NATIONAL ADMINISTRATIVE REGISTER · AUGUST 22, 1996

PROHIBITING LITTERING/DUMPING/THROWING OF GARBAGE, RUBBISH OR ANY KIND OF WASTE IN OPEN OR PUBLIC PLACES, AND REQUIRING ALL OWNER'S, LESSEES OCCUPANTS OF RESIDENTIAL, COMMERCIAL...

MMDA REGULATION NO. 96-009, August 22, 1996

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WHEREAS, among the major problems in Metropolitan Manila is the indiscriminate dumping/throwing/littering of garbage, refuse, filth and other kinds of solid waste in public places, canals, rivers, drainage and other waste outlets;

WHEREAS, it is the prime duty and responsibility of all the constituents of Metropolitan Manila to keep their respective environment or surroundings clean and wholesome;

WHEREAS, Republic Act (RA) No. 7924 creating the Metropolitan Manila Development Authority (MMDA), mandate among others, the MMDA to formulate and implement policies, rules and regulations, standard, programs and project for the promotion and safeguarding of the health and sanitation of the region and for the enhancement of ecological balance and the prevention, control and abatement of environment pollution;

WHEREAS, the MMDA in its desire to regulate the indiscriminate dumping/littering/throwing of garbage, refuse, filth and other kinds of solid waste in public places, rivers, canals, drainage and other water outlets, the Metro Manila Council (Council) in session assembled agreed to enact an anti-littering regulation and other measures in Metropolitan Manila;

NOW, THEREFORE, pursuant to Section 6 of R.A. 7924, the Council hereby adopts and enacts this Regulation:

SECTION 1. Definition of Terms —

a. Solid Waste — are refuse arising from human, animal and industrial activities that are normally solid nature and discarded or thrown away as useless and/or unwanted. They are normally classified into degradable (biodegradable) and non-degradable (recyclable/re-usable) and characterized into different types i.e. garbage, rubbish, junk vehicles and appliances, industrial and special waste and generated from residential, market, commercial (department stores, restaurant , hotels, etc.) streets sweeping, construction and demolition debris.

b. Domestic Waste — are food residues, food preparation waste and spoilages, paper and other products, metals , plastics and rubber, rugs and clothes, process residues, yard trimmings and woods.

c. Junk vehicles and appliances — are those abandoned vehicles and metal products such as refrigerators, air-conditioners, television, etc.

d. Industrial Waste — Are organic and inorganic residues, hazardous material, hazardous and toxic chemicals, metals and wood.

e. Special Waste — are usually bulky wastes, sewage residues, streets sweepings, pollution control residues, pathological (hospital) waste, construction and demolition debris.

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f. Open public place — are roads, streets, sidewalks, easements, parks and other open spaces, bridges, alleys, overpasses, rivers, creeks, canals, drainage, esteros, waterways and other bodies of water and outlets.

g. Covered public places — includes schools, colleges, universities, museums, clinics, health's centers, dispensaries, laboratories, government or private offices, auditorium/stadium/gymnasium/session halls, churches, convention centers, theaters/movie houses/studios, bar, restaurants/cocktail lounges/canteen/kiosk, and other enclosed public eating places, dance halls/disco houses, day and night clubs, beer pub houses, hotels, motels, department stores, markets/groceries, factories, plants and other covered places where people stay or gather for political, social, education, religious, sports or entertainment purposes.

h. Immediate surroundings — refers to the frontage, including up to the mid-span of the road, alley or avenue (excluding highways and major thoroughfares) from the edge of the street gutter, sidewalks of residential houses, dwelling units, business/commercial establishments or offices whether private or public.

i. River, canals, drainage and other water outlets — refers to all waterways and outlets within the jurisdictional boundaries of Metro Manila.

j. Street and Sidewalk obstructions — mean any forum of waste which is immovable and bulky in nature because of its size and weight which may obstruct or impede the free flow of traffic and pedestrian.

SECTION 2. Prohibited Acts —

a. It is unlawful to dump, throw or litter, garbage, refuse or any form of solid waste in public places and immediate surroundings, including vacant lots, rivers, canals, drainage and other ways as defined in Section 1 of this Regulation and to urinate, defecate and spit in public places.

b. The owners/residents, lessees or occupants of residential houses/dwelling units, vacant lots, the owners, proprietors, operators, administrators or dormitories, condominiums, commercial buildings and offices whether private or public institutions like schools and churches are obliged everyday to sweep clean and to maintain the cleanliness of their respective frontage and immediate surroundings, including the sidewalks and street gutters fronting their premises as defined in Section 1 hereof.

c. It is unlawful to bring out garbage on the property line of residential and commercial establishments or any part of the road which must be stored in properly sealed plastic containers and to be brought outside only upon arrival of the authorized garbage hauling trucks in their respective localities.

d. It is unlawful for any person to place, store, or dump construction wastes or debris, junked or under repair vehicles, dilapidated appliances and other immovable objects in any part of the road, street or avenue or in any sidewalk which may obstruct or impede the vehicular and pedestrian traffic.

e. The owners, operators, drivers, and conductors of public utility vehicles plying within the metropolis are obliged to clean and maintain the cleanliness of their respective vehicles at all times and to provide a modest trash receptacles inside their vehicles.

f. It is unlawful for the owners, operators, proprietors of public conveyance, trucks, lorries, tankers, delivery vans, and other commercial and transportation facilities to spill, scatter or litter any kind or form of waste defined in Section 1 hereof or any of their loads on any part of the road, street or avenue on their way to their destination.

g. It is unlawful for any person or group of individuals to enter into a contract or offer its services for a fee for the disposal of domestic waste to a group of household in a community, unless otherwise, authorized and permitted by concerned local government unit or homeowners' associations in private subdivisions in the form of livelihood projects to propagate reduction, recycling and reuse of waste.

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h. It is unlawful for any person/s, private and public corporations, advertising and promotions companies, movie producers, professionals and service contractors to post, install, display any kind of form of billboards, signs, posters, streamers, professional service advertisements and other visual clutters in any part of the road, sidewalk, center island, posts, trees, parks and open space.

SECTION 3. Conduct and Time of Inspection — That the strict implementation and supervision of this regulations shall be done by the Metropolitan Manila Development Authority or its deputized representatives, agents and sanitary enforcers who shall conduct regular inspection of residential, commercial establishments daily from 7:00 o'clock a.m. to 9:00 o'clock a.m., and then from 5:00 o'clock p.m. to 7:00 o'clock p.m. to ascertain and establish whether the guidelines provided for under Section 2 par. (c) of this regulation is strictly observed and followed.

SECTION 4. Penalties —

a. Any person found to be violating paragraph (a), (c), (e), and (f) Section 2 of this Regulation shall be penalized by an administrative fine of Five Hundred Pesos (P500.00) or community service of one (1) day .

Failure to pay the administrative fine the violator shall be penalized, after conviction, by a fine of One Thousand Pesos (P1,000.00) or imprisonment of three (3) to seven (7) days of arresto menor or both at the discretion of the court.

b. Violation of paragraphs (b), (d), (g), and (h) Sec. 2 of this Regulation shall subject the person, owner, proprietor, administrator, operator, manager of any business establishment to an administrative fine of One Thousand Pesos (P1,000.00) or community service of three (3) days.

c. Failure to pay the administrative fine, the owner/resident/lessee or occupant of a residential house/dwelling unit/proprietor/manager of any business/commercial establishments, after conviction, shall be penalized by a fine of Two Thousand Pesos (P2,000.00) or imprisonment of seven (7) days to one (1) month of arresto mayor or both at the discretion of the court.

SECTION 5. Special Provisions —

a. For illegally dumping of bulky waste, factory/construction debris and others of similar nature that requires hauling, the violator shall be liable to pay an additional hauling fee of Two Hundred Pesos (P200.00) per cubic meter in addition to the penalty provided in Section 3 hereof.

b. The violator shall be required to pay a towing fee of One thousand and Five Hundred (P1,500.00) Pesos, in addition to the penalty provided in Section 3 hereof, if the junk vehicle/s illegally dumped are towed by MMDA or its duly accredited Two Trucks.

SECTION 6. Disposition of Fines

a. The fines collected in violation of this Regulation shall accrue in favor of the following:

1. 100% to the Local Government Unit (LGU) where the violation was committed if the apprehending officer is under the LGU concerned;

2. 50% to the MMDA and 50% to the LGU where the violation was committed if the apprehending officer is an MMDA enforcer.

b. MMDA shall formulate the implementing guidelines/systems of procedure relative, but not limited to the issuance of the Environmental Citation Ticket (apprehension ticket), payment of fines, and others.

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The implementing guidelines shall be appended to this Regulation and shall form an integral part thereof.

SECTION 7. Coverage — This Regulation shall apply to all cities and municipalities of Metropolitan Manila.

SECTION 8. Separability Clause — Any portion of this Regulation which may be declared unconstitutional or invalid by Court shall not affect or invalidate the other provisions or portions of this Regulation.

SECTION 9. Repealing Clause — This Regulation shall be in support of and will not in any manner repeal, amend nor modify any existing local ordinance on anti-littering in Metropolitan Manila.

SECTION 9. Effectivity — This Regulations shall take effect fifteen (15) days after its publication in two (2) newspapers of general circulation in Metropolitan Manila.

Adopted: 22 Aug. 1996

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(SGD.) IGNACIO R. BUNYE

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