

Republic of the Philippines
QUEZON CITY COUNCIL

Quezon City
18th City Council

PO2012-127

82nd Regular Session

ORDINANCE NO. SP- 2202, S-2013

AN ORDINANCE PROHIBITING THE USE OF POLYETHYLENE (PLASTIC) ADVERTISEMENT AND PROPAGANDA MATERIALS WITHIN THE TERRITORIAL JURISDICTION OF QUEZON CITY.

Introduced by Councilors DOROTHY A. DELARMENTE, FRANCISCO A. CALALAY, JR., JOSEPH P. JUICO, RICARDO T. BELMONTE, JR., EDEN "Candy" A. MEDINA, JULIENNE ALYSON RAE V. MEDALLA, RODERICK M. PAULATE, GIAN CARLO G. SOTTO, RAQUEL S. MALAÑGEN, PRECIOUS HIPOLITO CASTELO, ALFREDO D. VARGAS III, GODOFREDO T. LIBAN II, JULIAN ML. COSETENG, ALLAN BENEDICT S. REYES, JOSE MARIO DON S. DE LEON, EUFEMIO C. LAGUMBAY, JESUS MANUEL C. SUNTAY, JESSICA CASTELO DAZA, VINCENT DG. BELMONTE, MARVIN C. RILLO and IVY LIM-LAGMAN.

WHEREAS, it is the policy of the State to utilize environmentally-sound methods that will protect the environment as well as the welfare of the constituents;

WHEREAS, it is also the duty of advertisers, public officials and those seeking election for public office to initiate, participate in integrated ecological solid waste management projects, adopt innovative processes that shall recycle and re-use materials, reduce waste and prevent pollution, and to undertake community activities, promote and propagate effective solid waste management practices, as provided in Section 57 of Republic Act No. 9003 or the Ecological Solid Waste Management Act;

WHEREAS, the expansive usage of plastics posters as campaign materials during election time and their typical disposal creates significant litter problems in the City and sometimes clogs up canals and sewerage systems that cause floods;

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WHEREAS, two (2) commonly used plastic are Polyethylene and PVC tarpaulin in advertisements and the production of campaign materials with minimum thickness of plastic posters made of polyethylene is used as campaign propaganda materials with seventy five (75) microns;

WHEREAS, polyethylene types are the ones that are usually found disposed in waterways, regulation must therefore be implemented on this type of campaign materials;

WHEREAS, PVC tarpaulin used as advertisement and campaign propaganda materials has thickness that ranges from 8 onz to 12 onz which are commonly reuse and converted into bags and other products;

WHEREAS, there's an urgency to come up with a policy that will prohibit the use of plastic advertisement and propaganda materials to somehow address environmental impact concern and disaster risk reduction for the people of Quezon City.

NOW, THEREFORE,

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

SECTION 1. DEFINITION OF TERMS – For the purpose of this Ordinance, the following words, terms and phrases shall mean and be construed as follows:

- 1.1 Advertisement – Prepared and through any form of mass medium, subsequently applied, disseminated or circulated advertising matter or propaganda material;
- 1.2 Plastic – Any of a wide range of synthetic or semi-synthetic organic solids that are moldable. Plastics are typically organic polymers of high molecular mass, but they often contain other substances.

- 1.3 Polyethylene – A thermoplastic material produced by the polymerization of ethylene molecules. One of the most extensively produced polymer; it is a light, strong, water resistant and flexible product even at low temperature.
- 1.4 Propaganda Materials – materials which is used as a medium allowed for all registered political parties, national, regional, sectoral parties or organizations participating under the party list elections and for all bonafide candidates seeking national and local elective positions subject to the limitation on authorized expenses of candidates and political parties observance of truth in advertising sanctioned by the rules and regulation promulgated by the Commission on Elections (COMELEC).

SECTION 2. PROHIBITION. - The use of advertisement or propaganda materials made of polyethylene (plastic) materials within the territorial jurisdiction of Quezon City is hereby prohibited.

Any person, firm or corporation who will, transport, sell and/or may be found in possession of polyethylene (plastic) advertisement or propaganda materials for use or installation in Quezon City, shall be held liable and penalized for violation of this Ordinance.

SECTION 3. IMPLEMENTING AGENCIES – The following departments, offices and agencies are hereby mandated to remove, dismantle, confiscate and cause the disposal or recycling of advertisement or propaganda materials made of polyethylene (plastic).

- 3.1 Environmental Protection and Waste Management Department;
- 3.2 Parks Development and Administration Department;
- 3.3 Department of Public Order and Safety;
- 3.4 Quezon City Police District (QCPD); and
- 3.5 Other agencies which the Mayor may designate.

The aforementioned agencies  **nitroPDF** authorized to conduct lawful arrest upon person for violation of Section 2 of this Ordinance. 

SECTION 4. CITIZENS INVOLVEMENT. - Any person is hereby authorized to report the installed polyethylene (plastic) advertisement or propaganda materials to the above agencies mentioned in Section 3 hereof.

SECTION 5. ADMINISTRATIVE FINES. - Any person who will be found in violation of Section 2 hereof, shall be meted the following fines:

- First Offense - Notice of Violation;
- Second Offense - Fine of Three Thousand Pesos (P3,000.00) and Community Service of three (3) days.
- Third Offense - Fine of Five Thousand Pesos (P5,000.00) and Community Service of three (3) days

Any firm or corporation who will be found in violations of Section 2 hereof, shall be meted the following fines:

- First Offense - Notice of Violation
- Second Offense - Fine of Three Thousand Pesos (P3,000.00);
- Third Offense - Fine of Five Thousand Pesos (P5,000.00) and revocation of Mayor's Permit to Operate.


SECTION 6. IMPLEMENTING RULES AND REGULATIONS - The Office of the City Mayor, upon the recommendation of the Environmental Protection and Waste Management Department, shall promulgate the Implementing Rules and Regulations of this Ordinance within ten (10) Working Days after the approval of this Ordinance.

SECTION 7. SEPARABILITY CLAUSE - If, for any reason, this Ordinance or parts hereof be declared unconstitutional or invalid by a competent court, other provisions not affected shall remain in full force and effect. X

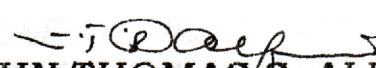
SECTION 8. REPEALING CLAUSE - All ordinances, issuances, rules and regulations inconsistent with the provisions of this ordinance are hereby amended, repealed, rescinded, revoked or modified accordingly.

SECTION 9. EFFECTIVITY - This Ordinance shall take effect Fifteen (15) Days after its publication in a newspaper of general circulation, including its uploading on the official website of the city government.

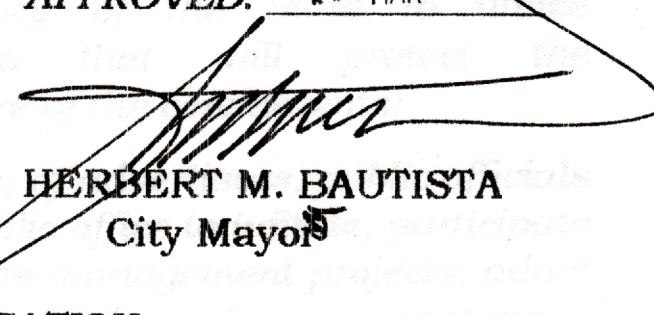
ENACTED: March 4, 2013


MA. JOSEFINA G. BELMONTE
Vice Mayor
Presiding Officer

ATTESTED:

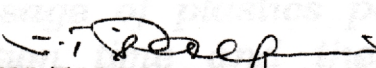

Atty. JOHN THOMAS S. ALFEROS III
City Gov't. Asst. Dept Head III

APPROVED: 25 MAR 2013


HERBERT M. BAUTISTA
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on March 4, 2013, was reverted back on Second Reading on March 11, 2013 and was PASSED on Third/Final Reading on the same date.


Atty. JOHN THOMAS S. ALFEROS III
City Gov't. Asst. Dept Head III