



Republic of the Philippines  
Province of Ilocos Norte  
**MUNICIPALITY OF SAN NICOLAS**



## OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE FIRST REGULAR SESSION OF THE 10<sup>TH</sup> SANGGUNIANG BAYAN  
OF SAN NICOLAS, ILOCOS NORTE HELD AT THE MUNICIPAL SESSION HALL  
ON THE 5<sup>TH</sup> DAY OF MARCH, 2018 AT 10:50 O'CLOCK IN THE MORNING.

**PRESENT:**

Hon. Edistio P. Valdez	Vice-Mayor/Presiding Officer;
Hon. Angel Miguel L. Hernando	Member;
Hon. Domingo C. Ambrocio, Jr.	Member;
Hon. Ariel B. Villa	Member;
Hon. Efren C. Butay	Member;
Hon. Norberto S. Dadiz, Jr.	Member;
Hon. Manuel D. Coloma, Sr.	Member;
Hon. Orlando B. Badua	Member;
Hon. Jessie Julito P. Pumaras, Sr.	Member.
Hon. Linda E. Badua,	Member/Liga ng mga Barangay President;

**ABSENT:**

None.

**“MUNICIPAL ORDINANCE NO. 2018-03**

**AN ORDINANCE REGULATING THE USE OF PLASTIC BAGS AND PROHIBITING THE USE AND SELLING OF STYROFOAM IN THE MUNICIPALITY OF SAN NICOLAS AND PRESCRIBING PENALTIES FOR VIOLATION 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 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. 447 (vi) of RA 7160 also empowers the Sangguniang Bayan to protect the environment and impose appropriate penalties for acts which endanger the environment to include such activities resulting to pollution, acceleration or eutrophication of rivers and cause ecological imbalance;

**WHEREAS**, plastic bags and styrofoams are rampantly used as packaging materials in the Municipality of San Nicolas and elsewhere;

**WHEREAS**, plastic bags and Styrofoam, being non-biodegradable materials clog our canals, creeks and other waterways, and during rainy season end up in the Ocean causing harm to marine life;

**WHEREAS**, despite serious efforts of the municipality to segregate compostable, recyclable and reusable waste materials, plastics and other similar materials remain in the waste stream and eventually become residuals;

**WHEREAS**, plastic bags and styrofoams eat up significant space in the final disposal facility, thus, contribute to its shortened life span;

**WHEREAS**, the Municipality is spending a considerable amount of money for operational and maintenance expenses on waste disposal;

*Page 2, Municipal Ordinance No. 2018-03;*

**WHEREAS**, the Municipality of San Nicolas in its desire to regulate the use of plastic bags and prohibit the use of styrofoams as packaging materials, encourages the utilization of eco bags and other environment- friendly materials as alternative packaging materials such as woven bags (bayong), cloth bags (katsa), paper bags and other similar materials (e.g. banana leaves, taro leaves etc.);

**WHEREAS**, it is imperative to regulate the use of plastic bags and prohibit the use of Styrofoam as food and product packages.

**BE IT ORDAINED BY THE SANGGUNIANG BAYAN IN SESSION ASSEMBLED, THAT:**

**SECTION 1. *Title.*** This ordinance shall be known as “An Ordinance Regulating the Use of Plastic Bags and Prohibiting the Use and Selling of Styrofoam in the Municipality of San Nicolas and Prescribing Penalties for Violation Thereof”.

**SECTION 2. *Definition of Terms.*** For purposes of this Ordinance, the following terms are defined as follows:

- a. Biodegradable – any substance that will decay relatively quickly as a result of the action bacteria and break down into elements such as carbon that are recycled naturally;
- b. Cloth Bag (a.k.a. Katsa) – Refers to a reusable packaging material made of cloth (biodegradable) used in the packaging of flour, wheat and other similar goods;
- c. Dry Goods – refers to any product that does not require refrigeration or freezing to maintain such as canned goods, textiles and clothing;
- d. Dry Market – generally refers to the store of products that do not require refrigeration or freezing to maintain;
- e. 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 (commercial or industrial). It shall also refer to thin-gauge packaging medium that is used as bags or wraps;
- f. Styrofoam – refers to a kind of light plastic material used to make disposable items, insulation and packaging material used as food containers, disposable cups, plates, etc.;
- g. Plastic Wastes – refers to any plastic packaging material thrown as waste;
- h. Primary Packaging Materials – refers to those types of packaging for containing wet produce, snack foods, frozen foods, hardware, etc.;
- i. 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;
- j. 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/eateris;
- k. Wet Market – generally refers to the store of products that require refrigeration or freezing to maintain. These include the wet section in public markets, supermarkets, mini marts, restaurants and carinderias/eateries; and

- I. Woven Bags (a.k.a. Bayong) – refers to biodegradable packaging material made of woven pandan or buri leaves and other similar materials.

**SECTION 3. *Regulating the Use of Plastic Bags***

- a. No business establishments including school canteens, cooperatives, ambulant vendors, peddlers and rolling stores shall be allowed to use plastic bags for primary and secondary packaging with dry goods except for special cases where stronger support is needed as determined appropriate by the MSWMB;
- b. Use of plastic bags on wet goods shall be allowed;
- c. The kind of plastic bags allowed to be used and sold shall be biodegradable and oxo-biodegradable;

**SECTION 4. *Prohibiting the Use and Selling of Styrofoams***

- a. All food chains, restaurants, supermarkets, eateries and other similar establishments including households within the municipality of San Nicolas, Ilocos Norte are prohibited from using and selling styrofoams:
  1. Use of styrofoams as food packages is prohibited;
  2. Use of Styrofoam, plates, cups, bowls and other packaging materials during events and celebrations i.e., padaya, paala, pamerienda and the like is prohibited.

**SECTION 5. *Monitoring of Ordinance.*** The Municipal Environment and Natural Resources Officer (MENRO) and the Solid Waste Management Board shall monitor the effective implementation of this Ordinance. The MENRO shall prepare a semi-annual report on the progress of the implementation of this Ordinance on its initial year.

**SECTION 6. *Information Education and Communication Campaign.*** Upon approval of this Ordinance, the municipality shall conduct massive information education and communication campaigns and shall also include the promotion of alternative biodegradable packaging materials.

**SECTION 7. *Miscellaneous Provisions.*** Use of disposable plastic cups and drinking straws is likewise prohibited except when deemed appropriate as determined by the MSWMB.

Moreover, this ordinance shall apply to traders, sellers and other businessmen from outside the municipality, doing business in San Nicolas.

**SECTION 8. *Implementing Rules and Regulations.*** Within thirty (30) days from the approval of this Ordinance, the necessary rules and regulations shall be issued by the Mayor for the proper and effective implementation of this Ordinance.

**SECTION 9. *Penalties.*** All persons and business 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 and/or imprisonment of not more than six (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 10. 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 11. Repealing Clause.** All previous ordinances inconsistent with this Ordinance shall be deemed repealed or modified accordingly.

**SECTION 12. Effectivity.** This Ordinance shall take effect upon its approval from the Sangguniang Bayan.

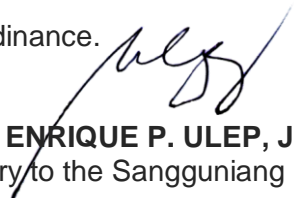
**UNANIMOUSLY APPROVED.**


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Voting on the foregoing ordinance was as follows:

- AYES : Members Hernando, Ambrocio, Jr., Villa, Butay, Dadiz, Jr., Coloma, Sr., Badua, O., Pumaras, Sr. and Badua, L.
- NAYS : None.
- ABSTAINED : None.

I hereby certify to the correctness of the foregoing ordinance.

  
**ENRIQUE P. ULEP, JR.**  
 Secretary to the Sangguniang Bayan I

**ATTESTED:**  
  
**EDISTIO P. VALDEZ**  
 Vice-Mayor/Presiding Officer

**APPROVED:**  
  
**ALFREDO P. VALDEZ, JR., M.D.**  
 Municipal Mayor

Approved on: March 26, 2018