

Republic of the Philippines  
**SANGGUNIANG PANLUNGSOD**  
**CITY OF MAKATI**

**PRESENT:**

Vice Mayor	ERNESTO S. MERCADO – Presiding Officer
Councilor	JEJOMAR ERWIN S. BINAY, JR.
“	ISRAEL S. CRUZADO
“	FERDINAND T. EUSEBIO
“	ERLINDA S. GONZALES
“	OSCAR M. IBAY
“	DIVINA A. JACOME
“	RICARDO S. JAVIER
“	FRANCISCO Z. LICHAUCO
“	SALVADOR D. PANGILINAN
“	NELSON S. PASIA
“	ASTOLFO C. PIMENTEL
“	LIBERATO G. SIARON
“	ELIAS V. TOLENTINO, JR.
“	JOHNNY S. WILSON
“	CHRISTINE P. MERCADO – SK President
“	RODOLFO F. SESE - Sectoral Representative

**ABSENT:**

Councilor	RICO J. PUNO – Vacation leave
“	ROMEO C. MEDINA

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By unanimous vote of the members present the following City Ordinance was enacted on third and final reading:

**CITY ORDINANCE NO. 2003-095**

Authors: Councilors R.C. Medina, R.F. Sese, R.J. Puno  
C.P. Mercado and L.G. Siaron

AN ORDINANCE ADOPTING THE MAKATI CITY SOLID WASTE  
MANAGEMENT CODE AND PROVIDING PENALTY FOR  
VIOLATION THEREOF, SUBJECT TO ALL LAWS AND EXISTING  
LEGAL RULES AND REGULATIONS.

**WHEREAS**, R. A. 9003 otherwise known as the Ecological Solid Waste Management Act of 2000, provides that the Policy of the State is to adopt a systematic, comprehensive and ecological solid waste management program which shall ensure the proper segregation, collection, transport, storage, treatment and disposal of garbage and adoption of the best environmental practices in solid waste management;

**WHEREAS**, the Local Government Code of 1991 empowers the local government units to enact/approve ordinances which shall ensure an efficient and effective system of solid waste and garbage collection and disposal including the prohibition on littering and the placing or throwing of garbage, refuse and other filth and waste;

**WHEREAS**, the Makati City Sangguniang Panlungsod recognizes the need to have a Solid Waste Management Code for the City, providing therein a systematic solid waste management process for household, business establishments and institutions, incorporating thereby waste related ordinances.

NOW THEREFORE, BE IT ENACTED AS IT IS HEREBY ENACTED BY THE SANGGUNIANG PANLUNGSOD OF MAKATI, METRO MANILA, BY VIRTUE OF THE POWERS VESTED IN IT BY LAW, IN SESSION ASSEMBLED, THAT:

## **CHAPTER 1**

### **General Provisions**

**Section 1. SHORT TITLE** - This ordinance shall otherwise be known as the **Solid Waste Management Code of the City of Makati**.

**Section 2. DEFINITION OF TERMS** - As use in this ordinance, the following terms shall mean:

BIO-DEGRADABLE	Any thing that originate from living things, whether animal, plant or human, which decomposes and reduced into fine particles by microorganism or enzymes, e.g. paper, wood, fruits, peels, left over, seed, fish, fowl innards and the like.
BULKY WASTE	Waste that has large volume by itself, generally materials with a length of more than one meter e.g. refrigerator and other appliances, furniture, large branches of trees.
COLLECTION	The gathering/collecting of stored waste, setting it out and hauling them to transfer stations or to other facilities.
COLLECTION EQUIPMENT set out for collection.	Vehicle used in the gathering of stored waste
COLLECTION SCHEDULE	Designated time given for the collection of waste in the route.

CONSTRUCTION/DEMOLITION DEBRIS	Solid waste arising from construction and demolition of structure, such as earth mounds, dilapidated concrete, pieces of stones, rocks and woods, metal and plastic scraps.
DISCHARGE OR SET OUT	Putting or setting out of stored waste set out for collection.
ENVIRONMENTAL FRIENDLY MATERIALS	Products which are biodegradable and have no harmful effect to the environment such as paper plates, paper bags, paper caps, paper board-food packs and the like.
GARBAGE COLLECTOR	Any person tasked to pick up stored waste set out for collection.
IMMEDIATE SURROUNDING	Frontage or immediate vicinity of the house or establishment.
JUNK DEALER	Any person engaged in recovering recyclable materials as a trade or business.
LITTER	Waste improperly set out or scattered, with a volume of one (1) liter (1,000 ml) or less.
NON-BIODEGRADABLE	Any thing which comes from a non-living source which does not easily decompose, e.g. cans, metals, glass, bottles, plastics, styrofoam, rubber, cloth, fibers, feather, leather, hard shells and bones.
PUSH CART/PEDICAB	Vehicles used for the collection or recyclable materials in every household and establishments to be sold to junk dealers.
SCAVENGING	The act of opening stored waste set out for collection and disposal to retrieve recyclable or reusable materials.
SELF-GENERATED WASTE	Waste that are generated by a house/establishment.
SOLID WASTE	<p>A non-liquid waste material arising from domestic or household. It also includes waste arising from the conduct of public services such as street sweeping, clean and green activities, and the clearing of typhoon-wrought debris. Or</p> <p>Any solid or semi-solid material resulting from human and animal activities that are considered useless, unwanted or hazardous, or</p>

	Any material that becomes waste only when a specific owner ceases to have use for it.
SPECIAL COLLECTION	Collection outside of the regular garbage collection schedule, in compliance to the request or complaint received.
STORAGE	Isolation of waste from the environment to prevent health hazard and to facilitate collection.
TOXIC & HAZARDOUS WASTE	Waste that is harmful to human beings, plants and animals and the environment, by reason of its quantity, concentration or physical, chemical or infectious characteristics.
VACANT LOT	Any lot occupied, idle, abandoned, whether residential, commercial and industrial, not intended for open spaces, parks, playground, road, alleys and the like.
YARD WASTE	Refers to wood, small or chipped branches, leaves, grass clipping, garden debris, vegetable residue that is recognizable as part of a plant or vegetable and other material accumulated by reason of trimming, pruning and weeding of plants and trees.

## **CHAPTER II**

### **Solid Waste Management System**

#### **Section 3. Basic Concepts**

Basically, any waste should be left in the place of purchase or in the household and no other person or individual in between has the obligation to keep that waste. All stores, establishments and households are required to have suitable trash receptacles to keep one's garbage to be kept inside its premises and not on the sidewalk except during scheduled collection time.

#### **Section 4. Storage of Waste**

- 4.1 Waste shall be stored only in the place of purchase or in the household. Under no circumstances shall waste be stored in any other place. Waste shall be stored only within the premises of the generator.

On collection day, the waste may be placed immediately beside the fence of the owner. The waste shall be packed and tied to prevent scattering and spillage.

- 4.2 Waste shall be stored and set out for collection in a closed plastic bag or any appropriate container to avoid the entry of insect, pest and vermins, escape of bad odor; and spillage of leachate. Unpacked, improperly packed and spilled garbage shall not be collected.

Spilled garbage due to improper packing shall not be collected. The owner shall be responsible in sweeping, cleaning and repacking of the spilled garbage and shall clean the mess caused by it.

- 4.3 Household toxic and hazardous waste (THW) shall be placed in a separate appropriate container and shall be disposed of in a specific manner in accordance with R.A. 6969. Broken glasses or lamps and other sharp objects shall be securely enclosed in hard cardboard with tie to prevent injury to handlers and rip and tear of bags/containers.

### **Section 5. Discharge or Set Out of Waste for Collection**

- 5.1 Waste shall be set out for collection only within the scheduled date and time of collection.
- 5.2 Household, commercial establishments and institutions shall set out their waste conspicuously only in front of their premises during the designated collection time.
- 5.3 Bulky waste shall be collected separately or scheduled for special collections.
- 5.4 No burning of waste shall be allowed at source.

### **Section 6. Waste Collection System**

- 6.1 Only the authorized garbage collector shall be allowed to handle the waste from the generators.
- 6.2 Selling, scavenging and sorting or “pag-bubulasi” by the garbage collection crew or other person shall not be allowed at all times. Violation of this rule shall be the cause of outright dismissal of the employee and the contractor shall be held liable for its crew and may cause the suspension or termination of the contract of the contractor with the City Government.
- 6.3 All garbage collectors, drivers and those involve in the collection of refuse shall be required to wear proper uniforms and identification cards to be prescribed by the City. They must posses an up-to-date health certificate issued by the City Health Officer.
- 6.4 The garbage collector shall empty and return all containers to the designated collection area with care. Paper and other temporary containers shall be collected.
- 6.5 The garbage collector shall not dent, bent or otherwise damage or alter the condition of the container.

- 6.6 Waste collected shall only be transported directly to the prescribed disposal site.
- 6.7 Junk dealers are not allowed to collect recyclable materials during the scheduled time of collection.
- 6.8 Scrap buying and selling shall not be allowed during the scheduled collection time.

**Section 7. Waste Collection Truck Standards**

**7.1 Collection Equipment Standards**

- a) All collection equipment shall be registered with the city government to ensure the proper markings, safety and sanitation of the vehicle.
- b) All collection equipment shall be provided with visible and proper markings of plate and body number on both sides, name and telephone number of the contractor. Markings shall have a minimum of twenty (20) centimeters (8 inches) in height.
- c) All collection truck shall be in good body condition and equipped with tools and spare tires. No sacks nor any eyesore must be seen hanging in the truck.
- d) All collection trucks shall meet the emission standard set by the DENR including smoke-belching standards.
- e) Collection trucks and all equipment shall be kept clean and properly maintained and shall be washed after each disposal.

**7.2 Waste Collection/Transport Standard**

- a) All trucks shall be properly covered to prevent spillage of garbage and escape of odor when travelling.
- b) All trucks shall have complete taillights, flasher, side mirror, plate number, tailgate, wiper and horn.
- c) Contractors shall not park their garbage collection truck and other equipment along any of the streets and major thoroughfares within the city limits, nor shall it use any property within the city of Makati, whether public or private as transfer station for garbage hauled by it without written authority from the city.
- d) Reckless driving/irresponsible driver, crew under the influence of liquor, regulated and prohibited drugs shall not be allowed.
- e) Owners and operators of trucks shall sanitize, disinfect and deodorize the collection trucks before leaving the dispatching area and after its disposal.

- f) All trucks shall be equipped with proper cleaning and clearing tools, e.g. brooms, dustpans, spade, shovels, etc. for cleaning and collecting spillage garbage caused by the collector's improper handling.

### **CHAPTER III**

#### **Installation of Provisional Wall**

**Section 8.** Owners of vacant lots within the City of Makati are required to keep their lots enclosed by a provisional wall made of indigenous materials like sawali, G.I. Sheets, barbed wire, interlinked wire and the like with a height in accordance with the requirement of the National Building Code to prevent it from becoming a dumping area of refuse.

### **CHAPTER IV**

#### **Segregation/Sorting-out of Solid Waste Refuse Into Bio-Degradable (wet) and Non Bio-Degradable (dry)**

**Section 9.** All owners, lessee, tenants and the like of residential houses, commercial establishments, buildings and other entities within the City of Makati are required to separate, sort-out their solid waste, refuse, garbage materials into Bio-Degradable (Nabubulok) and Non-biodegradable (Hindi Nabubulok).

**Section 10.** Requirement of segregation for site collection:

##### **For individual household:**

Enclosed plastic bag with separate and appropriate markings of the word "Bio-Degradable" or "Nabubulok" and "Non-Biodegradable" or "Hindi Nabubulok".

##### **In case of premises containing six (6) or more residential units:**

In addition to the obligation of individual household, owner/person in charge shall provide a designated area and separate containers for each type of waste.

##### **For commercial, institutional and industrial establishments:**

Owners/managers/head/person responsible for the operation shall be required to provide a designated area and separate containers for each type of recyclable materials.

**Solid Waste shall be disposed of in accordance with the procedures provided in Chapter II hereof.**

**Section 11.** Any person who posses unsegregated garbage during the time of garbage collection is presumed to be the violator under this chapter.

## **CHAPTER V**

### **Maintenance of Clean and Sanitary Frontage and Immediate Surroundings**

**Section 12.** Household owners/caretakers/tenants/establishment owners, managers or any person responsible for the operations of establishment within the City of Makati are required to maintain their frontage and immediate surrounding clean and sanitary.

In case of the contractor hired by the owner to construct buildings or structures in his/her area, the contractor shall be required to provide receptacles/storage for the construction debris/materials that may accumulate on account of the construction activity, pending its collection and disposal.

**Section 13.** All person covered by this chapter are required to report and coordinate to the Makati Solid Waste Office within 24 hours from the time of accumulation of bulky waste or construction/demolition debris in their property, yard or immediate surroundings and accordingly coordinate with the said office the collection and disposal thereof.

However, in case of self-generated bulky waste or construction/demolition debris, the house owner/care taker or establishment owner/manager/person responsible for its operations, before generating bulky waste or undergoing construction/demolition activity, shall have prior coordination with the Solid Waste Management Office on the collection and disposal thereof.

#### **13.1 Fees and Charges**

Fees and Charges for special collection and disposal shall be paid by person/persons responsible for the generation of bulky waste at the rate to be determined by the Makati Solid Waste Management Office on a per volume basis.

**Section 14.** In the same manner, they are also required to coordinate with the Makati Solid Waste Management Office in the event of their trimming, pruning and weeding of plants, trees and grass or accumulation in their immediate surroundings of woods, small or chipped branches, leaves, grass clipping, garden debris and vegetable residue to facilitate its prompt and proper disposal.



## **CHAPTER VI**

### **Installation of Trash Receptacles on Public Utility Vehicle**

**Section 15.** All owners/operators/drivers of buses, jeeps and taxis for public use, operating within or traversing through the territorial jurisdiction of the City of Makati, shall provide trash receptacle in their vehicle as prescribed by the Solid Waste Management Office.

## **CHAPTER VII**

### **Dumping and Littering of Waste**

**Section 16.** The dumping, placing, throwing, scattering of waste, refuse or garbage matters, papers, cigarette butts and the like, in any place in the streets or public building or property, including waterways, river banks not otherwise designated as garbage dumping place is hereby prohibited.

## **CHAPTER VIII**

### **Push Cart/Pedicab Registration**

**Section 17.** All pushcart/pedicab owners/operators operating within the City of Makati in line with recycling business and garbage collection are required to register their pushcart at the Solid Waste Management Office for purposes of monitoring pushcart operations.

**Section 18.** Pushcart/pedicab used without registration as required in this chapter shall be confiscated and its operator shall be penalized in accordance with the penalty imposed in Section 25 hereof.

**Section 19.** The Solid Waste Management Office will provide the policy and guidelines of pushcart registration.

**Section 20.** **Obligation of Junk shop operators operating within the City of Makati:**

- 20.1 Shall provide an area for the sorting and storing of each type of recyclable materials and maintain their area of operation and immediate surroundings clean and sanitary.
- 20.2 Shall record the volume of each type of recyclable materials collected everyday and submit a written report quarterly to the Makati Solid Waste Management Office for the purpose of monitoring.

## **CHAPTER IX**

### **Use of Environmental-Friendly Materials**

**Section 21.** All food chains, restaurants, supermarkets, eateries and other similar establishments within the City of Makati, are given nine (9) years to dispose all of their stocks of plastics, styrofoams and the like that are being used as food and product packages and shall be replaced by environmental-friendly materials such as paper plates, paper bags, paper cups, paper board-food packs and other similar biodegradable materials.

**Section 22.** **Gradual Reduction of Stocks:**

For the first 5 years, 5% reduction each year  
Succeeding 3 years, 20% reduction each year  
For the last 1 year, 15% reduction

**Section 23.** For purposes of monitoring, establishments mentioned in this chapter shall be required to give the Makati City Solid Waste Management Office a written updated inventory report at the end of each year on the number of their stocks of plastics, styrofoams, plastic caps and the like that are being used as food and product packages.

## **CHAPTER X**

### **Administrative Procedure and Imposable Administrative Fines**

**Section 24.** **Administrative Fines:**

- 24.1 Issuance of Citation Tickets** - Violator/s of any provision of this ordinance shall be issued Citation/Violation Ticket by Makati City Environmental Sanitation Police/Enforcers or other environmental enforcers deputized by the city, informing them the nature of the infraction committed and the corresponding fines to be paid.
- 24.2 Payment of Fines** - If the violator is a corporation, firm, institution or other corporate entities, the president, manager or person responsible for its operation shall be held liable. The head of association or owner of mall, condominium, tenement house and household shall be the respondent in case of violation of this Ordinance.
- 24.3 Compliance to this Ordinance shall be a pre-requisite for the issuance or renewal of business permit for commercial and industrial establishments.**

## CHAPTER XI

### **Penal Provision**

#### **Section 25. Penalty**

25.1 Any person who shall violate, disobey, refuse and/or neglect to comply with any of the provision of these ordinance shall be punished in accordance with the following penalty:

**Individual** - a fine of One Thousand Pesos (P1,000) or imprisonment of not less than five (5) days but not more than thirty (30) days or both fine and imprisonment depending upon the discretion of the court.

**Corporation/Establishment** - a fine of Five Thousand Pesos (P5,000) or imprisonment of not less than Thirty (30) days but not more than One (1) year or both fine and imprisonment depending upon the discretion of the court.

In case the violator of the provision of this Ordinance is a garbage contractor hired by the city the penalty provided under the garbage hauling contract shall be enforced, if applicable.

25.2 Fines or penalty imposed herein shall be without prejudice to the administrative sanctions that may be imposed to erring establishments.

## CHAPTER XII

### **Collection and Disposition of Fines**

**Section 26.** The payment of fines for violation of this Ordinance shall be at the City Treasurer's Office.

26.1 The fines collected in violation of the Ordinance shall accrue in favor of the following:

26.1.1 60% to the city government

26.1.2 15% to fund Research and Development Projects related to waste management of the LGU SWM Board.

26.1.3 25% to fund the incentive program in support to this Ordinance.

**CHAPTER XIII**

**Conduct of Public Information, Education and Communication (IEC)  
Campaigns**

**Section 27.** The city government in cooperation with other government agencies shall conduct a massive public awareness campaign to inform and instruct the people and communicate with people and all stakeholders on matters relative to the implementation of the Solid Waste Management Code.

**CHAPTER XIV**

**Provision for Implementation**

**Section 28.** The City Mayor may issue subsequent rules, implementing guidelines and system of procedures.

**CHAPTER XV**

**Final Provision**

**Section 29. Repealing Clause:** Makati City Ordinance Nos. 93-111, 93-299, 94-121, 90-264, 88-04 and 2002-005, are hereby repealed.

**Section 30. Separability Clause:** If, for any reason or reasons, any part or provisions of this ordinance shall be held to be unconstitutional or invalid, other parts or provisions hereby which are not affected thereby shall continue to be in full force and effect.

**Section 31. Effectivity Cause:** This Ordinance shall take effect after the conduct of Information, Dissemination Campaign for a period of three (3) months which shall start immediately fifteen (15) days after its publication in two (2) newspaper of general circulation in Metropolitan Manila.

ENACTED BY THE SANGGUNIANG PANLUNGSOD OF MAKATI, METRO MANILA, in its regular session held on November 18, 2003.

Certified true and correct by:

**ROGELIO U. MARASIGAN**  
City Secretary

Attested by:

**ERNESTO S. MERCADO**  
Vice Mayor & Presiding Officer

APPROVED:

**JEJOMAR C. BINAY**  
City Mayor

/etc