS, there is a need to incorporate the operations of junkshops to the City's Solid Waste Management and Reduction Program so as to organize and standardize the activities of these junkshops in accordance with existing policies and provisions of the law through proper accreditation procedures;

WHEREAS, there are numerous cases of stolen government properties such as drainage covers, communication and electrical wires, metal posts and signages, among others which are being sold to junk shops;

WHEREAS, there are complaints of filthy junk shop frontages which are eyesores to the community caused by indiscriminate disposal of their residual wastes and the use of roof deck as storage area and sidewalks as sorting area.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY IN REGULAR SESSION ASSEMBLED:

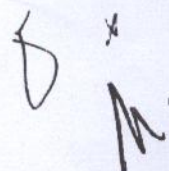
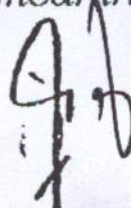
SECTION 1. It is the policy of the City government of Quezon City to be firmly committed to the implementation of the state principles, policies and the provisions of the Constitution and Republic Act No. 7160 also known as the Local Government Code of 1991, to promote and protect our people's welfare and the environment by regulating the operation of businesses within its territorial jurisdiction, particularly, the junk shops in consonance with the Ecological Solid Waste Management Act of 2000.

SECTION 2. For the purpose of this Ordinance, the following definitions are hereby established, to wit:

JUNK - Any waste material or discarded material or old iron or other metal or substance, glass, paper, machine parts, accessories, discarded machinery or discarded machines in whole or in part and any material commonly and generally known as a "junk", in the ordinary meaning of the word, acquired and/or collected.



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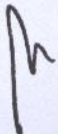
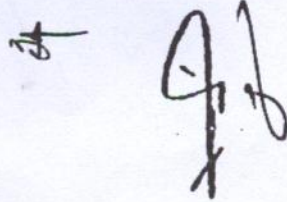
JUNK SHOP – Any establishment or business area in which “junk” is stored.

JUNK DEALER – Any person, firm, association, partnership or corporation who buys or otherwise acquires “junk” for commercial purposes within the territorial jurisdiction of Quezon City, and/or who collects and stores “junk” therein.

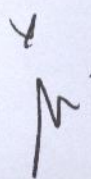
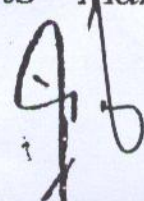
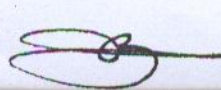
SECTION 3. It shall be unlawful for any person, firm, association, partnership or corporation to operate or maintain junk shop, or to deal in junk at any place within the territorial jurisdiction of Quezon City, in any manner contrary to the provisions of this ordinance and without first having obtained an EPWMD clearance for such purpose, as hereinafter provided.

SECTION 4. Any person, firm, association, partnership or corporation desiring to obtain an EPWMD clearance as herein required shall:

- I. Make the necessary application in writing to the Environmental Protection and Waste Management Department (EPWMD), setting forth the name, address and the premises at which it is proposed to establish a junk shop, including a full description of such premises and whether the applicants owns the premises or leases them, together with the deed or leases thereon, together with a description of the establishment and the kinds of materials which it is proposed to store therein.*
- II. Maintain a floor area of not less than 30 square meters.*
- III. Maintain a separate sorting area, weighing area and storage area.*



- IV. *Maintain an orderly and well stored "recycleable materials."*
- V. *Install an appropriate sign board in front of the junk shop where the following details are posted, to wit:*
 - a. *Name of the junk shop and junk owner*
 - b. *Address/Location*
 - c. *Telephone Number*
 - d. *Name of affiliation to any junk shop organization*
- VI. *Display at all times in conspicuous area in the junk shop the EPWMD clearance issued by the Environmental Protection and Waste Management Department.*
- VII. *Provide a septic tank for the junk shop operation.*
- VIII. *Provide an area and/or "park area" for push carts".*
- IX. *Transport, deliver and pick-up junk materials for selling only from 10:00 A.M. to 3:00 P.M., thereby limiting the parking of transport vehicles in front of junk shops during the said schedule.*
- X. *Maintain and keep in a sanitary condition of the entire junk shop area, and shall prohibit the following:*
 - a. *Utilizing sidewalks as sorting or weighing area.*
 - b. *Making use of establishment roof as storage area.*
 - c. *All residuals and/or rubbish shall only be brought out for collection on condition that the junk shop conformed with the Environmental Protection and Solid Waste Management Department standard.*



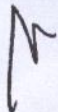
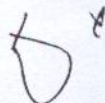
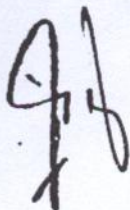
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- d. Prohibit the throwing of residuals and/or rubbish in creeks, rivers or any drainage system.
 - e. Prohibit foul odor in work areas within the junk shops.

XI. Comply with the following provisions of approved Ordinance N. SP-941, S-2000, to wit:

- a. Ambulant/push cart junk dealers shall be allowed to ply their trade or business only from six o'clock in the morning to six o'clock in the evening (6:00 A.M. to 6:00 P.M.)
- b. For the purpose of identification , utilize ambulant/push carts with the following color-coded specifications:

For District I :	Blue
District II :	Yellow
District III:	Green
District IV:	Red

- c. Register the ambulant/push carts with the barangay where the junk shop is located. As proof of such registration, the ambulant/push cart junk dealer shall be issued an identification card by the barangay concerned and the push cart itself shall sport a body number to be determined by the barangay concerned and the name of the junkshop and barangay where the business establishment is located.
- d. Inform the Environmental Protection and Waste Management Department (EPWMD) and the barangay concerned for any additional ambulant/push carts employed.



SECTION 5. For non-compliance of or violation of any of the provisions of this Ordinance by any person, firm, association, partnership or corporation engaged in the business of junk shops, the following graduated penalties shall be imposed:

- 1st Offense - A fine of One Thousand Pesos (P1,000.00)
- 2nd Offense - A fine of Three Thousand Pesos (P3,000.00)
- 3rd Offense - A fine of Five Thousand Pesos (P5,000.00) and cancellation of permit, or an imprisonment of not less than Thirty (30) days but not more than Sixty (60) days, or both for third and subsequent offense at the discretion of the court.

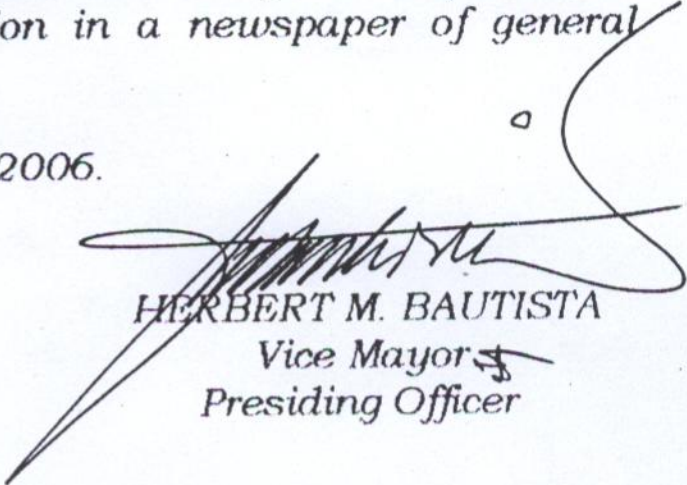
In case of corporation or association, its officers responsible for non-compliance of this Ordinance shall be held criminally liable.

SECTION 6. If for any reason, any section or provisions of this Ordinance is declared illegal or unconstitutional, other sections and/or provisions hereof which are not affected thereby shall constitute to be in full force and effect.

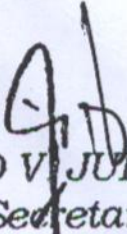
SECTION 7. All Ordinances and parts of Ordinances inconsistent with the provisions hereof are hereby repealed or modified accordingly.

SECTION 8. This Ordinance shall take effect fifteen (15) days after posting in public and conspicuous places in Quezon City and publication in a newspaper of general circulation.

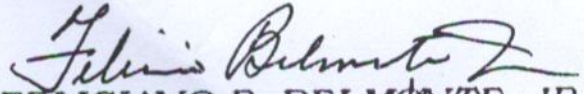
ENACTED: August 7, 2006.


HERBERT M. BAUTISTA
Vice Mayor
Presiding Officer

ATTESTED:

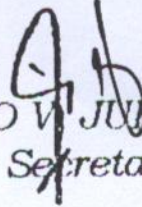

EUGENIO V. JURILLA
City Secretary

APPROVED: _____


FELICIANO R. BELMONTE, JR.
City Mayor

CERTIFICATION

This is to certify that this Ordinance which was APPROVED on Second Reading on August 7, 2006, was reverted back for Second Reading on August 14, 2006, and finally PASSED on Third/Final Reading by the City Council on the same date.


EUGENIO V. JURILLA
City Secretary