

Republika ng Pilipinas
SANGGUNIANG PANLUNGSOD NG MARIKINA



ORDINANCE NO. 073
Series of 2002

ORDINANCE ADOPTING THE ANTI-LITTERING CODE OF MARIKINA 2002

Sponsored by: Councilor Jose Fabian I. Cadiz, M.D.
Councilor Jaime Tiburcio Jr.
Councilor Eva Aguirre Paz
Councilor Hilario Punzalan
Councilor Efren De Guzman

WHEREAS, the City Council of Marikina enacted Ordinance No. 213, Series of 1998, otherwise known as the Anti-Littering Code of Marikina;

WHEREAS, the said Code has been subsequently amended by Ordinance No. 76, Series of 1999, providing for an increase in penalty for littering as well as designating and deputizing officers in the local government with specific tasks in the implementation of the anti-littering law;

WHEREAS, it has been found based on record that littering in public places has not been completely contained despite the increase in fine to One Hundred Pesos (Php 100.00);

WHEREAS, the enforcement strategy must further be defined and clearly deleanated among agencies of the local government;

NOW THEREFORE, BE IT ORDAINED, AS IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF MARIKINA IN SESSION DULY ASSEMBLED:

SECTION 1. This ordinance shall hereafter be called "The Anti-Littering Code of Marikina 2002".

SECTION 2. It shall be unlawful for any person to throw small litter materials on streets, sidewalks or other public places, including government buildings and offices and public utility vehicles within the City of Marikina.

SECTION 3. Definition of Terms:

- a. "Small litter materials" – shall include, but not limited to cigarette butts, cigarette packs, candy/food wrappers, carton/paper/plastic bags, masticated chewing gum, fruit seeds and remains, among others.

SECTION 4. Any individual caught littering in violation of Section 2 hereof shall pay a fine of Five Hundred Pesos (Php 500.00) upon issuance of the pertinent Sanitation Citation Ticket.

If after seventy-two (72) hours from his receipt of the Citation Ticket the violator fails to appear or refuses to pay the corresponding fine, the City Mayor shall direct the City Legal Officer to initiate within twenty-four (24) hours prosecution proceedings against the violator with the City Fiscal Office.

SECTION 5. Any person who is convicted by the court for refusing to pay the fine for littering, shall be imposed a fine of not more than Five Thousand Pesos (Php 5,000.00) or imprisonment of not more than one (1) year, or both at the discretion of the court.

SECTION 6. The Barangay Councils of this city shall actively participate and are tasked with the implementation of this ordinance in their respective barangays. They shall deputize the necessary personnel as Sanitation Officers for this purpose. Each personnel so deputized must have sufficient identification and authority to apprehend violators and shall be provided with the necessary Sanitation Citation Ticket.

SECTION 7. The City Waste Management Office is tasked to supervise the implementation of this ordinance citywide and to issue the corresponding Implementing Rules and Regulations (IRR) for effective implementation. It shall coordinate the efforts of all barangays concerned with those of its office to avoid duplication and conflict in enforcement.

SECTION 8. The Waste Management Office is authorized to issue the Sanitation Citation Ticket for apprehensions pursuant to this Ordinance.

All tickets issued, whether used or unused, must be reported to the Waste Management Office. Any collection of the fine herein imposed without issuance of the official Sanitation Citation Ticket shall render the collector liable to criminal prosecution and if convicted, to a fine of Five Thousand Pesos (Php 5,000.00) and imprisonment for one (1) year at the discretion of the court.

SECTION 9. Accrual of Fine. The fine prescribed in Section 5 hereof shall be remitted to the following:

- a. The City Treasurer of Marikina, in case the violator was apprehended by a deputized officer of the Waste Management Office or,
- b. The Barangay Treasurer of the concerned barangay, in case the violator was apprehended by a deputized officer of the barangay.

From the amount of fine remitted, Twenty-five percent (25%) thereof shall be granted as incentive to the WMO or barangay deputized officer who made the apprehension, while the remaining Seventy-five percent (75%) shall accrue to the general fund of the concerned government unit.

SECTION 10. Repealing Clause. Ordinance No. 213 Series of 1998 and Ordinance 76 Series of 1999 are hereby declared repealed.

SECTION 11. Separability Clause. Should any section of this Ordinance be declared null and void by a court of competent jurisdiction the remaining sections not so affected shall continue to be in full force and effect.

SECTION 12. Effectivity Clause. This Ordinance shall take effect after its publication once in a newspaper of general circulation in the locality, and posting for three (3) consecutive weeks at the City Council's Bulletin Board, in every barangay hall in the city, at the City Waste Management Office and at the City Treasury.


The Public Information Office is directed to broadcast the passage of this Ordinance at least once everyday for seven (7) days upon its approval.

APPROVED by the CITY COUNCIL of MARIKINA, on this 17th day of July, 2002

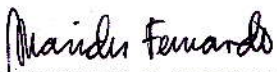
I hereby certify to the passage of the foregoing Ordinance which was duly approved by the City Council on its 26th Regular Session held on July 17, 2002.


LOLITA E. DE LEON
City Secretary

ATTESTED & CERTIFIED
TO BE DULY APPROVED:


MARION S. ANDRES, M.D.
Presiding Officer

APPROVED by the Honorable City Mayor on this 01 AUG 2002


MA. LOURDES C. FERNANDO
City Mayor