



REPUBLIC OF THE PHILIPPINES  
CORDILLERA ADMINISTRATIVE REGION  
PROVINCE OF KALINGA

MUNICIPALITY OF LUBUAGAN  
SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF LUBUAGAN HELD ON JUNE 6, 2017 AT THE SANGGUNIANG BAYAN SESSION HALL, CAPITOL HILLS, LUBUAGAN, KALINGA.

PRESENT:

Hon. Elizabeth C. Pallogan  
Hon. Maribel B. Tagaotao  
Hon. Roger A. Bun-as  
Hon. Rudy D. Ocan  
Hon. Victor D. Dickly  
Hon. Jett G. Bal-iwang  
Hon. Jocelyn. Alicog  
Hon. Riesel B. Tocypapao  
Hon. Rustom B. Dao-in  
Hon. Remedios G. Baltao

Municipal Vice Mayor  
Sangguniang Bayan Member  
Sangguniang Bayan Member  
Sangguniang Bayan Member  
Sangguniang Bayan Member  
Sangguniang Bayan Member  
Sangguniang Bayan Member  
Sangguniang Bayan Member  
Sangguniang Bayan Member  
ABC Vice President  
IPMR

Presiding Officer  
Member  
Member  
Member  
Member  
Member  
Member  
Member  
Member  
Ex-Officio Member  
Ex-Officio Member

On Official Business:

Hon. Jayharley B. Duguang

Sangguniang Bayan Member

Member

**ORDINANCE NUMBERED 06 SERIES 2017**

*Sponsored by Hon. Roger A. Bun-as*

*On motion of Hon. Victor Dickly seconded by Hon. Riesel B. Tocypapao*

**AN ORDINANCE KNOWN AS "AN ORDINANCE PROHIBITING THE USE OF PLASTIC BAGS ON DRY GOODS & REGULATING ITS UTILIZATION ON WET GOODS PRESCRIBING PENALTIES THEREOF."**

**WHEREAS**, Article II, Sec. 6 of the Philippine Constitution provides that 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;

**WHEREAS**, Sec. 3 (i) of RA 7160 provides that the Local Government Units shall share with the national government the responsibility in the management and maintenance of ecological balance within their territorial jurisdiction;

**WHEREAS**, Sec. 458 (vi) of RA 7160 also empowers the Sangguniang bayan to protect the environment and impose appropriate penalties for acts which endanger the environment including such activities which results in pollution acceleration or eutrophication of rivers and lakes or of ecological imbalance;

**WHEREAS**, Republic Act 9003 otherwise known as the Ecological Solid Waste Management Act of 2000 provides for the identification and listing of Non- Environmentally Acceptable Products (NEAP) and packaging material. The National Solid Waste Management Commission (NSWMC) has adopted and issued guidelines for NEAP and has identified plastic packaging as one of only 5 product groupings that shall undergo assessment;

**WHEREAS**, there is now an extensive use of plastic bags used as wrapping or packaging materials in the municipality;

**WHEREAS**, plastic bags are non-biodegradable and with heavy downpour it clog our canals, creeks, rivers and other waterways then end up in Chico causing harm to the river and the surrounding barangays;

**WHEREAS**, Lubuagan desires to reduce if not totally eliminate the use of plastic film bags as packaging materials, encourages the utilization of alternative packaging materials such as woven bags (pasing/chamos), cloth bags (sako bag), paper bags and other similar materials (e.g. banana leaves, taro leaves, etc.) and at the same time enjoined to promote the "Bring Your Own Bag";

**WHEREAS**, there is now a need to regulate the use of plastic bags to prevent potential serious ecological imbalance particularly in the MUNICIPAL creeks, rivers, waterways AND THE CHICO;

**NOW, THEREFORE, BE IT HEREBY ENACTED, BY THE SANGGUNIANG IN SESSION ASSEMBLED, THAT:**

**SECTION 1. -Title.** This ordinance shall be known as "An ordinance prohibiting the Use of Plastic Bags on Dry Goods & Regulating its Utilization on Wet Goods prescribing penalties thereof."

**SECTION 2. Coverage.** — This Ordinance shall apply to all retailers and store owners, persons, whether natural or juridical, whether resident or not, and in all places, found within the territorial jurisdiction of Lubuagan "

**SECTION 3. – Definition of Terms.** For purposes of this ordinance, the following terms are defined to wit:

- a) **"Dry Goods"** – refers to any product that do not require refrigeration or freezing to maintain, such as textiles, clothing, medicines.
- b) **"Plastic Bags"** – also known as sando bags, pouch, plastic shopping bags and plastic film bags. It is a type of flexible packaging material made of thin, plastic film that is used for containing and transporting goods and other products. It shall also refer to thin-gauge packaging medium that is used as bags or wraps.
- c) **"Plastic Wastes"** – refers to any plastic packaging material thrown as waste.
- d) **"Primary Packaging Material"** – refers to those types of packaging for containing wet produce, snack foods, frozen foods, hardware, etc.
- e) **"Sako Bag"** – refers to a reusable packaging material made of cloth (biodegradable) used in the packaging of flour, wheat and other similar goods.
- f) **"Secondary Packaging Materials"** – refers to those types of packaging materials for wet goods to provide support to any primary packaging and intended for convenience of the handler as well.
- g) **"Wet Goods"** – refers to any product that requires refrigeration or freezing to maintain such as fish, meat, fresh poultry products, fruits, vegetables, beverages and cooked foods in carinderias / eateries.
- h) **"Woven Bags"** (Pasiking/Chamos) – refers to biodegradable packaging material made of woven RATTAN or UWOY and other similar materials.

**SECTION 4. – Prohibition on the Use of Plastic Bags on Dry goods.** No business establishment shall utilize plastic bags as packaging material on dry goods.

**SECTION 5. – Regulating the Use of Plastic Bags on Wet goods.** Business establishments dealing on wet goods shall use plastic bags as primary packaging material.

**SECTION 6. – Prohibition on the Selling of Plastic Bags.** No business establishments shall offer or sell plastic bags to be used as secondary packaging material or as primary packaging material on dry goods.

**SECTION 7. –Monitoring of Ordinance.** The Municipal Environment Council/Barangay Tanods/kagawads shall monitor the effective implementation of this ordinance.

**SECTION 8. – Information Education and Communication Campaign.** Upon approval of this Ordinance, the municipality shall conduct information, education and communication campaigns in or/ by print, radio or facebook of the LGU Lubuagan) and shall also include the promotion of alternative biodegradable packaging materials.

**SECTION 9. -- Public Billboards, Notices in Barangays.** — Upon effectivity of this Ordinance, the Engineer's Office shall put up billboards in conspicuous places in the Municipality to notify the public of the restrictions and sanctions imposed by the ordinance.

**SECTION 10. – Prohibited Acts.** Establishments and / or individuals are prohibited from:

- (a) Selling and providing plastic bags to customers as secondary packaging materials on wet goods;
- (b) Selling and providing plastic bags to customers as packaging material on dry goods;
- (c) Disposing plastic wastes.

**SECTION 11. – Penalties.** All establishments who violate any of the prohibited acts stated above shall be punished through the imposition of the following penalties:

**First offense:** P500.00 fine  
**Second offense:** P1, 000.00 fine  
**Third offense :** P2,500.00 fine and or imprisonment of more than 6 months upon the discretion of the court and in the case of business establishments, cancellation of their license to operate for a period of one (1) year.

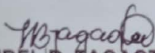
**SECTION 12. – Separability Clause.** If any part of this ordinance is declared as unconstitutional or unlawful, such declaration shall not affect the other parts or sections hereof that are not declared unlawful or unconstitutional.

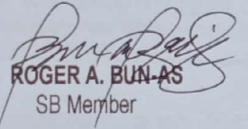


**SECTION 13. – Repealing Clause.** All previous ordinances inconsistent with this Ordinance shall be deemed repealed or modified accordingly.

**SECTION 14. Effectivity Clause.** — This Ordinance shall take effect fifteen (15) days after posting in at the Main RHU and municipal's posting area and upon its approval from the Sangguniang Panlalawigan .

**ENACTED BY THE SANGGUNIANG BAYAN OF LUBUAGAN, IN ITS SESSION ON JUNE 6, 2017.**

  
**MARIBEL B. YAGAOTAO**  
SB Member

  
**ROGER A. BUN-AS**  
SB Member

  
**RUDY D. OCAN**  
SB Member

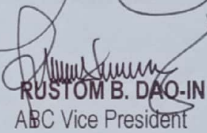
  
**VICTOR D. DICKLY**  
SB Member

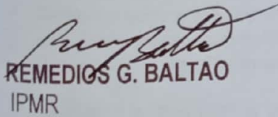
**JAYHARLEY B. DUGUIANG**  
SB Member  
(ON Official Business)

  
**JETT G. BAL-WANG**  
SB Member

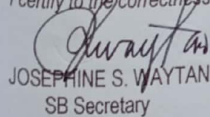
  
**RIESEL B. TOCYPAO**  
SB member

  
**JOCELYN T. ALICOG**  
SB Member

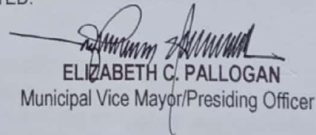
  
**RUSTOM B. DAO-IN**  
ABC Vice President

  
**REMEDIOS G. BALTAO**  
IPMR

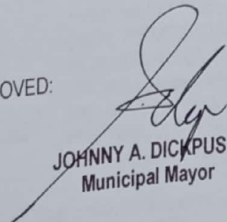
I certify to the correctness of the ordinance

  
**JOSEPHINE S. WAYTAN**  
SB Secretary

ATTESTED:

  
**ELIZABETH C. PALLOGAN**  
Municipal Vice Mayor/Presiding Officer

APPROVED:

  
**JOHNNY A. DICKPUS**  
Municipal Mayor