



Republic of the Philippines
QUEZON CITY COUNCIL
Quezon City
22nd City Council

PO22CC-029

16th Regular Session

ORDINANCE NO. SP- 3166, S-2022

AN ORDINANCE MANDATING THE CANDIDATES IN THE NATIONAL AND LOCAL ELECTIONS, INCLUDING BARANGAY ELECTION, TO REMOVE, DISMANTLE, AND/OR CLEAN-UP THEIR CAMPAIGN WASTE MATERIALS IN QUEZON CITY WITHIN FOURTEEN (14) DAYS AFTER THE HOLDING OF SUCH ELECTIONS.

Introduced by Councilor TATAY RANNIE Z. LUDOVICA.

WHEREAS, National and Local Elections, including Barangay Election, are the democratic political process of choosing a candidate/s to fill an elective positions or offices in line with the right of suffrage enshrined in the Philippine Constitution to be exercised by all citizens of the country who are qualified voters;

WHEREAS, in the pursuit of said elections and concomitant to the conduct of electoral campaign, candidates are resorting to different modes of political propaganda and one of which is the use of campaign materials to solicit votes and make them known to the electorates;

WHEREAS, during the campaign period, various campaign materials such as the posters, tarpaulin, billboards, and the like are conspicuously posted or installed along the roads, particularly in perimeter fences, gates, electric post, footbridges, flyovers, markets, basketball courts, and other accessible places, coupled with the man-to-man and house-to-house distribution of flyers, leaflets, and similar campaign materials;

WHEREAS, it has been observed that after election, candidates, whether winning or losing, are unmindful to the campaign waste materials they have generated during election, thereby contributing to the pile-up of garbage, causing inconvenience to the city residents, and posing threat to public health and safety;

WHEREAS, unremoved and cluttered campaign waste materials, being already considered a trash, does not only run counter to the waste reduction efforts of the city but adversely affect its economic and tourism development;

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WHEREAS, such waste materials significantly contribute in the unnecessary depletion of the city's coffers brought about by the huge allocation for garbage collection, management, and disposal, coupled by the expenses for rents of required facilities and maintenance cost of garbage trucks;

WHEREAS, to maintain order and cleanliness in the barangay and the city in general, there is an imperative need to compel all the candidates in the national and local elections, including the barangay election, to do their share in the cleanliness and beautification program of the city government;

WHEREAS, Section 16 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, expressly provides, that:

"Every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare. x-x-x"

WHEREAS, in the exercise of its police power, the City Council is empowered to make, ordain, establish all manner of wholesome and reasonable ordinances for the good and welfare of the city and its inhabitants.

NOW, THEREFORE,

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

SECTION 1. SHORT TITLE. - This Ordinance shall be known and cited as the "Campaign Materials Clean-Up Ordinance of Quezon City."

SECTION 2. DECLARATION OF POLICY. - It is hereby declared the policy of the Quezon City Government to promote and preserve the aesthetic, clean, sound, and healthy conditions of the city, and to continuously ensure the safety of its inhabitants. Towards this end, the city government shall institute measures that will make the city and its inhabitants free from any form of eyesore, garbage, and possible danger brought about by the undisposed and abandoned campaign waste materials.



SECTION 3. DEFINITION OF TERMS. - For the purpose of this Ordinance, the following terms shall be defined as follows:

- a) "Local Election" - refers to the election of the City Mayor, City Vice Mayor, Members of the Sangguniang Panlungsod, Punong Barangay, Members of the Sangguniang Barangay, and Chairperson and Members of the Sangguniang Kabataan;
- b) "National Election" - refers to the election of the President, Vice President, Members of the Senate and House of Representatives, and Party-List Organizations;
- c) "Barangay Election" - refers specifically to the election of Punong Barangay and Barangay Kagawads;
- d) "Campaign Waste Materials" - refers to tarpaulins, posters, billboards, streamers, pamphlets, leaflets, flyers, cards, decals, stickers, and other written or printed materials used during the election campaign within Quezon City for the purpose of soliciting votes or making the candidates known to the electorates;
- e) "DPOS" - refers to the Department of Public Order and Safety of Quezon City;
- f) "Engineering Department" - refers to the Engineering Department of Quezon City;
- g) "DSCW" - refers to the Department of Sanitation and Cleanup Works of Quezon City; and
- h) "COMELEC" - refers to the Commission on Elections stationed in Quezon City.

SECTION 4. MANDATORY CLEANING-UP OF CAMPAIGN MATERIALS. - All candidates in the National and Local Elections, including Barangay Election, whether winning or losing, are hereby required to remove, dismantle or clean-up all their campaign waste materials used during the election campaign in Quezon City within fourteen (14) days after the holding of such elections. Thereafter, the barangay concerned shall issue a Certificate of Compliance for the purpose.



SECTION 5. DISPOSAL OF CAMPAIGN WASTE MATERIALS. - Campaign waste materials shall be disposed of in accordance with the provisions of Republic Act No. 9003, otherwise known as the Ecological Solid Waste Management Act of 2000, and other pertinent laws and existing city ordinances.

SECTION 6. DUTY OF THE BARANGAY. - It shall be the duty of the barangay, through the Punong Barangay or his/her authorized personnel, to take the photos of the unremoved, scattered or cluttered campaign waste materials after fourteen (14) days from the holding of the national and local elections, including barangay election, and to report the same to the DSCW for removal, dismantling, cleaning-up, and proper disposal, copy furnished the COMELEC.

SECTION 7. DUTY OF THE DSCW. - Upon receipt of the report from the barangay, the DSCW, with the assistance of the DPOS and the Engineering Department, shall immediately cause the removal, dismantling, cleaning-up, and disposal of the campaign waste materials. Such action by the DSCW shall be documented or recorded properly.

SECTION 8. INSTITUTION OF LEGAL ACTION. - The DSCW shall refer the violation of Section 4 hereof to the City Legal Department for institution of appropriate legal action in the City Prosecutor's Office and/or court.

In case the violator involved is an impeachable public official, the City Legal Department shall refer the matter to the concerned government office/agency, such as the Office of the Ombudsman, for evaluation and investigation of such violation and institution of appropriate proceeding before the House of Representatives in accordance with the provisions of the 1987 Philippine Constitution.

SECTION 9. PENALTIES. - A violation of this Ordinance shall be penalized by a fine of Five Thousand Pesos (Php5,000.00) or imprisonment of one (1) year, or both such fine and imprisonment at the discretion of the court.




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SECTION 10. EFFECTIVITY CLAUSE. - This Ordinance shall take effect fifteen (15) days following its complete publication in a newspaper of general circulation.


ENACTED: November 28, 2022.


ERIC Z. MEDINA
President Pro-Tempore
Acting Presiding Officer

ATTESTED:



Atty. JOHN THOMAS S. ALFEROS III
City Government Dept. Head III

APPROVED: DEC 23 2022


MA. JOSEFINA G. BELMONTE
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on November 28, 2022 and was PASSED on Third/Final Reading on December 5, 2022.


Atty. JOHN THOMAS S. ALFEROS III
City Government Dept. Head III

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