

IMPLEMENTING RULES & REGULATIONS OF ORDINANCE NO. SP-2350, SERIES OF 2014,
OTHERWISE KNOWN AS THE QC ENVIRONMENT CODE

RULE I – GENERAL PROVISIONS

Section 1. *Short Title.* – This Implementing Rules and Regulations is promulgated pursuant to Section 1, Chapter XII of Ordinance No. SP-2350, series of 2014, otherwise known as the Environmental Protection and Waste Management Code of Quezon City or the “QC Environment Code.” For brevity, this Implementing Rules and Regulations shall hereinafter be referred to as “IRR.”

Sec. 2. *Statement of Vision for the Environment of Quezon City.* – Quezon City aims to build a quality community that is characterized by balanced and healthful ecology in accord and harmony with nature. It is achieved by espousing sustainable development in establishing a lifestyle City that provides a consortium of conveniences for people living and/or working in this area.

Sec. 3. *Operative Principles.* – This IRR is based on the vision, mission, goals and objectives of the City to attain sustainable development based on the following principles embodied in the Code:

- 3.1. The right to development must be fulfilled so as to equitably meet developmental and environmental needs of present and future generations.
- 3.2. In order to achieve sustainable development, environmental protection shall constitute an integral part of the development process and cannot be considered in isolation from it.
- 3.3. The active participation of all residents is necessary to attain sustainable development.
- 3.4. The use of environment-friendly and appropriate technologies is a basic foundation for a healthy and progressive generation.
- 3.5. Climate change is a reality and adaptation to and mitigation of its impacts can be addressed by intensifying preparedness through access, availability, and provision of accurate information and skills to the people of Quezon City.
- 3.6. The polluter shall bear the costs of pollution.

3.7. Quezon City, as an instrumentality of the State, shall protect and promote the people's right to health.

Sec. 4. *Definition of Terms.* – As used in this IRR, the following terms shall be defined as:

4.1. AAPS – refers to the Ambient Air Pollution Section of the Pollution Control Division of the Department;

4.2. Air Pollution – refers to any alteration of the physical, chemical and biological properties of the atmosphere, or any discharge thereto of any liquid, gaseous or solid substances that will or is likely to create or to render the air resources of the City harmful, detrimental or injurious to public health, safety or welfare or which will adversely affect their utilization for domestic, commercial, industrial, agricultural, recreational, or other legitimate purposes;

4.3. Ambient Air Quality – refers to the general amount of pollution present in a broad area. More specifically, it refers to the atmosphere's average purity as distinguished from discharge measurements taken at the source of pollution;

4.4. Biodegradable – refers to any material that can be broken down by the action of micro-organisms or enzymes;

4.5. BPLO – refers to the Business Permits and Licensing Office;

4.6. Bulky Waste – refers to waste material which cannot be appropriately placed in separate containers because of either its bulky size, shape or physical attributes. These include large, worn out or broken household, commercial, and industrial items such as, but not limited to, furniture, lamps, bookcases, filing cabinets, and other similar items;

4.7. CAA – refers to the Clean Air Act of 1999;

4.8. Cease and Desist Order or CDO – refers to the *ex parte* Order directing the discontinuance of an operation resulting in the emission or discharge of pollutants exceeding the emission standards, or whenever such emission or discharge constitutes imminent threat to human, animal, or plant life; public health; or public safety. Non-compliance with an undertaking or agreement submitted to the concerned Department shall likewise be a ground for issuance of a CDO;

4.9. CEC – refers to the Certificate of Emission Compliance issued by DOTC LTO-authorized and DTI-accredited PETC;

4.10. Cell – refers to a unit service area where (a) solid wastes are generated in such volume and bulk as would require special services to collect, transport, and dispose

properly; and (b) the volume of wastes generated is equivalent to one truckload of solid wastes. Depending on the method of waste collection, location and proximity of waste generators, and the nature of wastes generated, a cell is classified either as a Main Road Cell, a Single/Multiple Source Cell or a Barangay Cell;

4.11. City – refers to the Quezon City Government;

4.12. Collection – refers to the act of removing solid wastes from source or from a communal storage point to be transported properly to the designated disposal site;

4.13. Collection Equipment – refers to the vehicle used in the gathering of stored waste set out for collection;

4.14. Collection Schedule – refers to the designated time given for the collection of waste in the route;

4.15. Commercial Waste – refers to organic and inorganic residues coming from commercial establishments such as department stores, malls, hotels, restaurants, spas, and the like;

4.16. Compost – refers to the decayed organic material for use as soil conditioner or fertilizer;

4.17. Composting – refers to the controlled decomposition of organic matter such as food waste, garden waste, animal waste, human waste, by micro-organisms such as bacteria and fungi into humus-like product;

4.18. Compression Ignition Engine – refers to an internal combustion engine in which atomized fuel temperature is raised through compression, resulting in ignition, e.g., diesel engines;

4.19. Concerned Department – refers to any or a combination or all of the following Departments, namely: Environmental Protection and Waste Management Department (EPWMD), Quezon City Health Department (QCHD), Department of the Building Official (DBO), Parks Development and Administration Department (PDAD), Business Permits and Licensing Office (BPLO) or any other department or office of the City;

4.20. Construction and Demolition Debris – refers to the solid wastes arising from the construction and demolition of structures, such as earth mounds, dilapidated concretes, pieces of stones, rocks and wood, metal and plastic scraps;

4.21. DAO – refers to A DENR Administrative Order;

- 4.22. DBO – refers to the Department of the Building Official;
- 4.23. Decibel – refers to a measure of sound level and is equal to 10x the logarithm of the square of a measured sound pressure level (SPL) divided by a reference sound pressure;
- 4.24. DENR – refers to the Department of Environment and Natural Resources;
- 4.25. Department – refers to the Environmental Protection and Waste Management Department (EPWMD) and such department or office that may thereafter be created to succeed it or that may subsequently perform its functions;
- 4.26. Discharge – includes, but is not limited to, the act of spilling, leaking, pumping, pouring, emitting, emptying, releasing, or dumping of any material into a body of water, or onto land, from which it might flow or drain into said body of water;
- 4.27. Disposal – refers to the discharge, deposit, dumping, spilling, leaking, or placing of any solid waste into or in any land;
- 4.28. Domestic Sewage – refers to wastewater composed of raw liquid and solid waste coming from residential and commercial uses, exclusive of industrial and hazardous waste;
- 4.29. Domestic Sludge – refers to solid particle of domestic sewage which settles at the bottom of the sedimentation tank and is digested by anaerobic bacteria, purely from domestic sources, exclusive of industrial and hazardous waste;
- 4.30. Domestic Waste – refers to refuse from households which may be classified as biodegradable (compostable) and non-biodegradable (non-compostable);
- 4.31. DOTC – refers to the Department of Transportation and Communication;
- 4.32. DPOS – refers to the Quezon City Department of Public Order and Safety;
- 4.33. Dry or non-biodegradable garbage or waste – refers to post-consumer materials which can be transformed into new product or to another usable material, or processed and used as a raw material in the manufacturing of a recycled product;
- 4.34. DTI – refers to the Department of Trade and Industry;
- 4.35. Dumping – refers to any unauthorized or illegal disposal into any body of water or land, of wastes or toxic or hazardous material: *Provided*, That it does not mean the release of effluents coming from commercial, industrial, and domestic sources which are within the effluent standards;

- 4.36. Ecological Solid Waste Management – refers to the systematic administration of activities which provide for segregation at source, segregated transportation, storage, transfer, processing, treatment, and disposal of solid waste and all other waste management activities which do not harm the environment;
- 4.37. Effluent – refers to the discharges from a known source which is passed into a body of water or land, or wastewater flowing out of a manufacturing plant, industrial plant, including domestic, commercial, and recreational facilities;
- 4.38. Effluent Standard – refers to any legal restriction or limitation on quantities, rates, and/or concentrations or any combination thereof, of physical, chemical, or biological parameters of effluent which a person or point source is allowed to discharge into a body of water or land;
- 4.39. Emission – refers to any measurable air contaminant, pollutant, gas stream or unwanted sound from a known source which is passed into the atmosphere;
- 4.40. Enforcer – refers to a bona fide personnel duly authorized by the Head of the concerned Department to implement this IRR;
- 4.41. Environmental Management – refers to the entire system which includes, but not limited to conservation, regulation and minimization of pollution, clean production, waste management, environment law and policy, environmental education and information, study and mitigation of the environmental impacts of human activity, and environmental research;
- 4.42. EMB – refers to the Environmental Management Bureau of the DENR;
- 4.43. EVR – refers to the Environmental Violation Receipt;
- 4.44. Fieldwork – refers to any work done outside of Office of the concerned Department by its duly authorized personnel for purposes of enforcement and implementation of the environmental laws, regulations and programs on environmental protection and waste management as provided in this IRR;
- 4.45. Freshwater - refers to water containing less than 500 ppm dissolved common salt, sodium chloride, such as that in groundwater, river, pond and lake;
- 4.46. Garbage Collector/Crew – any person who is tasked to pick up and/or transport stored waste set out for collection;
- 4.47. Generation – refers to the act or process of producing solid waste;

4.48. Hazardous Waste – refers to solid waste or combination of solid wastes which, because of their quantity, concentration, or physical, chemical or infectious characteristics, may:

4.48.1. Cause or significantly contribute to an increase in mortality or an increase in serious, irreversible or incapacitating reversible illness; or

4.48.2. Pose a substantial present or potential hazard to human health and the environment when improperly treated, stored, transported, or disposed of, or otherwise managed;

4.49. Healthcare or Medical Waste – refers to biomedical waste such as pathological waste, *viz.*, human tissues, organs, body parts, blood or its components and body fluids; infectious waste such as used cotton, gauze, diapers/napkins, catheters, disposable infected sheets and the like which were used in isolation areas, operating rooms, delivery rooms, emergency rooms and laboratory; sharp objects such as used needles, syringes, scalpels, and broken ampoules/vials; and expired or spoiled medicines in any form or packaging;

4.50. Health Department – refers to the Quezon City Health Department;

4.51. Industrial Waste – refers to any solid, semisolid, or liquid waste material with no commercial value released by a manufacturing or processing plant other than excluded material;

4.52. In-Use Vehicle – refers to a motor vehicle duly registered with the LTO plying the routes in Quezon City;

4.53. Junkshop – refers to any establishment or business area in which “recyclables” are stored and/or traded;

4.54. Litter – refers to small pieces of waste or refuse such as candy wrappers, cigarette butts, tissue papers, fruit and vegetable peelings, and the like;

4.55. Littering – refers to the act of throwing or scattering small pieces of waste or refuse such as cigarette butts, candy wrappers, fruit and vegetable peelings, and the like;

4.56. LTO – refers to the Land Transportation Office, an agency under the Department of Transportation and Communications;

4.57. Mature Trees – refers to trees that have reached a height of at least seven (7) feet;

4.58. Medical Waste – refers to any solid waste that is generated in a diagnosis, treatment or immunization of human beings and animals, in research pertaining thereto, or in the production or testing of biologicals. For the purposes of this IRR, Medical Waste shall be understood to mean Healthcare and Medical Waste as defined in Sub-Section 4.49 of this Rule;

4.59. Mopping-Up Operation – refers to the follow-up collection of garbage along main roads and other streets as may be deemed necessary or required by the City even after the designated collection schedules have been carried out;

4.60. Motorcycle – refers to any two-wheeled motor vehicle with at least one headlight, taillight and stoplight and one or more saddle seats. For purposes of this IRR, motorcycles shall include motorcycles with attached cars, also known as “Tricycles”;

4.61. Motor Vehicle – refers to any vehicle propelled by a gasoline engine or by any means other than human or animal power, constructed and operated principally for the conveyance of persons or the transportation of goods in a public highway or street open to public use;

4.62. Motor Vehicle Registration (MVR) – refers to the official recording of a motor vehicle by the LTO subject to the conformance of the vehicle to the safety and emission standards provided under Section 21 of Republic Act No. 8749 or the Clean Air Act, including the pre-evaluation of the documents/requirements pursuant to Section 5 of Republic Act No. 4136, as amended, otherwise known as the Land Transportation Code;

4.63. Municipal Solid Waste – refers to waste produced from activities within local government units which include a combination of domestic, commercial, institutional, and industrial wastes and street litters;

4.64. Native Trees – refers to trees which are endemic and/or indigenous in the City;

4.65. Noise – refers to an erratic, intermittent, or statically random oscillation or any unwanted sound;

4.66. Noise Nuisance – refers to the emission of loud, excessive, disturbing, or unhealthy sound amplification beyond human tolerance emanating from sound amplification devices or equipment and/or other sources of sound such as, but not limited to, commercial, industrial, and construction activities, vehicle exhaust, mufflers, animal noise, and noise produced by human beings such as loud conversation and laughter, and found to exceed the normal allowable decibel ratio;

- 4.67. Non-Biodegradable – refers to non-organic material that cannot be broken down easily by natural processes;
- 4.68. Nuisance – refers to anything that injures health, endangers life, offends the senses, or produces discomfort to the community;
- 4.69. Opacity – refers to the amount of light obscured by particle pollution in the atmosphere;
- 4.70. Open Public Places – refers to roads, streets, sidewalks, easements, parks, other open spaces, bridges, alleys, overpasses, rivers, creeks, canals, drainages, esteros, waterways, and other bodies of water and outlets;
- 4.71. Operator – refers to a person or entity that manages a transport business but not necessarily a vehicle owner;
- 4.72. OR/CR – refers to a motor vehicle registration's Official Receipt and Certificate of Registration issued by the LTO;
- 4.73. OVR – refers to the Ordinance Violation Receipt issued to motor vehicles violating the smoke emission standards set under applicable laws, ordinances, and this IRR;
- 4.74. Package Clean-Up System – refers to the solid waste collection, cleaning, and disposal system wherein contractors are conferred the full responsibility of managing/administering and directly implementing the solid waste collection, cleaning, and disposal services for the City Government;
- 4.75. Particulate Matter – refers to any material other than uncombined water which exists in a finely divided form as a solid or liquid;
- 4.76. PD 825 – refers to Presidential Decree No. 825, which provides for penalties for the improper disposal of garbage and other forms of uncleanliness;
- 4.77. PD 953 – refers to Presidential Decree No. 953, which requires the planting of trees in certain places and penalizes the unauthorized cutting, destruction, damaging, and injuring of certain trees, plants and vegetation;
- 4.78. PD 1096 – refers to Presidential Decree No. 1096, otherwise known as the National Building Code;
- 4.79. PDAD – refers to the Parks Development and Administration Department;

4.80. PETC – refers to a Private Emission Testing Center authorized by the DOTC-LTO and accredited by the DTI;

4.81. Poisonous/Toxic Fumes – refers to emissions or fumes which do not conform to internationally accepted standards, including, but not limited to, World Health Organization (WHO)-guideline values;

4.82. Pollutant – refers to any substance, whether solid, liquid, gaseous, or radioactive, which directly or indirectly:

4.82.1. Alters the quality of any segment of the receiving body of water so as to affect or tend to affect adversely any beneficial use thereof;

4.82.2. Is hazardous or potentially hazardous to health;

4.82.3. Imparts objectionable odor, temperature change, or physical, chemical, or biological change to any segment of the body of water; or

4.82.4. Is in excess of the allowable limit or concentrations or quality standards specified, or in contravention of the condition, limitation, or restriction prescribed under RA No. 9275;

4.83. Post-Consumer Materials – refers only to those materials or products generated by a business or consumer which have served their intended end use, and which have been separated or diverted from solid waste for the purpose of being collected, processed, and used as raw materials for the manufacture of recycled products. Post-Consumer Materials exclude materials and by-products generated from, and commonly used within, an original manufacturing setting such as mill scrap;

4.84. Public Conveyances – refers to modes of transportation servicing the general population, such as, but not limited to, elevators, airplanes, buses, taxicabs, ships, jeepneys, light rail transits, tricycles, and similar vehicles;

4.85. Public Places – refers to enclosed or confined areas of all hospitals, medical clinics, schools, public transportation terminals and offices, and buildings such as private and public offices, recreational places, shopping malls, movie houses, hotels, restaurants, and the like where people generally come and go;

4.86. Quezon City Environmental Clearance (QCEC) – refers to a clearance issued by the Department which shall be valid from the date of issuance until December of the same year and shall be a prerequisite for the issuance of a Business Permit. The terms “Environmental Clearance” and “QCEC,” as herein defined, are used interchangeably throughout this IRR;

- 4.87. RA 6969 – refers to the Toxic Substances and Hazardous and Nuclear Wastes Control Act of 1990;
- 4.88. RA 8495 – refers to the Philippine Mechanical Engineering Act;
- 4.89. RA 8749 – refers to the Philippine Clean Air Act of 1999;
- 4.90. RA 9003 – refers to the Ecological Solid Waste Management Act of 2000;
- 4.91. RA 9147 – refers to the Wildlife Resources Conservation and Protection Act of 2001;
- 4.92. RA 9275 – refers to the Philippine Clean Water Act of 2004;
- 4.93. Recyclable – refers to any waste material retrieved from the waste stream and free from contamination, which can still be converted into suitable beneficial use or for other purposes, including, but not limited to, newspaper, ferrous scrap metal, non-ferrous scrap metal, used oil, corrugated cardboard, aluminum, glass, office paper, tin cans or other materials as may be determined by the National Solid Waste Management Commission;
- 4.94. Recycler – refers to any person, firm, association, partnership or corporation which buys or otherwise acquires Recyclables for commercial purposes within the territorial jurisdiction of Quezon City;
- 4.95. Recycling – refers to any process by which solid waste materials are transformed into new products in such a manner that the original products may lose their identity, and which original products may be used as raw material for the production of other goods or services;
- 4.96. Reuse – refers to the process of recovering materials intended for the same or different purpose without the alteration of physical and chemical characteristics;
- 4.97. Reference Mass or Weight – refers to the mass or weight of the vehicle in running order with a full fuel tank and including the set of tools and spare wheel, plus 100 kilograms, but does not include the weight of the passengers and driver;
- 4.98. Sanitary Permit – refers to a certificate in writing issued by the Quezon City Health Department which shall be a pre-requisite for the issuance of a Business Permit;
- 4.99. Scavenging – refers to the act of opening stored waste, which has been set out for collection and disposal, to retrieve recyclable or reusable materials;

4.100. Scum – refers to the part of sewage that floats;

4.101. Segregation – refers to a solid waste management practice of separating different materials found in solid waste in order to promote recycling and re-use of resources and to reduce the volume of waste for collection and disposal;

4.102. Segregation at Source – refers to a solid waste management practice, at the point of origin, where different materials found in solid waste are segregated in order to promote recycling and re-use of resources and to reduce the volume of waste for collection and disposal;

4.103. Septage – refers to the combination of scum, sludge, and liquid from household septic tanks;

4.104. Septic Tank – refers to a water-tight receptacle, which receives the discharge of the plumbing system or part thereof and is designed to accomplish the sedimentation and digestion of the organic matter in the sewage within the period of detention/retention;

4.105. Sewage – refers to water-borne human and animal wastes, excluding oil or oil wastes, removed from residences, buildings, institutions, industrial and commercial establishments together with such groundwater, surface water, and storm water as may be present, including such wastes from vessels, offshore structures, other receptacles intended to receive or retain wastes, or other places, or a combination thereof;

4.106. Sewerage – refers to any system or network of pipelines, ditches, channels, or conduits, including pump stations, liftstations, and force mains, service connections, including other constructions, devices, and appliances appurtenant thereto, which involves the collection, transport, pumping and treatment of sewage to a point of disposal;

4.107. Sludge – refers to any solid, semi-solid, or liquid waste or residue generated from a wastewater treatment plant, water supply treatment plant, or water-control pollution facility, or any other such wastes having similar characteristics and effects;

4.108. Smoke Opacity Meter (or Opacimeter) – refers to an instrument which determines the smoke opacity in exhaust gases emitted by the engine system;

4.109. Smoking – refers to the inhalation of the smoke or a burning tobacco encased in cigarettes, pipes and cigars. This includes any electronic device manufactured as e-cigarettes, e-cigars, e-pipes or any other product name. For purposes of this IRR, Smoking shall cover every act of burning tobacco or tobacco-based products whose

smoke is capable of being inhaled by the person who caused the burning or by any other person;

4.110. Solid Waste – shall refer to all discarded household, commercial waste, non-hazardous institutional and industrial waste, street sweepings, construction debris, agricultural waste, and other non-hazardous/non-toxic solid waste;

4.111. Sound – refers to an oscillation in pressure, stress particle displacement, particle velocity in medium whose internal forces, e.g., elastic, viscous, or the superposition of such propagated oscillation which evokes an auditory sensation;

4.112. Spark-Ignition Engine – refers to an internal combustion engine in which the air/fuel mixture is ignited by a spark plug, e.g., a gasoline engine;

4.113. Special Waste – refers to household hazardous wastes such as paints, thinners, household batteries, fluorescent lamps, lead-acid batteries, spray canisters and the like. These include waste from residential and commercial sources that comprise bulky wastes including construction and demolition debris, consumer electronics, white goods, yard wastes, oil, and used tires. These wastes are usually handled and collected separately from other residential and commercial waste;

4.114. Stationary Source – refers to any building or fixed structure, facility or installation that emits or may emit any air pollutant;

4.115. STP – refers to a sewage treatment plant;

4.116. Type Approval – refers to the official ratification of the compliance of a vehicle type with applicable national or international regulations;

4.117. Unnecessary Noise – refers to any excessive or unusually loud sound, or any sound which either annoys, disturbs, injures, or endangers the comfort, repose, health, peace or safety of a person or which causes injury to plant or animal life or damage to property or business;

4.118. Wastewater – refers to waste in liquid state containing pollutants;

4.119. Wastewater Treatment – refers to any method, technique, or process designed to alter the physical, chemical, or biological character of composition of any waste or wastewater to reduce or prevent pollution;

4.120. Water Body – refers to both natural and manmade bodies of fresh, brackish, and saline waters, and includes, but not limited to, aquifers, groundwater, springs, creeks, streams, rivers, ponds, lagoons, water reservoirs, lakes, bays, estuarine, coastal and marine waters. Water bodies do not refer to those constructed, developed and

used purposely as water treatment facilities and/or water storage for recycling and reuse, which are integral to the processing industry or manufacturing;

4.121. Water Pollution – refers to any alteration of the physical, chemical or biological or radiological properties of a water body resulting in the impairment of its purity or quality;

4.122. Wet or Biodegradable Garbage or Waste – refers to post consumer material which should undergo decomposition and/or can be transformed into some other forms of raw material of beneficial use such as soil fertilizer;

4.123. WWTF – refers to a wastewater treatment facility; and

4.124. Yard Waste – refers to wood, small or chipped branches, leaves, grass clippings, garden debris, and vegetable residue that is recognizable as part of a plant or vegetable.

Sec. 5. *General Rules on Statutory Construction.* – In construing any provision of this IRR, the following rules of construction shall be observed unless inconsistent with the manifest intent of the said provisions.

5.1. Words and Phrases – Words and phrases shall be construed and understood according to their common and approved usages. Words and phrases which may require a technical, peculiar and appropriate meaning under this IRR shall be construed and understood according to such technical, peculiar or appropriate meaning.

5.2. Gender and Number – Every word in this IRR importing the masculine gender shall extend and apply to both male and female. Every word importing the singular number shall extend and apply to several persons or things as well. Every word importing the plural number shall extend and apply to one person or thing as well.

5.3. Computation of Time – The time within which an act is to be done as provided in this IRR, when expressed in days, shall be computed by excluding the first day and including the last day.

5.4. Interpretation of Conflicting Provisions – If the provisions of this IRR conflict with each other, the Section which affords greater protection to the environment shall prevail.

5.5. Interpretation in Favor of Environmental Protection – All doubts in the implementation and interpretation of the provisions of this IRR shall be resolved in favor of environmental protection.

**RULE II – THE ENVIRONMENTAL PROTECTION AND WASTE
MANAGEMENT DEPARTMENT**

Sec. 1. *EPWMD.* – The Environmental Protection and Management Department, hereinafter known as “Department” for brevity, is mandated to develop and implement Quezon City’s Comprehensive Environmental Protection Program as provided in the Code.

Sec. 2. *Responsibilities of the Department.* – The Department shall develop and directly administer a Comprehensive Environmental Protection Program, which shall specifically cover a garbage collection system and pollution control. It shall:

- 2.1. Maintain and operate a garbage collection and disposal system which conforms to the requirements of RA 8749, RA 9002, and RA 9275;
- 2.2. Enforce all laws, regulations and policies pertaining to environmental management and pollution control;
- 2.3. Institute a standard monitoring system in the delivery of garbage collection services in the City;
- 2.4. Formulate civic consciousness programs geared towards environmental sanitation (e.g., cleanliness, proper waste disposal and waste recycling to be implemented in coordination with the barangays and Non-Government Organizations (NGOs);
- 2.5. Establish linkages and coordinate with proper offices of the City Government and other national and local government agencies for the promotion of environmental management programs and projects in Quezon City;
- 2.6. Maintain and operate a comprehensive pollution control program to include anti-smoke belching and industrial pollution control;
- 2.7. Undertake continuing studies and researches on environmental management with the end in view of adopting modern concepts and technologies that may be adopted by the City in the light of existing conditions and regulations;
- 2.8. Implement and supervise the segregation at source, segregated collection, and composting;
- 2.9. Achieve the Waste Diversion Goal of the City;
- 2.10. Enforce fines and penalties and incentives; and
- 2.1. Establish a monitoring and reporting system to collate data or records of penalized residents, commercial, industrial, etc.

Sec. 3. *Organizational Structure.* –The Department shall be composed of four (4) divisions with the following specific duties, functions, and responsibilities:

3.1. Administrative Division

- 3.1.1. Provide an efficient and economic service relative to personnel supplies and mobility requirements.
- 3.1.2. Take charge of recruitment and screening of applicants and facilitate final interviews, placements, and orientations of the same.
- 3.1.3. Coordinate with the Personnel Department with regard to personnel recruitment and hiring, preparation of appointment papers, personnel action, welfare, training, personnel movements, and organizational development.
- 3.1.4. Prepare and submit annual requirement programs to the procurement office and coordinate with the latter on the implementation of the programs.
- 3.1.5. Coordinate with the City General Services Department (CGSD) for the allocation of supplies on stock, janitorial, and mobility requirements of the office.
- 3.1.6. Take charge of the record management function of the office.
- 3.1.7. Coordinate with the Central Records Office regarding record retention and disposal, routing and messengerial requirements, and records preservation.
- 3.1.8. Prepare the budget of the office.
- 3.1.9. Coordinate with the City Budget Department for the processing and approval of the Department's budget.
- 3.1.10. Perform such other related functions as may be assigned.

3.2. Ecological and Solid Waste Management Division

- 3.2.1. Implement and supervise the City's garbage collection, transport, and disposal.
- 3.2.2. Control, supervise and develop the City's garbage collection, transport, and disposal operations, including the personnel, equipment, and facilities for collection and disposal.

3.2.3. Execute policies, laws, rules, regulations and ordinances relative to solid waste management.

3.2.4. Establish and maintain a monitoring system that will ensure the proper implementation of the garbage collection and disposal in the City.

3.2.5. Implement systems and new technologies on garbage collection and disposal.

3.2.6. Implement a reporting system to consolidate and collate data related to garbage collection and disposal to be used as basis for evaluation and assessment of day to day operations.

3.2.7. Conduct special cleaning operations to complement regular garbage collection, such as street sweeping and riverways cleaning.

3.2.8. Conduct Information, Education and Communication Campaign on proper solid waste management.

3.2.9. Perform such other related functions as may be assigned.

3.3. Pollution Control Division

3.3.1. Implement and enforce laws, rules, regulations, and ordinances on the prevention, control and abatement of air, water, and noise pollution in order to protect the health and welfare of the people.

3.3.2. Implement and enforce laws, rules, regulations, and ordinances on industrial pollution in order to ensure that all industries located in Quezon City are within standards set forth by national regulatory agencies.

3.3.3. Issue Environmental Clearance to business establishments who have complied with pollution standards.

3.3.4. Establish linkages and coordinate with other government agencies and concerned Departments relative to the implementation of the pollution control program.

3.3.5. Conduct Information, Education and Communication Campaign on the prevention, control, and abatement of pollution.

3.3.6. Perform such other related functions as may be assigned.

3.4. Plans and Programs Development Division

- 3.4.1. Conduct researches and feasibility studies regarding an effective and efficient environmental management system.
- 3.4.2. Develop, undertake, and manage on a pilot basis projects found to be feasible with the objective of replicating the same in all barangays in Quezon City.
- 3.4.3. Take full responsibility in monitoring units of the Department with the end in view of assessing and evaluating accomplishments relative to programmed targets and outputs.
- 3.4.4. Take responsibility for the preparation, planning, system study, and operational analysis of all systems and procedures of the Department.
- 3.4.5. Take responsibility for the collection and analysis of data and information related to environmental management with the end in view of establishing a data bank for Quezon City.
- 3.4.6. Implement environment-related projects in selected pilot areas in Quezon City.
- 3.4.7. Conduct an Information, Education and Communication Campaign on environmental management.
- 3.4.8. Develop an alternative system or technology on environmental management.
- 3.4.9. Prepare accomplishment reports of the office.
- 3.4.10. Perform such other related functions as may be assigned.

Sec. 4. *Authority of the Head of EPWMD.* –

- 4.1. The Head of the Department shall have the authority, duty, and responsibility to implement the provisions of this IRR in accordance with the mandate herein provided or as may be necessarily implied from such mandate.
- 4.2. The Head of the Department shall have the power to delegate such authority, duties, and responsibilities to any bona fide employee or authorized representative of the Department, *Provided*, That the delegation of authority is subject to the issuance of a Mission Order, Office Order, or similar order of assignment.
- 4.3. In the interest of public safety and health, the Head of the Department can issue a Cease and Desist Order (CDO) for the pollution source as may be deemed

necessary. In the exercise of his discretion in the issuance of CDOs, the Head shall be guided by the interests of public health and safety and the following considerations:

4.3.1. An ocular inspection must first be duly conducted of the building, machinery, equipment, premises or any part thereof that is alleged to be a source of pollution.

4.3.2. Once the source of pollution has been verified, a Notice of Violation (NOV) must be duly served on the owner, lessee, manager, operator, or head of the establishment, industry or institution. The NOV serves as a written warning to the offenders.

4.3.3. An Environmental Violation Receipt (EVR) shall be issued to notify the offending party of the nature of the infringement and the corresponding administrative penalty to be imposed. The following rules shall govern the issuance of EVRs:

4.3.3.1. Once a person is caught violating a particular provision of the Code, the apprehending officer shall immediately issue an Environmental Violation Receipt (EVR).

4.3.3.2. An EVR is a ticket issued to a violator informing him of the offense committed, date and time of apprehension, and corresponding penalty for the violation committed.

4.3.3.3. The following information shall be indicated in the EVR:

- a. Name of the violator,
- b. Date and time of apprehension,
- c. Section or provision of the Environment Code that was violated,
- d. Offense committed, and
- e. Penalty imposed.

4.3.3.4. The EVR must be signed by both the apprehending officer and the apprehended person. If the apprehended person refuses to sign the EVR, the apprehending officer shall indicate such refusal on the receipt.

4.3.3.5. The violator should be directed to report to the Department within seven (7) working days, either to pay the corresponding fine or to render community service, at the option of the violator.

4.3.3.6. Failure on the part of the violator to report to this Department may lead to the filing of a complaint before the proper court.

4.3.4. The Head may issue a CDO only upon the issuance of a third EVR and the offending party still fails to correct the violation within seven (7) days from receipt of such third EVR. At his or her discretion, the Head may extend the compliance period for another seven (7) days.

Sec. 5. *Authority of Department Personnel.* – Upon the authority of the Head of the Department, personnel of the Department conducting Fieldwork, such as, but not limited to, District Officers, Environmental Enforcers, Environment Police, Industrial Inspectors, Project Development Officers, Project Coordinators, Monitors, and AAPS Personnel, shall perform their environmental protection functions in areas under their jurisdiction and assignment, and enforce the provisions of this IRR promulgated in accordance with the provisions of the Code.

Sec. 6. *Refusal of Entry and Interference.* –

6.1. It shall be unlawful for any person to refuse entry and to resist or interfere with the conduct of inspection of any authorized representative of the Department, who shall, after properly announcing the purpose of his visit through the presentation of the Mission Order or any other proof of delegation of authority from the Head of the Department, have the authority to enter, inspect, investigate, verify, monitor, or take pictures at any time during operating hours, any building or premises, or part thereof that may contain noxious or foul odor, liquid and/or chemical pollutants, solid waste and such other pollutants, hazardous and ozone-depleting substances, or any other pollutants, or noise pollutants coming from business establishments operating as videoke and karaoke bars, disco houses, live bands and/or similar establishments, and other sources and/or potential sources of pollution or emission: *Provided, That the following conditions are met:*

6.1.1. In the conduct of any inspection, the enforcer must at all times be armed with a Mission Order, the absence of which will automatically invalidate the inspection.

6.1.2. A Mission Order is a written authorization coming from the Head of the Department instructing an enforcer to conduct an inspection of a

particular building, establishment or enclosed premises on a particular date and time.

6.1.3. The Mission Order should contain the names of the authorized enforcer or enforcers, particularly describing the establishment or place to be inspected and the particular date and time of inspection.

6.1.4. A Mission Order shall also serve as an authorization for enforcers to apprehend offenders for any violation of the Code and other ordinances related to environmental protection

6.2. Any person who violates the provisions of this section, shall be issued an EVR by the duly-authorized Department personnel, informing the violator of the nature of infringement committed with the corresponding administrative fines to be paid. If the violator is a corporation or any other corporate entity, the President, Manager, or person directly responsible for its operation shall be held liable.

6.3. Violations of this section shall have the following imposable administrative fines:

6.3.1. First Offense – An administrative fine of Two Thousand Five Hundred Pesos (P2,500.00) and issuance of a written warning (EVR).

6.3.2. Second Offense – An administrative fine of Three Thousand Pesos (P3,000.00) and recommendation to the BPLO for the issuance of a CDO.

6.3.3. Third Offense – An administrative fine of Four Thousand Pesos (P4,000.00) and a warning that a subsequent violation shall be punished with the issuance of a Closure Order.

6.3.4. Fourth Offense – An Administrative Fine of Five Thousand Pesos (P5,000.00) and recommendation to the BPLO for the issuance of a Closure Order.

Sec. 7. False Representation. – It shall be unlawful for any person to impersonate any officer, employee, or authorized representative of the Department or to falsely represent himself or herself as such officer, employee or authorized representative; or wear without authority any uniform, badge, or insignia adopted by the Department; or to deface, change or alter, falsify, remove, or destroy any notice, poster, or marking placed in or on any building, premises, or part thereof; or for any person in charge of any building, premises, or place, or a part thereof, to knowingly permit or allow the same to be done.

Any person found violating this section shall, upon conviction, be punished with a fine of not less than Three Thousand Pesos (P3,000.00) or not more than Five Thousand Pesos

(P5,000.00) or imprisonment of one (1) day but not more than seven (7) days, or both, at the discretion of the Court. In cases of false representation and usurpation of authority, the offender shall be punished with a fine of not less than Five Thousand Pesos (P5,000.00) or an imprisonment of six (6) months and one (1) day in its minimum period, but not exceeding one (1) year of imprisonment, or both, at the discretion of the Court. For the purposes of this provision, "usurpation of authority" is committed when a person knowingly and falsely represents himself as an officer, agent or representative of the Department.

RULE III – BIODIVERSITY MANAGEMENT

Sec. 1. *Unauthorized Cutting of Trees.* –It shall be unlawful to cut or uproot matured trees along roads, highways, parks, riverways, and other declared public and private places. Removal of trees can be done through earth-balling or cutting. When constructing infrastructure projects, removal of trees shall be considered as the last option. However, there are conditions when removal or cutting of trees may be allowed based on the following:

- 1.1. Any over-mature, diseased or defective tree posing hazards to lives and properties.
- 1.2. Any tree or other vegetation in public and private places unavoidably affected by infrastructure projects, such as road widening, bridges, building construction, government projects, such as road expansion and widening, are on-going, or when such trees pose imminent danger to the general public, and shall be covered by a valid clearance from the PDAD, duly approved by the Head.
- 1.3. Any tree or other vegetation may be allowed to be cut if earth-balling of such tree or other vegetation is impractical as assessed by PDAD. Before earth-balling of tree(s) there shall be a suitable and available site for the transplanting of earth-balled trees or vegetation so as to guarantee its continuous growth and survival. Earth-balled trees shall be protected and taken care of for a period of at least a year. For every transplanted tree that did not survive after six (6) months, it shall be replaced with a sapling of an indigenous tree.
- 1.4. If there shall be cutting/balling of trees, a Permit to Cut Clearance shall be secured from PDAD. The requesting party shall provide the following requirements:
 - 1.4.1. Letter request;

- 1.4.2. Photos of trees or vegetation to be removed; and
- 1.4.3. Sketch map showing the location of the tree(s) or vegetation to be removed.

DIAMETER CLASSES OF TREE/S TO BE REMOVED	REQUIRED NO. OF SAPLING REPLACEMENTS PER TREE TO BE REMOVED
Less than 3 cm	10 pcs.
3-9 cm	20 pcs.
10-19 cm	30 pcs.
20-29 cm	40 pcs.
30 cm and above	50 pcs.
At least 1 meter tall (Sapling)	

- 1.5. Procedure for the processing of requests for cutting/balling of trees:
- 1.5.1. If the lot owner is the requesting party, he shall submit the following: (1) photocopy of the lot title; (2) consent of the affected neighbors, if any; and (3) certification from the barangay/homeowners' association posing no objection to the request.
- 1.5.2. If the requesting party is a private contractor, it shall submit the following: (1) photocopy of the contract, specifically including the scope of work and estimate; (2) photocopy of the site development plan showing the affected tree(s); and (3) certification from the barangay or homeowners' association posing no objection to the requested cutting/balling of trees.
- 1.5.3. Upon the submission of all requirements, PDAD shall conduct an inspection and verification, and prepare an evaluation report and recommendation.
- 1.5.4. Issuance of a permit shall be given only after the requesting party has complied with the requirement for a certain number of saplings as replacement for trees to be removed, as indicated in Section 1.4 above.

1.5.5. For premium species such as Narra, Apitong, Yakal, etc., the requesting party shall be required to deliver one hundred (100) pieces of guamvilla or ornamental plants to the PDAD plant nursery to be used in the beautification and greening programs of the City.

1.6. For purposes of Section 1.4 above, PDAD shall recognize a Permit to Cut Clearance or similar authority issued by the appropriate national agency.

Sec. 2. *Tree-Planting* –

2.1. As part of the City's Greening Program towards a healthful, biodiversified, cleaner, and greener environment, all individuals, Non-Government Organizations (NGOs), and other institutions/organizations in the public and private sectors, are encouraged to plant, protect and maintain trees and other vegetation within their respective areas of jurisdiction. Adaptable and suitable species of native/indigenous trees, fruit bearing trees and ornamental plants, or shrubs shall be planted along open spaces, parks, creeksides/riverbanks, as approved and determined by PDAD.

2.2. The following shall plant trees in accordance with the provisions of PD No. 953:

2.2.1. Every person who owns land adjoining an existing river or creek, shall plant trees extending at least five meters on his land adjoining the edge of the bank of the river or creek.

2.2.2. Every owner of an existing subdivision shall plant trees in the open spaces required to be reserved for common use and enjoyment of the owners of the lots therein as well as along the roads and service streets.

2.2.3. Only small trees shall be planted on road sides and front yards to avoid electrical wirings. Big trees and fruit-bearing trees shall be planted at bigger open spaces or inner parts of residential properties to avoid untoward accidents.

2.2.4. Tree planting activities of individuals, NGOs, and other institutions/organizations in the public and private sectors shall be coordinated with PDAD to determine the appropriate location as well as the suitable species to be planted. PDAD recommends that tree planting be carried out during the rainy season—that is, from June to October of each year—to ensure higher survival rates.

Sec. 3. *Arbor Week in Quezon City* –

3.1. Arbor Week shall be celebrated annually in Quezon City during the week in which June 25 falls.

3.2. The planting of native and fruit-bearing native trees of economic value shall be the center of activities during the celebration of Arbor Week.

3.3. PDAD shall identify the location of tree-planting activities, particularly along the main thoroughfares, open spaces, parks, and playgrounds within the territorial jurisdiction of the City.

Sec. 4. *Quezon City People's Seedlings Bank* –

4.1. There is hereby established a Quezon City People's Seedlings Bank, which shall serve as the depository of all donated fruit-bearing tree and non-fruit-bearing tree seedlings with commercial value.

4.2. PDAD shall provide a space at Quezon Memorial Circle or at any City government-owned lot or facility to host the Quezon City People's Seedlings Bank.

4.3. Plants at the Quezon City People's Seedlings Bank shall be exclusively used to supply the need of the City for tree plantings, greening of roadsides, waterways bank rehabilitations, potential creek linear parks, and mini-park developments. These plants shall be available subject to the request by any QC Barangay, organization, or entity.

Sec. 5. *Implementing Tree Planting Projects at the Barangay Level*. – At the Barangay level, all Barangay Officials and school authorities, including officers and members of Parents and Teachers Associations, in coordination with PDAD, shall be the prime movers in pursuing the objective of the celebration of Arbor Week by implementing tree planting projects and giving instructions and guidance to school children-participants, and infusing in their minds the significance and importance of planting trees to one's environment.

Sec. 6. *Prohibition on Cutting of Trees*. – To preserve and enhance the growth of trees already existing and/or planted in accordance with the two preceding Sections, the cutting of trees and their branches shall be prohibited, unless otherwise authorized by PDAD. PDAD may authorize the cutting of trees and their branches only upon written request by the interested person in accordance with the procedure indicated in Section 1.5 above, and only for laudable reasons, except when public safety and order is affected.

Sec. 7. *Penalties*. –

7.1. Any person who violates Sections 1 and 6 hereof (Cutting/Balling Trees) shall, upon conviction, be punished with a fine of not less than Three Thousand Pesos

(P3,000.00) nor more than Five Thousand Pesos (P5,000.00), or with imprisonment of not less than six (6) months nor more than one (1) year, or both, at the discretion of the court. In all cases, the cut trees, cutting equipment and tools shall be confiscated in favor of the City Government.

7.2. Those found guilty under Sub-Section 7.1 shall likewise be required to grow trees, which shall be not less than ten (10) times the number of trees cut, in a place determined by PDAD.

Sec. 8. *Endangered and Exotic Species.* – It shall be unlawful to sell endangered and exotic species in malls or any other establishment as pets. In the same manner, it shall likewise be unlawful to sell such endangered and exotic species in restaurants as food. The selling of endangered and exotic species shall only be allowed for specific breeding or propagation purposes in accordance with Section 6 of Republic Act No. 9147: *Provided*, That only accredited individuals and business, research, educational, or scientific entities shall be allowed to collect or sell such species upon the approval of the Head. The duly-authorized personnel of the Department shall be mandated to conduct inspection of restaurants, malls, and similar establishments suspected of selling endangered and exotic species.

Sec. 9. *Impounding of Seized Species.* – Any endangered or exotic species seized by authorized Department personnel shall be turned over to the Biodiversity Management Bureau (BMB) of the DENR for animal custody and confinement.

Sec. 10. *Fines and Penalties for Violation of Section 8.* – Any person who violates Section 8 of this Rule shall, upon conviction, be punished with a fine of not less than Three Thousand Pesos (P3,000.00) nor more than Five Thousand Pesos (P5,000.00), or with imprisonment of not less than six (6) months, or both, at the discretion of the court. In all cases, the prohibited endangered and exotic species shall be confiscated and disposed of in accordance with the preceding Section.

RULE IV – SOLID WASTE MANAGEMENT

Sec. 1. *City-Wide Solid Waste Management by the Department.* – The Department shall undertake, on a City-wide scale, the following:

1.1. Efficient door-to-door collection and transport of solid wastes from various sources by providing separate collection schedules and separate dump trucks for biodegradable and non-biodegradable wastes following specific routes and using standardized collection trucks and equipment.

1.2. Disposal of collected solid wastes into the Quezon City designated disposal facility.

1.3. Conduct of street sweeping along the City's main thoroughfares and other litter-prone areas not covered by the MMDA street-sweepers.

1.4. Conduct of Information, Education and Communication (IEC) campaign on proper solid waste management.

1.5. Monitoring of garbage collection operations for evaluation and further improvement of the current system.

1.6. Enforcement of laws and ordinances on solid waste management. In the enforcement of laws and ordinances on solid waste management, the Department may deputize Barangay Environmental Enforcers in accordance with the following provisions:

1.6.1. An applicant for a Barangay Environmental Enforcer position must first secure a Recommendation Letter from his/her barangay.

1.6.2. The applicant shall undergo a seminar to be conducted by the Department regarding Quezon City's Environmental Ordinances.

1.6.3. To evaluate the applicant's mastery of the subject, he/she shall undergo written and simulation exams to successfully qualify as a Barangay Environmental Enforcer.

1.6.4. A Deputation Order shall be issued to the successful applicant certifying him/her as a Barangay Environmental Enforcer.

1.6.5. The certified Barangay Environmental Enforcer shall now be issued his/her corresponding Identification Cards and Environmental Violation Receipts.

1.6.6. A Refresher Class shall be conducted by the Department to review and update the knowledge and skills of the Barangay Environmental Enforcer.

1.6.7. The deputation of a Barangay Environmental Enforcer shall be for a period of one (1) year. A Barangay Environmental Enforcer may be renewed on the condition that he/she is considered an active member and

recommended and/or properly endorsed by the Barangay Chairman. For purposes of renewal of deputation, a Barangay Environmental Enforcer shall be considered an active member if he/she has issued at least one (1) Environmental Violation Receipt within the last six (6) months prior to the renewal.

Sec. 2. *Mandating the Cleanliness of Households, Commercial and Business Establishments, Industries and Institutions.* –

2.1. Household owners, lessees, managers, operators, and heads of the commercial establishments, industries, and institutions shall be primarily responsible for maintaining the cleanliness of the areas within their premises including the sidewalk, canal, and half of the road. For purposes of this provision, “half of the road” means up to the gutter for main road and Single/Multiple Source (SMS) cells, but up to the middle of the road for barangay cells, based on the street listings attached to the TOR of the City’s Solid Waste Cleaning, Collection and Disposal Project (SWCCDP).

2.2. Owners, lessees, managers, operators, or heads of households or commercial establishments on whose respective areas of responsibility trash or garbage may have been placed, littered or scattered without their knowledge shall be given a Notice of Violation, as specified in the succeeding section.

2.3. A Notice of Violation is a written warning that obligates the recipient to clean up the specified area. Failure to clean up such area makes the violator subject to the appropriate penalty.

2.4. A Notice of Violation shall be issued only in cases where the littering was without the knowledge of said owners, lessees, managers, operators, or heads of households or commercial establishments and only if the garbage was dumped within their respective areas of responsibility.

2.5. Failure of the said owners, lessees, managers, operators, or heads of households or commercial establishments to comply with the Notice of Violation shall entail the issuance of an Environmental Violation Receipt.

2.6. The throwing of garbage/trash need not be made in the presence of the Environmental Enforcer to be penalized under this provision.

2.7. Any violation of this provision shall be punishable as follows:

2.7.1. First Offense – One Thousand Pesos (P1,000.00)

2.7.2. Second Offense – Three Thousand Pesos (P3,000.00)

2.7.3. Third Offense – Five Thousand Pesos (P5,000.00)

Sec. 3. *Maintaining the Cleanliness of Vacant or Idle Lots.* – All owners or developers of vacant or idle lots are required to maintain their cleanliness at all times.

3.1. The owners or developers of vacant or idle lots shall be primarily responsible for maintaining their cleanliness and for securing them from becoming unauthorized garbage dumping areas.

3.2. In the event the owners or developers of the vacant or idle lots failed to comply with the immediately preceding provision, the City Government shall undertake the necessary cleaning operations at the expense of such owners or developers. The Department shall coordinate with the barangay where the lot is located or with the City Assessor's Department to identify the owner of the vacant or idle lot.

3.2.1. Once the owner is identified, the Department shall send a letter informing the owner or developer about the provisions of Section 3, Chapter IV of the Code, and instructing such owner or developer to clean the vacant or idle lot.

3.2.2. The owner or developer shall be given five (5) working days from receipt of the letter within which to clean the vacant or idle lot.

3.2.3. If after the 5-day period the Department learns that the owner or developer was not able or willing to clean the vacant or idle lot, another letter shall be sent, informing such owner or developer (a) that the Department will enter the premises, (b) that the Department will itself conduct the clean-up on a specified date, and (c) the estimate of the clean-up cost.

3.2.4. The owner or developer of the vacant or idle lot shall pay to the City Government the costs of the clean-up, which shall be computed based on the number of personnel utilized for the clean-up, the number of hours devoted to the clean-up, and the prevailing hourly rate of the personnel involved.

3.2.5. The owner or developer of the vacant or idle lot shall pay to the City Government the costs of the clean-up, which shall be computed based on the number of personnel utilized for the clean-up, the number of hours

devoted to the clean-up, the prevailing rental rates for equipment used, if any, and the prevailing hourly rate of personnel involved in the clean-up.

3.2.6. The clean-up costs, as computed, shall be included among the real property tax records of the property, and shall be added to the assessment of outstanding obligations of the property owner to the City Government.

3.2.7. The foregoing procedure shall also be followed in the case of vacant or idle lots owned by the Government or any of its agencies or instrumentalities.

3.3. The City Government and the barangays, with the consent of the owners or developers, may utilize the vacant or idle lots for the implementation of environment-related projects or food securing programs for the immediate community.

Sec. 4. *Mandating All Households, Commercial and Business Establishment, Industries and Institutions to Segregate Domestic Waste at Source and Provide Adequate, Sufficient and Covered Segregation Garbage Bins Inside Their Property Line.* –

4.1. The household owners, lessees, managers, operators and head of the commercial and business establishments, industries and institutions shall segregate their domestic wastes at source into compostable/ biodegradable, recyclable, residual and special waste.

4.2. The household owners, lessees, managers, operators and head of the commercial and business establishments, industries and institutions shall provide separate garbage bins for domestic biodegradable, non-biodegradable residual and non-biodegradable recyclables.

4.3. For residential units with five (5) or more lessees, the owner of the residential unit is required to provide a proper garbage storage area for domestic biodegradable, non-biodegradable residual and non-biodegradable recyclables.

4.4. Segregated garbage bins and storage areas of commercial and business establishments, industries and institutions, depending on their use, shall be properly marked or identified for on-site collection.

4.5. Only segregated domestic biodegradable and non-biodegradable residuals shall be collected by the city-contracted, city-accredited and/or barangay-owned dump truck with a Permit to Collect, Transport and Dump Solid Waste issued by the Department.

4.6. The household owners, lessees, managers, operators and head of the commercial and business establishments, industries and institutions shall set out their domestic biodegradable and non-biodegradable residual, in front of their property line for disposal only upon the arrival of the city-contracted, city accredited and/or barangay-owned dump truck with a Permit to Collect, Transport and Dump Solid Waste issued by the Department based on the schedule designated by the City Government. The wastes must be properly packed and tied to avoid scattering and spillage.

4.7. Domestic non-biodegradable recyclables shall not be collected by the City-contracted dump trucks. The household owners, lessees, managers, operators and heads of commercial and business establishments, industries and institutions may opt to donate or sell them to the Barangay's Materials Recovery Facility (MRF) or to any junkshop or recycler.

4.8. Post-consumer materials shall not be collected by the City-contracted dump trucks. Managers, operators and heads of the commercial and business establishments, industries and institutions are required to hire the services of private haulers with legitimate business operating in Quezon City.

4.9. Setting out and collection of unsegregated wastes is prohibited.

4.10. Setting out of garbage during non-collection schedules is prohibited.

4.11. Wastes that are not properly packed and tied shall not be collected. The owner shall be responsible for sweeping, cleaning and repacking spilled garbage.

4.12. Any person who is not authorized or accredited by the City Government and/or the barangay is prohibited from collecting domestic biodegradable, non-biodegradable residual and non-biodegradable recyclables.

4.13. Scavenging is prohibited.

4.14. Wastes shall be set out only in front of their owner's premises during designated collection day and they shall be collected by garbage collector contractor and/or operator door to door without fail.

4.15. Any violation of Sections 4.1 to 4.11 above shall be punishable as follows:

4.15.1. First Offense – One Thousand Pesos (P1,000.00)

4.15.2. Second Offense – Three Thousand Pesos (P3,000.00)

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4.15.3. Third Offense – Five Thousand Pesos (P5,000.00) and non-collection of garbage until full compliance is attained

4.16. Any violation of Sections 4.12 to 4.14 above shall be punishable as follows:

4.16.1. First Offense – One Thousand Pesos (P1,000.00) or community service for one (1) day

4.16.2. Second Offense – Three Thousand Pesos (P3,000.00) or community service for three (3) days

4.16.3. Third Offense – Five Thousand Pesos (P5,000.00) or community service for five (5) days

4.17. Both natural and juridical persons may be held liable under this provision. If the violator is a corporation, firm, institution or any other corporate entity, the president, manager or person responsible for its operations shall be held liable.

4.18. The head of the association or owner of a mall, condominium, tenement house, or household shall be held solidarily liable in case of violation of this provision.

4.19. Compliance with this provision shall be a pre-requisite for the issuance or renewal of business permit for commercial and industrial establishments, including the issuance of Environmental Clearance. Managers, operators and heads of commercial establishments who fail to pay a fine or render community service as penalty for violation of the provisions of this Section shall not be issued an Environmental Clearance.

Sec. 5. *Mandating All Households, Commercial and Business Establishments, Industries, and Institutions to Segregate Special Wastes Limited to Bulky Wastes, Domestic Household Hazardous Wastes Such as Busted Fluorescent Lamps and Spent Batteries, and Electronic Wastes.* –

5.1. Bulky wastes shall be separated from domestic wastes. Bulky wastes shall be collected separately on schedules for special collection subject to proper coordination with the Department.

5.2. Collection of dilapidated furniture, broken appliances, and old tires shall be coordinated by the household with the barangay for monitoring and scheduling.

5.3. Tree cuttings shall be cut into less than one (1) meter in length and bundled into convenient weight while grass cuttings and other yard wastes shall be put into sacks for easy handling and collection.

5.4. Collection and disposal of construction debris is not the responsibility of the City Government. It is the responsibility of the owner or the contractor hired for the construction to properly dispose of said wastes.

5.5. Household hazardous wastes such as busted fluorescent lamps and spent batteries shall also be separated from domestic wastes. For purposes of the provisions of Section 5, “fluorescent lamps” shall be construed to include incandescent lamps, light-emitting diode (LED) lamps, and all their variants.

5.6. Busted fluorescent lamps and spent batteries from the households and government public institutions shall be brought to the Barangay Materials Recovery Facility for temporary storage until collection by the City-Contracted hazardous waste collector/ transporter/treater.

5.7. Collection of busted fluorescent lamps, spent batteries and other toxic and hazardous wastes from commercial and business establishments and industries is not the responsibility of the City Government.

5.8. Managers, operators and heads of the commercial and business establishments, industries and institutions are required to hire the services of DENR-accredited toxic and hazardous wastes treaters for the proper collection, transport, treatment and disposal of the busted fluorescent lamps, spent batteries and other toxic and hazardous wastes.

5.9. Electronic wastes shall also be separated from domestic wastes.

5.10. Collection of electronic wastes is not the responsibility of the City Government.

5.11. Electronic wastes may be brought to recyclables trading activities that are regularly conducted at selected markets in Quezon City. The City Government shall regularly inform the barangays about the schedule of the waste markets for them to inform their residents for public participation.

5.12. The City Government shall conduct at least two (2) recyclables trading activities per year as support to this provision.

5.13. Any violation of this provisions of this Section shall be punishable as follows:

5.13.1. First Offense – One Thousand Pesos (P1,000.00)

5.13.2. Second Offense – Three Thousand Pesos (P3,000.00)

5.13.3. Third Offense – Five Thousand Pesos (P5,000.00)

Sec. 6. *Mandating Subdivision and Condominium Owners and/or Developers in Quezon City to Provide Sufficient Space for the Establishment of Materials Recovery Facility to Store Recyclables and Process Compostable Materials of the Homeowners.* –

6.1. For existing subdivisions and condominiums in Quezon City, owners and/or developers are mandated to provide sufficient space for the establishment of Materials Recovery Facility (MRF) to store recyclables and process compostable materials of the homeowners: *Provided*, That for subdivisions and condominiums that cannot establish an MRF due to space limitations, they shall enter into a “clustering agreement” with other nearby subdivisions and condominiums that are similarly situated for the purpose of establishing a common MRF to comply with this provision, or they may enter into a “partnership agreement” with duly-licensed junkshop owners or recyclables traders in the City for the same purpose: *Provided, further*, That such “clustering agreement” or “partnership agreement” shall be subject to the approval of the Department.

6.2. The Homeowners Associations (HOAs) shall assign personnel to manage and operate their respective MRFs.

6.3. The Department shall provide technical assistance in the operations of the MRF.

6.4. For subdivision and condominium owners and/or developers who are planning to put up a subdivision or any land development projects in Quezon City, they shall incorporate the establishment of an MRF in their subdivision layout plan.

6.5. The City Government, through the City Planning and Development Office’s Subdivision and Administration Unit, the Office of the Building Official, and other concerned Departments, shall ensure that the establishment of an MRF is incorporated in the subdivision and/or condominium layout plan prior to approval.

Sec. 7. *Standards for City-Contracted Waste Haulers.* – All City-Contracted Waste Haulers are mandated to comply with the following standards:

7.1. Collection Trucks and Equipment

7.1.1. All collection equipment should be registered with the Department to ensure the proper markings, safety and sanitation of the vehicle.

7.1.2. All collection equipment shall be provided with the visible and proper markings of plate and body number on both sides, name and telephone number of the contractor. Markings shall have a minimum size of twenty (20) centimeters (8 inches) in height.

7.1.3. All collection trucks should be in good running condition and equipped with tools and spare tire. No sacks or any eyesore must be seen hanging alongside the trucks.

7.1.4. All collection trucks should be kept clean and properly maintained and shall be washed after each disposal.

7.1.5. All collection trucks should be leakage-free and properly covered to prevent spillage of garbage and escape of odor when travelling.

7.1.6. All collection trucks should be equipped with complete and functional devices such as headlight, stop light, signal light, park light, plate light, tail light, wipers, horn, windshield and side mirrors.

7.1.7. All collection trucks should be equipped with proper cleaning and clearing tools (e.g., tray, spade, rake, broomsticks, dust pan, etc.) to clean-up remnant of garbage immediately after collection.

7.1.8. All collection trucks should meet the emission standards set forth in this IRR including Smoke-Belching Standards.

7.1.9. All trips during collection shall be required to have a trip ticket indicating the Barangay as well as the route the trip will cover.

7.1.10. Only authorized garbage collectors shall be allowed to handle the waste from the generators.

7.1.11. Owners and operators of trucks shall sanitize, disinfect and deodorize the collection trucks before leaving the dispatching area and after its disposal.

7.2. Garbage Collection Crew

7.2.1. All those involved in the collection of garbage (e.g., drivers and crew) should wear proper uniforms, including the required protective gear, and identification cards to be prescribed by the Department. They must possess an up-to-date health certificate issued by the City Health Department, which may conduct periodic unannounced inspections to ensure that garbage collection crew are wearing the required protective gear.

7.2.2. Scavenging and sorting or “pamumulasi” by the garbage collection crew or while in transit shall not be allowed. In hiring its garbage collection crew, the contractor shall stipulate that a violation of this provision shall constitute grave misconduct and cause the outright dismissal of the erring employee. The contractor shall be held liable for any violation of this

provision, which may be a ground for the QC Government to suspend or terminate the contract of the contractor.

7.2.3. Garbage collectors must not dent, bend or otherwise damage or alter the condition of the garbage containers.

7.2.4. Reckless driving, driver/crew under the influence of alcohol, regulated and prohibited drugs shall be dealt with according to existing laws, ordinances, rules and regulations. In addition, and to minimize vehicular accidents involving drivers of City-Contracted Waste Haulers, such contractors must conduct mandatory drug-tests for their drivers.

7.2.4.1. Mandatory drug-testing is a requisite prior to employment.

7.2.4.2. On the other hand, random drug-testing shall be conducted among garbage collection drivers and crew as a requirement for continued employment.

7.2.5. Solicitation of cash, gifts or consideration in any kind by any personnel of the City-Contracted Waste Haulers is strictly prohibited.

7.3. Compliance with Sections 7.1 and 7.2 above shall be a pre-requisite for the issuance to or renewal of business permit for City-Contracted Waste Haulers, which are required to have a dispatching area or garage for their garbage trucks in Quezon City.

7.4. Administrative Procedure and Imposable Administrative Fines

7.4.1. Issuance of EVR – Violator/s of any provisions of this Section shall be issued EVR by the Department, CHD or any deputized enforcers or inspectors informing them of the nature of the infraction committed and the corresponding fines to be paid.

7.4.2. 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: *Provided*, That refusal to pay the fine, on the third offense shall authorize the Department to cause the institution of summary proceedings against the violator or the filing of the appropriate criminal charges in court.

7.5. The penalties for any violation of the provisions of this Section shall be as follows:

7.5.1. First Offense – One Thousand Pesos (P1,000.00) or community service for one (1) day and compulsory seminar for one (1) day;

7.5.2. Second Offense – Three Thousand Pesos (P3,000.00) or community service for one (1) week and compulsory seminar for one (1) day;

7.5.3. Third Offense –

7.5.3.1. Five Thousand Pesos (P5,000.00) and/or imprisonment of not less than one (1) month or both at the discretion of the court;

7.5.3.2. Revocation of Business Permit of the Owner, Operator and/or contactor of the garbage truck/garbage collection crew; and

7.5.3.3. Disqualification of the Owner, Operator and/or contractor of the garbage truck/garbage collection crew to any solid waste management bidding and/or contract of the City Government.

7.6. The fines collected from violations of this Section 7 shall accrue in favor of the following:

7.6.1. 75% to the City Government General Fund, and

7.6.2. 25% to the Barangay where the violation was committed to be utilized exclusively for waste management-related projects.

Sec. 8. *Mandating All Public Utility Vehicles Plying the Streets of Quezon City to Provide a Garbage Receptacle That is Conspicuously Placed Inside Their Vehicles.* –

8.1. All drivers and operators are mandated to provide garbage receptacles for biodegradable and non-biodegradable wastes, placed conspicuously inside their vehicles, for the proper disposal of garbage of their passengers.

8.2. Each receptacle shall be properly labeled with “Dito Itapon ang Basurang Nabubulok” and “Dito Itapon ang Basurang Di-Nabubulok.”

8.3. Any violation of this provision shall be punishable as follows:

8.3.1. First Offense – Five Hundred Pesos (P500.00)

8.3.2. Second Offense – One Thousand Pesos (P1,000.00)

8.3.3. Third Offense – Two Thousand Pesos (P2,000.00)

Sec. 9. *Prohibiting the Littering and Illegal Dumping of Solid Wastes in Any Public or Private Place Including Vacant Lots and Waterways.* –

9.1. It shall be unlawful for any person to litter or illegally dump solid wastes in any public or private place, including vacant lots and waterways. For the purposes of this provision, to “litter” shall be construed according to the provisions of Sections 4.54 and 4.55, Rule I of this IRR. On the other hand, to “illegally dump” means to indiscriminately throw or empty-out or unload refuse/waste from a dwelling unit, commercial building or office, whether public or private institution, car or vehicle in heap or mass into a place or location not designated as waste collection point or outside of the duly designated containers. Also for the purposes of this provision, “public place” shall include Open Public Places.

9.2. The storage of more than four (4) cubic meters of mixed wastes in any area in Quezon City, whether public or private, is prohibited.

9.3. The only designated disposal area are DENR-approved sanitary landfills and/or other environmentally acceptable waste disposal facilities.

9.4. Violation of Section 9.1 above shall be punishable as follows:

Littering

9.4.1. First Offense – Five Hundred Pesos (P500.00) or community service for one (1) day

9.4.2. Second Offense – One Thousand Pesos (P1,000.00) or community service for three (3) days

9.4.3. Third Offense – Two Thousand Pesos (P2,000.00) or community service for five (5) days

Illegal Dumping

VOLUME	PENALTY		
	1 st Offense	2 nd Offense	3 rd Offense
Less than 1 cu. m.	P2,000.00	P4,000.00	P5,000.00
1 cu. m. or more	P5,000.00	P5,000.00 and imprisonment of not less than six (6)	P5,000.00 and imprisonment of not more than one

		months	(1) year
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9.5. Violation of Section 9.2 above shall be punishable as follows:

VOLUME	PENALTY		
	1 st Offense	2 nd Offense	3 rd Offense
More than 4 cu. m. but less than 8 cu. m.	P5,000.00	P5,000.00 and imprisonment of not less than one (1) month	P5,000.00 and imprisonment of not less than six (6) months
8 cu. m. and more	P5,000.00	P5,000.00 and imprisonment of not less than six (6) months	P5,000.00 and imprisonment of not more than one (1) year

Sec. 10. Prohibiting the Open Burning of Solid Waste in Any Public or Private Place.

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10.1. No person shall engage in open burning of trash, garbage, dried leaves, twigs, branches, grass, and solid waste or any refuse within the territorial jurisdiction of Quezon City.

10.2. Any violation of this provision shall be punishable as follows:

- 10.2.1. First Offense – Five Hundred Pesos (P500.00) or community service of one (1) day
- 10.2.2. Second Offense – One Thousand Pesos (P1,000.00) or community service for three (3) days
- 10.2.3. Third Offense – Two Thousand Pesos (P2,000.00) or community service for five (5) days

Sec. 11. Prohibiting the Urinating, Spitting, “Singa,” and Defecating in any Public Place. –

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11.1. It shall be unlawful for any person to urinate, spit, “singa,” or defecate in any public place. For the purposes of this Section, “public place” shall include Open Public Places. This provision shall be implemented in accordance with the following rules:

11.1.1. The apprehending officer must have personally witnessed the violator in the very act of urinating, spitting, or defecating in a public place before he can apprehend said violator.

11.1.2. To be punishable under this Section, the act of urinating, defecating, spitting, or *singa* must have been done in a Public Place.

11.1.3. The mere act of urinating or defecating in a public place already constitutes a violation of this Section.

11.1.4. Spitting or “singa” becomes punishable when done in an unhygienic manner and causes littering or threatens to spread sickness and disease.

11.1.5. An Environmental Violation Receipt shall be issued by the apprehending officer to the violator.

11.1.6. The Environmental Violation Receipt must be duly signed by both the apprehending officer and the violator, unless the latter refuses to sign the same, in which case the apprehending officer shall write the words “Refused to sign” on the Environmental Violation Receipt.

11.2. Any violation of this provision shall be punishable as follows:

11.2.1. First Offense – Five Hundred Pesos (P500.00) or community service of one (1) day

11.2.2. Second Offense – One Thousand Pesos (P1,000.00) or community service for three (3) days

11.2.3. Third Offense – Two Thousand Pesos (P2,000.00) or community service for five (5) days

Sec. 12. *Regulating Junkshops Operating in Quezon City.* –

12.1. All junkshop owners and/or operators, whether single proprietorship, corporation, cooperative, or foundation, are required to secure an Environmental Clearance from the Department.

12.2. Junkshop owners and/or operators shall maintain a lot area of not less than 30 square meters.

12.3. Junkshop owners and/or operators shall maintain a separate sorting area and separate storage area for different types of recyclables.

12.4. Junkshop owners and/or operators shall install a septic tank.

12.5. Junkshop owners and/or operators shall designate a parking area for the pushcarts and/or tri-bikes or any recyclables collection equipment.

12.6. Junkshop owners and/or operators shall install an appropriate sign board in front of the junkshop where the following details are posted:

12.6.1. Name of the junkshop and junkshop owner,

12.6.2. Address/location,

12.6.3. Telephone number, and

12.6.4. Name of any junkshop organization with which the owner is affiliated, if any.

12.7. Junkshop owners and/or operators shall display at all times in conspicuous area within the junkshop the Environmental Clearance issued by the Department.

12.8. Junkshop owners and/or operators shall provide identification cards and uniforms to their personnel for proper identification.

12.9. Junkshop owners and/or operators shall ensure that pushcarts and/or tri-bikes or any recyclables collection equipment that will be used must have proper markings such as name of the junkshop, address and contact details and body number.

12.10. For the purpose of identifying where the junkshop is located, pushcarts and/or tri-bikes or any recyclables collection equipment must follow the color-coded specifications:

District 1: Blue

District 2: Yellow

District 3: Green

District 4: Red

District 5: Brown

District 6: Orange

12.11. Junkshop owners and/or operators shall maintain the cleanliness and sanitary condition of the entire junkshop area at all times.

12.12. Junkshop owners and/or operators shall secure a Permit to Trade Recyclables from the barangays where they are conducting recyclables trading. The employees of the junkshops must always bring a copy of the said permit during recyclables collection.

12.13. Recyclables trading at the household, commercial and business establishments, industries and institutions shall only be allowed from 6:00AM to 6:00PM.

12.14. Post-consumer materials that resulted from sorting wastes shall not be collected by the City-contracted dump trucks. The owners and/or operators of the junkshop are required to hire the services of private haulers with legitimate business operating in Quezon City.

12.15. Utilizing sidewalks as weighing or sorting area is prohibited.

12.16. Utilizing sidewalks or junkshop's roof as storage area is prohibited.

12.17. Utilizing sidewalks or roadsides as parking area for pushcarts and/or tri-bikes or any recyclables collection equipment is prohibited.

12.18. Recyclables trading at the household, commercial and business establishments, industries and institutions from 6:00PM until 6:00AM is prohibited.

12.19. Any violation of this provision shall be punishable as follows:

12.19.1. First Offense – One Thousand Pesos (P1,000.00)

12.19.2. Second Offense – Three Thousand Pesos (P3,000.00)

12.19.3. Third Offense – Five Thousand Pesos (P5,000) and cancellation of business permit, or an imprisonment of not less than Thirty (30) days but not more than Sixty (60) days or both for third and subsequent offense at the discretion of the Court.

12.19.4. A violation committed and validated during the first inspection regardless of type and quantity shall be treated as a First Offense.

12.19.5. A violation committed and validated during the second inspection regardless of type and quantity shall be treated as a Second Offense.

12.19.6. A violation committed and validated during the third inspection regardless of type and quantity shall be treated as a Third Offense.

12.20. Junkshop owners or operators that buy from, transact with, or otherwise deal with ambulant/ pushcart junk dealers shall comply with the following regulations:

12.20.1. Transport, deliver and pick-up junk material for selling only from 10:00 AM to 3:00 PM thereby limiting the parking of transport vehicles in front of junk shops during the said schedule.

12.20.2. Ambulant/push cart junk dealers shall be registered with the barangay where the junk shop is located. As proof of such registration the ambulant/push cart junk dealer shall be issued an identification card by the barangay concerned and the push cart itself shall sport a body number to be determined by the barangay concerned and the name of the junkshop and barangay where the business establishment is located.

12.20.3. It shall be the owner of the junkshop who shall be responsible for the registration of the push cart and failure to do so shall make the owner/operator of the junkshop liable under this provision.

12.20.4. Push carts and ambulant/push cart junk dealers shall be accredited/registered by the capitalist junk dealers with the barangay where the cluster's business establishment is located.

12.20.5. As proof of such registration, the ambulant/push cart junk dealers shall be issued an identification card by the barangay concerned and the push cart itself shall sport a body number, to be determined by the Barangay concerned and the name of the barangay where the business establishment of the capitalist junk dealer is located. An ambulant/push cart junk dealer shall refer to any of the following:

- motorized vehicle
- pedicab
- any sack/s containing recyclables for trading

12.20.6. An ambulant/push cart junk dealers shall be allowed to ply their trade or business only from 6:00 AM to 6:00 PM.

12.20.7. It shall be unlawful for capitalist junk dealers not to have their push carts and their ambulant/push cart dealers accredited/registered with the barangay where the former's business establishment is located.

12.20.8. It shall be unlawful for push cart junk dealers while plying their trade or business not to use a push cart accredited/registered with, and display the

identification card issued by, the barangay where the business of the capitalist junk dealer is located.

12.20.9. It shall be unlawful for ambulant/push cart junk dealers not accredited or registered to ply their trade or business at any time within the City.

Sec. 13. *Prohibiting the Use of Polyethylene Advertisement and Propaganda Materials.* –

13.1. The use of advertisement, buntings (banderitas) or propaganda made of polyethylene (plastic) materials within the territorial jurisdiction of Quezon City is hereby prohibited. For the purposes of this Section, “polyethylene (plastic) materials” include a wide range of synthetic or semi-synthetic moldable materials produced by the polymerization of ethylene molecules, resulting in the production of a light, strong, water-resistant and flexible product even at low temperature.

13.2. Any person, firm or corporation who will transport, sell and/or may be found in possession of polyethylene (plastic) advertisement or propaganda materials for use or installation in Quezon City, shall be held liable and penalized. The following specific acts are included in this prohibition:

13.2.1. Posting, installation and distribution of any advertisement or propaganda made of polyethylene (plastic);

13.2.2. Maintaining a place, area or property where polyethylene (plastic) advertisements or propaganda materials are printed, displayed, posted, installed and distributed; and

13.2.3. Transporting, selling, or possessing any advertisement or propaganda materials made of polyethylene (plastic) for use or installation in the City.

13.3. Procedure for enforcement:

13.3.1. Any person caught in the act of posting or installing polyethylene (plastic) advertisement or propaganda materials shall be apprehended and issued a Notice of Violation (NOV). The violator has two (2) days from apprehension within which to remove all polyethylene (plastic) advertisement or propaganda materials which he posted or installed. Failure to comply within the stated period shall warrant the issuance of an Environmental Violation Receipt (EVR). The removed polyethylene (plastic) advertisement or propaganda materials shall be surrendered by the violator to the Department.

13.3.2. Any person, firm or corporation caught transporting, selling, distributing, and/or possessing polyethylene (plastic) advertisement or propaganda material for use or installation in the City shall be cited for violation of this provision.

13.3.3. The person, firm, or corporation that instructed or caused the posting, installation or distribution of the polyethylene (plastic) advertisement or propaganda material shall also be notified through a letter to be issued by the Department. In case of election-related propaganda materials, the candidates shall be notified and their names shall be submitted by the Department to the Commission on Elections (COMELEC).

13.4. Any person found in violation of this provision shall be punishable as follows:

13.4.1. First Offense – Notice of Violation

13.4.2. Second Offense – Three Thousand Pesos (P3,000.00) and community service for three (3) days

13.4.3. Third Offense – Five Thousand Pesos (P5,000.00) and Community Service for three (3) days

13.5. Any firm or corporation found in violation of this provision shall be punishable as follows:

13.5.1. First Offense – Notice of Violation

13.5.2. Second Offense – Three Thousand Pesos (P3,000.00)

13.5.3. Third Offense – Five Thousand Pesos (P5,000.00) and revocation of Business Permit

Sec. 14. Mandating All Business Establishment Using Plastic and Paper Bags in Their Business Transactions to Display Conspicuously in Their Stores the Environment-Friendly Notice “SAVE THE ENVIRONMENT. BRING YOUR OWN RECYCLABLE/REUSABLE BAG” and Regulating the Use of Plastic Bags and Establishing a Plastic Recovery System Fee. –

14.1. All business establishments using plastic and paper bags in their business transactions should display conspicuously in their stores, especially in the transaction counter, the environment friendly notice “SAVE THE ENVIRONMENT, BRING YOUR OWN RECYCLABLE/ REUSABLE BAGS.”

14.2. Stall owners/lessees in wet and dry markets, including Talipapa, Tiangge, Hawkers, and other retailers registered under the Market Development and Administration Department (MDAD), all of which are classified herein as Type II retailers, will not be allowed to directly distribute plastic carryout bags with handles, holes or string usually made from High Density Polyethylene (HDPE), Low Density Polyethylene (LDPE)/Low Linear Density Polyethylene (LLDPE) and Polypropylene (PP) plastic materials.

14.3. Plastic bags with no handles, holes or strings which shall be exclusively used for wrapping unpacked fresh foods and cooked foods at supermarkets, wet and dry markets, including Type II retailers, restaurants, canteens, and the like shall not be included under the scheme as the usage of such plastic bag is justified on the grounds of public hygiene.

14.4. The distribution of plastic bags lower than the regulated thickness of 15 microns is prohibited among Shopping Malls, Supermarkets, Department Stores, Grocery Stores, Fast Food Chains, Drug Stores, and Pharmacies registered under the BPLO, all of which are classified herein as Type I retailers.

14.5. To ensure the recovery of plastic bags from the waste stream, consumers who will not bring with them “reusable bags” and/or redeem “used plastic bags” for a new plastic bag, shall be indicated in the customer’s transaction receipt as a reminder that they can save money if they use reusable bags and/or if they bring used plastic bags in exchange for a new plastic bag.

14.6. All Shopping Malls, Supermarkets, Department Stores, Grocery Stores, Fast Food Chains, Drug Stores, Pharmacies shall charge and collect a fixed amount of two pesos (P2.00) per plastic bag regardless of its size.

14.7. To this end, each store shall submit a copy of its Annual Audited Financial Report to the Department to monitor and verify the collection of the Plastic Recovery System Fee.

14.8. Other information such as the number of plastic bags recovered, the number of reusable bags sold, etc. are also required to be submitted to the Department on a quarterly basis. Compliance with this provision shall be a requisite for the renewal of the Environmental Clearance of the concerned business establishments.

14.9. The Plastic Recovery System Fee shall be earmarked for a “green fund” that shall be maintained by the stores to fund other initiatives that would benefit the environment. These initiatives must be implemented within the jurisdiction of Quezon City only. A project proposal on the use of the green fund must first be

submitted to the Department for approval prior to its implementation. A business establishment, which has collected the Plastic Recovery System Fee that was earmarked for a “green fund” shall, within sixty (60) days from the effectivity of this IRR, submit to the Department its proposed program or project to be funded out of its “green fund.”

14.10. The “green fund” shall be utilized for the sole purpose of maintaining, developing, promoting and protecting the environment by means of programs and/or projects as determined in this IRR. In implementing the programs and projects, the Department shall closely coordinate with the stores and with the barangays where such projects or programs may be implemented. Programs and projects to be funded out of the “green fund” shall include, but not be limited to, the following:

14.10.1. Renewable energy technologies;

14.10.2. Greening programs;

14.10.3. Technologies for the improvement and development of the environment in the communities; and

14.10.4. Other projects similar to any or a combination of the above programs and projects.

14.11. All Shopping Malls, Supermarkets, Department Stores, Grocery Stores, Fast Food Chains, Drug Stores, Pharmacies and Wet and Dry Markets shall provide the following reusable bags as carryout bags to be purchased by the consumer for a minimum fee. It will be made available in the respective checkout counters of the stores, purposely for multiple reuse and to reduce the use of plastic bags as carryout bag. Appropriate sizes and design may be provided for the purpose:

14.11.1. “*Reusable Shopping Bag*” – Reusable bag to be used for shopping and buying groceries. Applicable for shopping malls, supermarkets and grocery stores.

14.11.2. “*Take-out Bag*” – Reusable bag to be used for carrying food and drinks for two or more persons, applicable for fast food chains.

14.11.3. “*Agora Bag*” – Reusable bag to be used in carrying goods from wet and dry markets such as meat, fish, vegetables, fruits and other goods. The market management may assign an area within the market where this bag can be purchased.

14.11.4. *“Medicine Bag”* – Reusable bag or medicine kit appropriate to carry small quantity of medicines such as tablets and capsules, bottled syrups/ suspensions and the like applicable for drugstores and pharmacies.

14.12. *Incentives for using “Reusable Bags” and/or Redemption of Used Plastic Bags.* – To mainstream the use of reusable bags as well as encourage the redemption of used plastic bags, stores are hereby instructed to formulate appropriate incentives to consumers, which may include, but not limited to the following:

14.12.1. *“Point System Scheme”* – For those stores implementing the point system scheme to their regular customers, additional points may be given to those who are using “reusable shopping bag” and/or redeeming “used plastic bags.”

14.12.2. *“Green Lane”* – All stores shall provide special counters or express lanes to be called as “green lane” to cater to customers using reusable bags and/or those redeeming used plastic bags to encourage greater number of stakeholders in the observance of this provision of the Code. This will also serve as an information and advocacy measure in caring for the environment.

14.13. Plastic Bag Recovery and Recycling Mechanism

14.13.1. Relevant Recyclers – The Department shall provide a list of relevant recyclers that will buy used plastic bags. All plastic bags accumulated by stores shall be directly sold to the recyclers of their choice.

14.13.2. Recyclables Trading Activity in Malls – The stores may also bring their accumulated used plastic bags to the waste markets provided by the Department.

14.14. All Shopping Malls are likewise directed to implement their own recyclables trading activity in their respective areas to ensure that there will be enough venues where used plastic bags as well as other recyclable materials may be redeemed. The Department may also designate additional venue for the recyclables trading activities or may alter existing schedules for advancement purposes.

14.15. Any establishment found in violation of this provision shall be punishable as follows:

14.15.1. First Offense – One Thousand Pesos (P1,000.00)

14.15.2. Second Offense – Three Thousand Pesos (P3,000.00)

14.15.3. Third Offense – Five Thousand Pesos (P5,000.00) and cancellation of Business Permit

Sec. 15. *Prohibiting the Use of Plastic Bags and Styro in All Government Institutions in Quezon City, Including All City-Owned Facilities Like the Quezon City Hall Compound, Novaliches District Center, Novaliches District Hospital, Quezon City General Hospital, Quezon Memorial Circle, Amoranto Sports Complex, Health Centers, Barangay Halls, Public Schools, and Other Similar Facilities.* –

15.1. The use of plastic bags and polystyrene materials, commonly known as Styrofoam packaging, in all government institutions in Quezon City, including all City-owned facilities, is prohibited.

15.2. Concessionaires and vendors in all government institutions in Quezon City, including all City-owned facilities, are prohibited to utilize, offer and/or sell plastic bags and styro as primary and secondary packaging material for dry goods.

15.3. Concessionaires and vendors in all government institutions in Quezon City, including all City-owned facilities, who are selling wet goods are allowed to use plastic “labo” only as primary packaging for hygienic purposes.

15.4. Concessionaires and vendors in all government institutions in Quezon City, including all City-owned facilities, are prohibited to utilize plastic bags and styro as packaging container for food and drinks whether as primary or secondary packaging.

15.5. Bringing and/or using plastic bags and/or styro by employees, students, clients and visitors of all government institutions in Quezon City, including all City-owned facilities, are prohibited.

15.6. Employees of all government institutions in Quezon City, including all City-owned facilities, are prohibited from serving food and drinks utilizing plastic bags and/or styro during meetings, conferences, orientations, seminars and other activities.

15.7. Any violation of this provision shall be punishable as follows:

15.7.1. For concessionaires and ambulant vendors in all government institutions in Quezon City, including all City-owned facilities:

15.7.1.1. First Offense – Five Hundred Pesos (P500.00)

15.7.1.2. Second Offense – One Thousand Pesos (P1,000.00)

15.7.1.3. Third Offense – Two Thousand Pesos (P2,000.00) and cancellation of their business/operating permit

15.7.2. For employees and personnel of all government institutions in Quezon City, including all City-owned facilities:

15.7.2.1. First Offense – Individual warning from the respective City Personnel Office

15.7.2.2. Second Offense – Warning from the Department and from the employee's Department/Office Head

15.7.2.3. Third Offense – Two Thousand Pesos (P2,000.00) and reprimand from the Department and from the employee's Department/Office Head

15.7.3. For visitors and clients of all government institutions in Quezon City, including all City-owned facilities:

15.7.3.1. First Offense – Warning from the Department

15.7.3.2. Second Offense – Five Hundred Pesos (P500.00)

15.7.3.3. Third Offense – One Thousand Pesos (P1,000.00)

Sec. 16. Incentive Scheme for Barangays with Best Solid Waste Management

Practice. – An incentive scheme for barangays with best solid waste management practice is hereby established pursuant to Section 16, Chapter IV of the Code.

16.1. *Criteria for Availment.* – To avail of the incentive provided for under Section 16, Chapter IV of the Code, a barangay must meet the following criteria:

16.1.1. The barangay must have a "Comprehensive Solid Waste Management Plan" adopted by its Barangay Solid Waste Management Committee and submitted to and duly approved by the Department. The "Comprehensive Solid Waste Management Plan" must include, among others, the following: (a) convening of the Barangay Solid Waste Management Committee; (b) implementation of an information, education, and communication campaign; (c) implementation of waste segregation at source; (d) adoption of waste reduction/diversion initiatives; and (e) deputization of environmental police/enforcer;

16.1.2. The barangay should have been implementing its “Comprehensive Solid Waste Management Plan” for at least six (6) months prior to the award of incentives;

16.1.3. The barangay must have achieved a volume reduction of at least sixty percent (60%) of its estimated solid wastes based on the 2015 waste diversion goal and such barangay’s population as reflected in the National Statistics Office census data. The required volume reduction shall be subject to periodic review by the Department, which may increase the required percentage of volume reduction;

16.1.4. The barangay has an ecological or recycling center or a Materials Recovery Facility (MRF)/Materials Recovery System (MRS); and

16.1.5. Overall cleanliness of the barangay based on the criteria set by the Department and previously communicated to all barangays.

16.2. *Selection Team.* - A team headed by the Department and composed of representatives of the Departments and Offices that are tasked to implement Rule IV of this IRR shall be formed to monitor and evaluate the solid waste management practices of barangays for the purpose of determining the best performing barangays in the area of solid waste management.

16.3. *Computation of the Incentive.* – The incentive under Section 16, Chapter IV of the Code shall be computed by the Department as one-half of the amount realized from garbage collection savings. Based on the barangay’s population, the solid waste generated by the barangay is computed and the truck requirement to collect all the solid wastes generated is determined. After determining the actual cost of hauling based on the number of trucks required, the same shall be compared to the actual number of trucks being utilized to collect the barangay’s solid wastes. The difference represents the savings in garbage hauling costs. The formula to be used for the purpose of determining the incentive is as follows:

Formula:

$$GCS = ETR - AGTD$$

Where:

GCS = Garbage Collection Savings

ETR = Estimated Truck Requirement

Actual cost of hauling based on the estimated number of trucks needed to collect garbage based on the barangay's population using the City's existing Waste Analysis and Characterization Study (WACS) on per capita waste generation and waste density

AGTD = Actual Garbage Truck Deployed

Actual number of trucks needed to collect garbage based on the actual truck deployment

Thus:

INCENTIVE PACKAGE = 50% (GCS x amount)

Where the amount or cost per trip shall be computed based on the existing Cost Derivation formula of the Department for a 10-Wheeler truck or 16 cu.m. equivalent. The Cost Derivation formula accounts for the operational costs which include the utilization of collection equipment, uniforms of the crew, paraphernalia and materials used in collection, fuel and lubricants, maintenance expenses, and dumping fee.

16.4. *Additional Conditions for the Award of Incentives.* – The following are additional conditions for the award of incentives:

16.4.1. The barangay's "Comprehensive Solid Waste Management Plan," including the proposed projects, must be updated every two (2) years;

16.4.2. A Quarterly Accomplishment and Status Report shall be submitted by the barangay to the Department. Based on this report, the Department shall conduct a quarterly assessment of the barangay's performance. No incentive shall be awarded if the barangay's performance for a specific quarter yields no garbage collection savings;

16.4.3. The City, thru the Department, may impose other conditions to comply with new policies, laws, and regulations, among others; and

16.4.4. The incentive may only be used by the recipient-barangay for implementing projects and programs related to environmental protection, such as, but not limited to, providing incentives to barangay environmental workers and enforcers.

16.5. *Source of Funds for the Incentive.* – The amount for the incentives to be awarded under Section 16, Chapter IV of the Code shall be sourced from available funds as may be provided for in the approved budget of the Department.

16.6. *Frequency and Manner of Payment.* - The awarding of incentives to barangays shall be made at the end of every quarter. The disbursement of incentives shall follow the budgeting, accounting and auditing procedures of the government.

Sec. 17. *Incentives for Barangay-Owned Dump Trucks for Solid Waste Collection and Disposal Services.* - An incentive program for barangays using their own dump trucks for solid waste collection and disposal services is hereby established pursuant to Section 17, Chapter IV of the Code.

17.1. *Criteria for Availment.* – To avail of the incentive under Section 17, Chapter IV of the Code, a barangay must meet the following criteria:

17.1.1. The barangay must have a Barangay Solid Waste Management Committee and an up-to-date “Comprehensive Solid Waste Management Plan” duly approved by the Department;

17.1.2. The barangay must have an MRF or an established Materials Recovery System (MRS) thru junkshop-cum-MRF agreements;

17.1.3. The barangay must be the registered owner of the dump truck used for the collection and disposal of solid wastes generated in the barangay;

17.1.4. The barangay-owned dump truck must have an appropriate garage or parking area, which shall not cause any obstruction to roadways or inconvenience to motorists and pedestrians; and

17.1.5. Whenever applicable, the barangay shall comply with the provisions of paragraphs (a) and (b) of Section 7, Chapter IV of the Code.

17.2. *Procedure for Participation in the Incentive Program.* – To participate in the incentive program, a barangay must follow the following procedure:

17.2.1. The barangay submits a formal request to the Department for the collection and disposal of solid waste within said barangay;

17.2.2. The Department shall evaluate the request based on the capability of the barangay to undertake solid waste collection and disposal services;

17.2.3. The Department, upon approval of the barangay’s request, shall enter into a Memorandum of Agreement (MOA) with the barangay. The MOA

shall mirror the provisions of the Terms of Reference (TOR) for City-Contracted Haulers under the City's Solid Waste Cleaning, Collection and Disposal Project (SWCCDP), particularly with regard to the standards and quality of service. The MOA shall identify the collection cells to be covered by the barangay based on the City's existing collection cells identified in the SWCCDP;

17.2.4. The Department shall determine the commencement of the barangay's solid waste collection and disposal. To harmonize the solid waste collection and disposal services in the City, the commencement of the barangay's collection and disposal services shall coincide with the beginning of the contract period of the City's SWCCDP; and

17.2.5. The Department shall facilitate the issuance of a permit to the barangay, authorizing such barangay to dispose of its collected solid waste at the designated landfill for Quezon City.

17.3. *Computation of Incentives.* – The amount of the incentive for participating barangays shall be computed as follows:

17.3.1. The Incentive Amount is the product of the number of trips made by a barangay-owned truck and the cost per trip: *Provided*, however, that the actual number of trips made by the truck does not exceed the requirements for any given cell as estimated under the City's SWCCDP.

17.3.2. The cost per trip shall be computed based on the Department's existing Cost Derivation formula for implementing Section 17 of the Code. The Cost Derivation formula accounts for the operational costs which include the utilization of collection equipment, uniforms of the crew, paraphernalia and materials used in collection, fuel and lubricants, maintenance expenses, and dumping fee.

17.3.3. The total amount of penalties shall be deducted from the Incentive Amount. Computation of penalties shall be based on those imposed on violations of the TOR of the City's SWCCDP.

17.3.4. The Incentive Amount shall be equivalent to the whole amount of cost per trip per type of truck plus an incentive equivalent to twenty-five percent (25%) of the cost per trip per type of truck: *Provided*, That the City, through the Department, may adjust the Incentive Amount.

17.4. *Conditions for the Award of Incentives.* - The following conditions shall apply in the awarding of incentives under Section 17, Chapter IV of the Code:

17.4.1. The barangay's truck(s) and crew must conform with the standards and requirements specified in the TOR of the City's SWCCDP;

17.4.2. The barangay shall abide by the standard operating procedures on the dispatch of collection equipment as well as the system, schedule and mode of collection implemented by the City through the Department;

17.4.3. The barangay's solid waste collection and disposal service shall be monitored by the Department and subject to applicable penalties for corresponding violations of the TOR of the City's SWCCDP;

17.4.4. Trips must be exclusively for the collection and disposal of the barangay's solid waste and based on the cell(s) identified by the Department;

17.4.5. The barangay shall not collect solid wastes in cells covered by City-contracted haulers. Upon signing of the MOA, the barangay indicates its agreement that the City will no longer provide or deploy dump trucks for the collection of garbage in the barangay. The barangay will be solely responsible for the collection of domestic solid wastes from their residents, including wastes that resulted from different barangay activities as well as debris from natural and man-made calamities;

17.4.6. The collected solid wastes must be disposed of at the Quezon City designated disposal facility;

17.4.7. The barangay, in coordination with the Department and City-contracted haulers, shall actively participate in the Information, Education and Communication (IEC) Campaign on proper solid waste management as well as in the upkeep of the overall cleanliness of the barangay; and

17.4.8. Other necessary conditions for the effective and efficient delivery of service, as may be indicated in the MOA entered into between the Department and the barangay.

17.5. *Procedure for Processing of Claims for Incentives.* - The processing of claims for incentives under Section 17, Chapter IV of the Code shall be in accordance with the following procedure:

17.5.1. The awarding of the incentives to the barangay shall be made on a monthly basis during the period of participation in the incentive program;

17.5.2. The barangay shall submit a Monthly Accomplishment Report which shall include, but not limited to, the following:

- a. Duly accomplished Work Assignment Form (WAF)
- b. Daily Dispatch Report
- c. Daily Garbage Collection Report
- d. Monthly Garbage Collection Report;

17.5.3. The Monthly Accomplishment Report must be submitted to the Department within fifteen (15) days after the end of each month. Late submission shall not be accepted for processing by the Department;

17.5.4. A Certification, the basis of which is the submitted Monthly Accomplishment Report, will be issued by the Department for the payment of the Incentive Amount; and

17.5.5. The disbursement of the incentives shall follow the budgeting, accounting and auditing procedures of the City Government.

17.6. *Source of Funds for the Incentive.* – The amount for the incentives to be awarded under Section 17, Chapter IV of the Code shall be sourced from available funds as may be provided for in the approved budget of the Department.

RULE V – AIR POLLUTION

Sec. 1. *The Philippine Clean Air Act.* - The implementation of this Rule shall be guided by the provisions of Republic Act No. 8749, otherwise known as the Philippine Clean Air Act of 1999, which aims to provide a comprehensive air pollution control policy in the country.

Sec. 2. *Application and Implementation.* – Provisions of this Rule shall be applicable within the entire territorial jurisdiction of Quezon City. Titles 1, 2, and 3 of this Rule shall be implemented by the Pollution Control Division of the Department. Title 4 of this Rule shall be implemented by the Quezon City Health Department.

Title 1: Mobile Sources

Sec. 3. *Ambient Air Pollution Section (AAPS) of the Department.* – As an enforcement unit, the Anti-Smoke Belching Unit of the AAPS of the Department shall be manned by competent personnel who meet the government set qualification standards and who are

deputized by the Local Chief Executive. They shall be properly trained by a duly-deputized anti-smoke belching training staff on CAA-consistent roadside apprehension and other anti-smoke belching procedures, and shall be equipped with CAA-compliant smoke opacity meters as evidenced by a certificate of conformity to standards set by the EMB-DENR. The program shall include training on the correct use, maintenance and calibration of smoke-testing equipment. No individual shall be deputized without satisfactorily completing the training.

Sec. 4. Emission Standards for In-Use Motor Vehicles –The Department shall implement the emission standards for motor vehicles pursuant to and as provided in R.A. No. 8749. All in-use motor vehicles registered for the first time on dates indicated below shall comply with the emission standards as stated in the latest issuances of the DENR.

4.1. EMISSION STANDARDS FOR VEHICLES WITH SPARK-IGNITION
ENGINES (Gasoline), Except Motorcycles (Section 9, DAO No. 2010-23)

VEHICLE REGISTRATION	CO (% per volume)	CO (ppm as hexane)
Registered for the first time after December 31, 2007	0.5	250
Registered for the first time on or after January 1, 2003 but before January 1, 2008	3.5	600
Registered for the first time on or before December 31, 2002	4.5	800

*at idle

4.2. EMISSION STANDARDS FOR VEHICLES WITH COMPRESSION-
IGNITION ENGINES (Diesel): (Light absorption coefficient, m-1), k (Section 9,
DAO No. 2010-23)

VEHICLE REGISTRATION	Light Absorption Coefficient m-1, k
Registered for the first time after December 31, 2007	2.0
Registered for the first time on or after January 1, 2003 but before January 1, 2008	2.5

Registered for the first time on or before December 31, 2002	2.5 3.5 (turbo-charged) 4.5 (1,000m increase in elevation)
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*using free acceleration test

4.3. Should there be new emission standards for motor vehicles set by the National Government, those new standards shall be observed.

Sec. 5. Emission Standards for In-Use Motorcycle/Tricycle and Moped (Section 8, DAO No. 2010-24). – All in-use motorcycles/tricycles and mopeds registered on the dates indicated below shall comply with the following emission standards, which shall be adjusted whenever new emission standards for motorcycle/tricycle and mopeds are set by the National Government:

Vehicle Registration Date	Emission Standards		
	Carbon monoxide (% by Volume)	Hydrocarbon (ppm)	White smoke (o% opacity)
Registered for the first time prior to January 1, 2003	6.0	6,500	30
Registered for the first time on or from January 1, 2003 up to December 31, 2011	4.5	6,500	30
Registered for the first time on or after January 1, 2012	3.5	4,500	30

Should there be new emission standards for motorcycles/ tricycles and mopeds set by the National Government, those new standards shall be observed.

Sec. 6. Test Procedures for Measurement of Exhaust Emissions for In-Use Motorcycle/Tricycle and Moped (Section 9, DAO No. 2010-24). –

PARAMETER	REFERENCE
Hydrocarbon and Carbon Monoxide	At idle per Annex C of DENR Administrative Order No. 2000-81
White Smoke	Opacity at ¾ maximum RPM or based on manufacturer’s manual. Test procedure based on free acceleration.

Should there be new emissions standards for motorcycles/ tricycles and mopeds set by the National Government, those new standards shall be observed.

Sec. 7. Emission Test for All Public Utility Vehicles. – All public utility vehicles (PUVs) such as, but not limited to, public utility buses (PUBs), public utility jeepneys (PUJs), UV Express Service and taxi cabs that are occupying or utilizing garages and terminals within the territorial jurisdiction of the city and operated by organized transport groups or private companies are required to submit a copy of their current and valid motor vehicle smoke density test results or CEC from DOTC-authorized and DTI-accredited PETC or LTO-Motor Vehicle Inspection Station (LTO-MVIS) as a prerequisite for the issuance of an Environmental Clearance from the Department for the garage or terminals being utilized.

Any violation of this provision shall result in the non-issuance of Environmental Clearance by the Department as well as a recommendation for CDO and/or Closure Order to the BPLO and for the cancellation of temporary permit to the DPOS.

Sec. 8. Emission Test Procedure for In-Use Vehicles Equipped with Spark Ignition Engines (DAO No. 2010-23, Annex A). – The test procedure is for the determination of the concentration of exhaust carbon monoxide (CO) and hydrocarbon (HC) emissions from in-use motor vehicles equipped with spark ignition engines running at idle speed.

8.1. TEST EQUIPMENT (Reference ISO-3930)

- 8.1.1. Carbon Monoxide Analyzer – A NDIR (Non-Dispersive Infrared, CO Exhaust Gas Analyzer;
- 8.1.2. Hydrocarbon Analyzer – A NDIR HC Exhaust Gas Analyzer, HC as hexane (C6H14);
- 8.1.3. Tachometer – an easily-installed and operated tachometer to measure engine speed (RPM)

8.2. VEHICLE PREPARATION

- 8.2.1. Set the vehicle transmission at neutral with the hand-brake engaged;
- 8.2.2. With the accelerator in the rest position, make sure that the idling speed or the engine rpm conforms with the vehicle manufacturer's recommendation;
- 8.2.3. All accessories like rear window heating, air-conditioning system, air fan and other equipment necessary for the vehicle operation at idle should be switched- off;
- 8.2.4. Check that the temperature of the engine is at least 70°C; otherwise run the vehicle for at least 15 minutes on a normal road before testing; and
- 8.2.5. Ensure that the vehicle exhaust system of the engine is reasonably leak-proof and will allow the insertion of the sampling probe by at least 30cm. from the tailpipe outlet. If this is not possible due to tailpipe configuration, use the appropriate correction factor.

8.3. MEASUREMENT

- 8.3.1. Immediately preceding the measurement, adjust the instrument to zero and accelerate the engine to about 2,500 rpm, using the tachometer, if available. Maintain this speed for ten (10) to fifteen (15) seconds, then release the pedal to return the engine at idle speed.
- 8.3.2. While the engine idles, insert the sampling probe into the exhaust pipe as deeply as possible which shall not be less than 30 cm. Wait for twenty (20) seconds and take the CO/HC reading.
- 8.3.3. If the vehicle has multiple exhaust outlets, the arithmetic average of the CO/HC reading in each exhaust outlet is taken as the final result.

8.4. INSTRUMENT CALIBRATION, ADJUSTMENT (REFERENCE: ISO 3929)

- 8.4.1. Prepare, use and maintain the analyzer following the directions given in the instrument manufacturer's operation manual and service the instrument at such intervals as to ensure accuracy.
- 8.4.2. Carry out a span and zero calibration within a period of four (4) hours before the instrument is moved or transferred to a new location. The calibration shall be performed well away from the exhaust of motor vehicles whose engines are running. If the instrument is not self-compensated for non-standard conditions of altitude and ambient temperature or not

equipped with a manually controlled system of compensation, the scale calibration shall be performed using calibration gas.

8.4.3. If the sample handling system is not integral with the analyzer, make certain that the effectiveness of the gas sampling system are leak-proof. Check that filters are clean, that filter holders are fitted with their gaskets and that these are all in good condition.

8.4.4. Ensure that the sample handling line probe is free from contaminants.

Sec. 9. Free Acceleration Test for In-Use Compression-Ignition Motor Vehicles (DAO No. 2010-23, Annex B). – The test is a smoke opacity measurement for in-use motor vehicles equipped with compression-ignition engines, using the free acceleration from low idle speed method.

9.1. MOTOR VEHICLE TEST CONDITION

9.1.1. The test shall be carried out on a stationary vehicle and the engine shall be first brought to normal operating conditions during a road run or dynamic test. In particular, cooling water and oil should be at normal temperature.

9.1.2. The combustion chamber should not have been cooled or fouled due to prolonged period of idling preceding the test.

9.1.3. The exhaust system shall not have any orifice or leaks wherein gases emitted by the engine might be diluted.

9.2. TEST EQUIPMENT – The light-absorption coefficient of the exhaust gases shall be measure with a Smoke Opacity Meter (Opacimeter) satisfying the conditions laid down in ECE Regulation No. 24, Revision 2E/ECE/TRANS 505. Rev Add 23 Rev 2, Annex 8: Characteristics of the Opacimeter.

9.3. TEST PROCEDURE AND SMOKE OPACITY MEASUREMENT

9.3.1. Follow the Opacimeter manufacturer's instruction on the proper installation, operations/use and check the accuracy and calibration before and after each test;

9.3.2. Set the vehicle gear-change control in the neutral position and the hand-brake effectively engaged;

9.3.3. Start the engine and warm it up to its normal operating temperature;

9.3.4. Accelerate the engine two (2) to three (3) times prior to smoke sampling in order to remove deposits of soot and other carbon particles in the tailpipe;

9.3.5. Insert the Opacimeter's probe tip in the tailpipe of the apprehended vehicle;

9.3.6. With the engine idling, depress the accelerator quickly, but not violently to obtain maximum delivery from the injection pump. Maintain this position until maximum engine speed is reached for about two (2) to four (4) seconds and the governor comes into action. As soon as this speed is reached, release the accelerator until the engine resumes its idling speed. Record the maximum reading of the smoke meter;

9.3.7. The operation described in paragraph 6 shall be repeated not less than six (6) times in order to clear the exhaust system and to allow for any necessary adjustment of the apparatus. The maximum opacity values read in each successive acceleration shall be noted until stabilized values are obtained. The values read shall be regarded as stabilized when four (4) consecutive readings are within a band width of 0.25m^{-1} and do not form a decreasing sequence. The arithmetic mean of the four (4) stabilized values shall be the test result for the concerned vehicle;

9.3.8. For motor vehicles designed with several exhaust outlets that are individually connected from paired exhaust ports, the free acceleration test shall be carried out on each outlet. In this case, the values used for calculating the correction to the absorption coefficient shall be the arithmetical mean values recorded at each outlet and the test shall be valid only if the extreme values do not differ by more than 0.15m^{-1} . For motor vehicles designed with several exhaust outlets connected from one (1) exhaust pipe coming from the engine's exhaust manifold collector, the free acceleration test shall be carried out only on one exhaust outlet, the other outlets effectively blocked to prevent leaks; and

9.3.9. Seal the full load screw of the injection pump/delivery system of the motor vehicle after the pass-test to prevent tampering.

Sec. 10. *Roadside Inspection of Motor Vehicles and Apprehension Procedure.* –

10.1. The spotter/flagger, who is positioned about 30-50 meters from the apprehending team, shall identify (through visual observation) and flag down the vehicles suspected of violating the emission standards. He/She shall motion to the

driver of the smoke-belching vehicle to pull over to the outermost lane of the road near the sidewalk and signal the apprehending officer to assist in flagging down the said vehicle;

10.2. The apprehending officer shall approach the flagged down vehicle and inform the driver that the vehicle is being stopped because it is visually emitting smoke and therefore, must be tested for smoke opacity sampling as specified under this IRR. He/She shall request from the driver to present his/her driver's license and a photocopy of the vehicle's OR/CR issued by the LTO to check if the description of these documents matches the vehicle;

10.3. While the apprehending officer verifies the documents, the depressor shall board into the vehicle and take the driver's seat. He/She shall ensure that the accessories of the vehicle being tested are turned off, that the hand brake is effectively engaged, and the vehicle's gear change control is in the neutral position. At the same time, the IEC officer/team leader shall inform the driver/passengers of the apprehended vehicle that this activity is part of the government's effort in cleaning the air and will only take a few minutes in conducting the smoke sampling test of the apprehended vehicle. Printed information materials shall also be distributed (if available);

10.4. After verification of documents, the apprehending officer shall hand over said documents to the machine operator to input basic vehicle data into the handheld device (or computer keyboard) of the Opacimeter. Smoke emission sampling must be done in accordance with the testing procedures as stated under Sections 8 and 9 of this Title;

10.5. After the test procedure, the depressor shall signal the prober to remove the Opacimeter's probe tip from the tailpipe and alight from the vehicle;

10.6. The machine operator shall print the computerized result of the smoke emission test generated from the Opacimeter, submit it to the apprehending officer and inform the latter whether the vehicle passed or failed the smoke emission standard;

10.7. If the computerized printout result shows that the vehicle passed the smoke emission standard, the apprehending officer shall return all the vehicle's documents and driver's license he requested earlier before releasing the vehicle;

10.8. On the other hand, if the computerized printout result shows that the vehicle failed, this printout shall serve as prima facie evidence of violation of the smoke emission standards and the apprehending officer shall issue an OVR indicating the

results of the test and shall also confiscate the driver's license. The confiscated driver's license will be forwarded to the AAPS Redemption Area located at the office of the Department for safekeeping;

10.9. The validity of the driver's OVR should be seven (7) working days only pending the fulfillment of the undertaking by the driver/owner/operator of the motor vehicle to make the necessary repairs so as to comply with the emission standards;

10.10. Apprehended motor vehicles shall not be operated or used in public roads except for purpose of transporting of the same to the calibration service center for repairs and to any DOTC-authorized and DTI-accredited PETC or LTO-MVIS for emission testing to ascertain if it already meets the emission standards; and

10.11. Once the vehicle meets the standards, the authorized and accredited emission testing center shall issue an original CEC to the driver/owner/operator of the vehicle to redeem the confiscated license at the AAPS Redemption Area. The CEC will have no validity period, its sole purpose is to secure the release of the confiscated license which was a consequence of that specific violation.

Sec. 11. *Procedure for the Redemption of Confiscated License. –*

11.1. The driver, operator or owner of the apprehended vehicle or his/her authorized representative shall proceed to the Department's AAPS Redemption Area and present all the requirements needed, such as the original OVR, photocopy of vehicle's OR/CR and original CEC, to the AAPS Redemption Officer for verification and issuance of an Order of Payment.

11.2. Payment of the fine indicated in the Order of Payment shall be paid at the City Treasurer's Office payment counters. Once payment has been made, he/she shall return to the AAPS Redemption Area to present the original Official Receipt and submit a photocopy of this receipt to the AAPS Redemption Officer.

11.3. The driver, operator or owner, or any of his/her representative must also submit a photocopy of the CEC he/she presented earlier to the AAPS Redemption Officer to facilitate the release of the confiscated item or driver's license.

11.4. Failure of the driver/operator to comply and pay the corresponding fines and penalties within the prescribed period shall compel the Department to initiate necessary action by forwarding the name(s) of the violator(s) to the City Legal Department for the appropriate legal action.

11.5. In the event the driver of the apprehended vehicle contests the apprehension and/or result of the emission standards test, he/she may appeal the same to the City Legal Department where he/she will be given an opportunity to be heard and present his/her evidence.

11.6. Pending the creation of the City Adjudication Service, through a Local Executive Order, the City Legal Department shall function as such. The City Adjudication Service may adopt its rules and procedures in the conduct of its hearings.

11.7. The prescriptive period to appeal is within 24 hours after the time of apprehension.

Sec. 12. *Fines and Penalties for Violation of Emission Standards for Motor Vehicles.*

– Vehicles found to have exceeded the emission standards for motor vehicles shall suffer the following penalties:

12.1. Fines for Violation of Emission Limits for Public Utility Vehicles and Private Vehicles:

12.1.1. First Offense – One Thousand Pesos (P1,000.00)

12.1.2. Second Offense – Three Thousand Pesos (P3,000.00)

12.1.3. Third Offense – Five Thousand Pesos (P5,000.00) and the offender must undergo a seminar on clean air compliance to be conducted by personnel from the AAPS of the Department;

12.2. Fines for Violation of Emission Limits for motorcycles/tricycles and mopeds:

12.2.1. First Offense – Three Hundred Pesos (P300.00)

12.2.2. Second Offense – Five Hundred Pesos (P500.00)

12.2.3. Third Offense – One Thousand Pesos (P1,000.00);

12.3. In case at least three (3) offenses under this Title were committed within a year, the AAPS of the Department shall endorse the case to LTO for the suspension of the Motor Vehicle Registration (MVR) for a period of one (1) year or such other penalties as may be warranted by existing laws and regulations.

Title 2: Stationary Sources

Sec. 13. *Air Pollution Standards for Stationary Sources.* –

13.1. The following stationary sources of air pollution are required to put up the appropriate air pollution control devices/facilities:

- 13.1.1. Fuel Burning Equipment Plant, Batching Plant, Kiln, etc.
- 13.1.2. Manufacturer of Nitric Acid
- 13.1.3. Manufacturer of Sulfuric Acid
- 13.1.4. Ice Plant using ammonia or similar chemicals in ice making
- 13.1.5. Anodizing Equipment
- 13.1.6. Fuel Storage Tank, e.g. Gasoline Stations
- 13.1.7. Smelting Furnaces
- 13.1.8. Spray Painting Activities for business purposes
- 13.1.9. Other Sources of Air Pollutant from Industrial Sources/Operations
- 13.1.10. Other Stationary Sources with similar activities

13.2. The above-enumerated stationary sources of air pollution are required to obtain an Environment Clearance from the Department. As a requisite for the issuance of a QC Environmental Clearance, a Permit to Operate-Air Pollution Source Installation (PO-APSI) from the DENR shall be required.

13.3. For the purposes of Title 2 of Rule V of this IRR, a "Stationary Source of Pollution" means any building or immobile structure, facility or installation which emits or may emit any air pollutant.

Sec. 14. *Fines and Penalties for Violation of Standards for Stationary Sources.* –

14.1. The visible emission standard for smoke and opacity or any equivalent method approved by the DENR shall be applied to stationary sources with air emissions. Any violation shall be punishable as follows:

- 14.1.1. First Offense – One Thousand Pesos (P1,000.00) and issuance of Notice of Violation
- 14.1.2. Second Offense – Three Thousand Pesos (P3,000.00) and issuance of a Cease and Desist Order (CDO) for the pollution source
- 14.1.3. Third Offense – Five Thousand Pesos (P5,000.00) and recommendation for the issuance of a Closure Order to the BPLO.

14.2. For the first offense, a period of compliance of not more than six (6) months shall be given to the establishment to institute corrective measures after which the concerned establishment shall be charged with the second offense and third offense, respectively, for continuous violation.

14.3. In case of irreparable or grave damage to the environment and public health as a consequence of any violation of the Clean Air Act, the Department shall recommend the filing of appropriate criminal charges against the violators, and shall assist the public prosecutor in the litigation of the case.

Title 3: Area Source of Pollution

Sec. 15. *Penalty for Area Sources Without Appropriate Permits.* – Area Sources operating without the required National Permits from concerned National Government Agencies shall be issued a Notice of Violation (NOV) and a fine of Five Thousand Pesos (P5,000.00). Thereafter, the case shall be endorsed to the local and national agencies concerned for appropriate action.

15.1. The following Area Sources of Pollution are required to secure the appropriate permits from the DENR:

15.1.1. Construction Companies/developers undertaking construction and development activities on sites;

15.1.2. Developers/operators of landfill sites; and

15.1.3. Other similar Area Sources of Pollution as may be determined by the Department.

15.2. An Environmental Compliance Certificate (ECC) or a Certificate of None Coverage (CNC), whichever is applicable, from the DENR shall be secured by the applicant before undertaking construction and similar activities.

15.3. For the purposes of Title 3, Rule 5 of this IRR, “Area Source of Pollution” is a source of air emissions that are not confined to a discrete point or points of emission (e.g., unpaved roadways, construction sites, garbage dumpsites/landfills).

Sec. 16. *Environmental Impact of Development.* –

16.1. The City recognizes that there is an ever growing development process in Quezon City, and that its impact on the environment is also increasing. The City likewise recognizes that this impact might lead to deterioration in environmental conditions, unless corrective measures are adopted and implemented.

16.2. Environmental assessment provides a rational approach to sustainable development. It enables developers to carry out environmental cost-benefit analysis of projects at an initial stage. It is thus a precursor to detailed analysis of environmental impacts, which are taken up only if a need for the same is established. It helps the planning and management to take long-term measures for effective management as well as environmental conservation.

16.3. In order to ensure the protection and conservation of the environment, including human health aspects, against uncontrolled development, there is a need to require all development and construction companies to submit an Environmental Impact Assessment to the City Planning and Development Office when applying for Locational Clearance.

16.4. Every owner/developer in Quezon City of projects such as, but not limited to, Shopping Malls, Residential Condominiums, Residential Subdivisions, Commercial Subdivisions, Residential Townhouses and construction and operation of a Gasoline and LPG Refilling Stations is hereby required to submit to the City Planning and Development Office a copy or copies, as required, of the Environmental Impact Assessment Study, duly approved and certified by the DENR, as one (1) of the requirements for the issuance of a Locational Clearance.

16.5. As a requisite for the issuance of a Locational Clearance by the City Planning and Development Office (CPDO), in accordance with the City's Comprehensive Zoning Ordinance, and as provided for in the Code, the Owner and/or Developer of projects mentioned in Section 15.1 of Title 3, Rule V of this IRR shall submit to the CPDO whichever of the following may be applicable:

- 16.5.1. Environmental Impact Assessment Study (EIAS);
- 16.5.2. Environmental Compliance Certificate (ECC); or
- 16.5.3. Certificate of Non-Coverage (CNC).

The above-mentioned documents must be duly approved and certified by the Department of Environment and Natural Resources (DENR).

Title 4: Ban on Smoking in Public Places

Sec. 17. *Fines and Penalties for Smoking in Public Places.* – Any person who smokes inside a public building or an enclosed public space, including public utility vehicles or other means of public transport; or in any enclosed area outside of his private residence, private place of work, or any duly designated smoking area shall be punished with a fine of One Thousand Pesos (P1,000.00), or one (1) month and one (1) day to three (3) months imprisonment or both at the discretion of the court.

Sec. 18. *Smoking Ban in Public Places.* – Smoking shall be absolutely prohibited in the following public places:

18.1. All government premises, buildings, and grounds;

18.2. Centers of youth activity such as playschools, preparatory schools, elementary and high schools, colleges and universities, youth hostels, and recreational facilities for persons under eighteen (18) years old. Such recreational facilities for persons under eighteen (18) years old shall include, but not be limited to, playgrounds;

18.3. Elevators and stairwells;

18.4. Locations in which fire hazards are present, including gas stations and storage areas for flammable liquids, gases, explosives or combustible materials;

18.5. Within the buildings and premises of public and private hospitals, medical, dental and optical clinics, health centers, nursing homes, dispensaries and laboratories;

18.6. Public conveyances and public facilities including airport and ship terminals and train and bus stations, restaurants and conference halls, except for separate smoking areas; and

18.7. Food preparation areas. Food preparation areas include areas where food or beverage is actually being manufactured or prepared.

Sec. 19. *Designation of Smoking and Nonsmoking Areas.* – In all enclosed places that are open to the general public, public and private workplaces, and other places not covered by the previous Section, where smoking may expose a person other than the smoker to tobacco smoke, the owners, proprietors, operators, possessors, managers or administrators of such places shall establish smoking and non-smoking areas. Such areas may include a designated smoking area within the building, which may be an open space, or a separate area with proper ventilation, but shall not be located within the same room that has been designated as a non-smoking area.

Sec. 20. *Standards for Designated Smoking Areas.* – The owners, proprietors, operators, possessors, managers or administrators of establishments covered by Section 19, Rule IV of this IRR shall determine the size and specification of the smoking or non-smoking areas: *Provided*, That the following standards shall be observed:

20.1. The designated smoking area other than in an open space shall be completely enclosed or physically separated from the rest of the premises and equipped with adequate ventilation in conformity with the provisions of PD No. 1096 and RA No. 8495.

20.2. Separation of the designated smoking area other than in an open space shall be effected through any of the following means:

20.2.1. The designated smoking area must be fully separated from smoke-free area by continuous floor-to-ceiling or floor-to-floor solid partitions which are interrupted only by doors equipped with door closers, and which must be kept constantly closed except when a person is entering or exiting the area; or

20.2.2. The designated smoking area must be set apart, and may be enclosed or confined by means other than those described in Section 20.2.1, Title 4, Rule IV of this IRR: *Provided*, That said means enable compliance to air quality standards set forth in PD No. 1096 and RA No. 8495, as follows:

20.2.2.1. The temperature and humidity of the air to be used for comfort cooling shall be maintained at 20-30°C effective temperature at an air movement of 4,570 to 7,620 mm/min with the living zone and 55 to 60% relative humidity.

20.2.2.2. The air quality in such occupied space shall at all times be free from toxic, unhealthful, or disagreeable gases and fumes and shall be relatively free from odors and dust.

20.2.2.3. The air in such occupied spaces shall at all times be in constant motion sufficient to maintain a reasonable uniformity to temperature and humidity but shall not cause objectionable drafts in any occupied portion. The air motion in such occupied spaces and in which the only source of contamination is the occupant, shall have a velocity of not more than 15.24 meters per minute as the air enters the living zone or 1,830 mm above the floor.

20.2.2.4. The air in all rooms and enclosed spaces shall be distributed with reasonable uniformity, and the variation on carbon dioxide content to the air shall be taken as measure of such distribution. The carbon dioxide concentration when measures 910 mm above the floor shall not exceed 100 parts per million (ppm).

20.2.2.5. The quality of air used to ventilate the space during the occupancy shall always be sufficient to maintain the standards of air temperature, air quality, air motion and air distribution. Ventilation requirements shall confirm to the following Outdoor Air Requirement:

CMM/PERSON OUTDOOR AIR REQUIREMENT

APPLICANT	OCCUPANTS SMOKING	RECOMMENDED	MINIMUM
Apartment, Average	Some	0.567	0.283
Apartment, De Luxe	Some	0.567	0.283
Banking Space	Occasional	0.283	0.213
Barber Shop	Considerable	0.425	0.283
Beauty Parlor	Occasional	0.283	0.213
Board Room	Very Heavy	1.417	0.567
Cocktail Bar	Heavy	1.134	0.708
Department Store	None	0.213	0.412
Directors' Room	Extreme	1.417	0.850
Drug Store	Considerable	0.283	0.213
Factory	None	0.283	0.213
Funeral Parlor	None	0.283	0.213
Hospital Private	None	0.850	0.708

Room			
Hospital, Ward	None	0.567	0.283
Hotel Room	Heavy	0.850	0.708
Laboratories	Some	0.567	0.425
Meeting Room, Offices	Very Heavy	1.417	0.850
General	Some	0.425	0.283
Offices, Private	None	0.708	0.425
Offices, Private Restaurant	Considerable	0.850	0.708
Cafeteria	Considerable	0.340	0.283
Dining Room	Considerable	0.425	0.340
Shop, Retail	None	0.283	0.213
Theater	None	0.213	0.142
Thcater	None	0.425	0.288

Sec. 21. Signages for Smoking Areas. –

21.1. Designated smoking areas shall have at least one (1) legible and visible sign posted saying “SMOKING AREA,” in English or Filipino, for the information and guidance of all concerned. The sign shall be placed conspicuously at the entrance of the designated smoking area and shall be in accordance with the following specifications:

- Overall Size of Sign – 297 x 219 mm
- Font and Size for “NO SMOKING AREA” or “SMOKING AREA” – Arial Black, 122 pt.
- Font and Size for “GOVERNMENT WARNING” – Arial Black, 48 pt.

Font and Size for “Tobacco Regulation Act” – Arial Black, 32 pt.

21.2. In addition, the sign or notice shall include a warning in English or Filipino about the ill effects of both direct and secondary exposure to tobacco smoke. Said warning should be any of the following:

GOVERNMENT WARNING: CIGARETTE SMOKING IS DANGEROUS TO YOUR HEALTH. (Babala: Ang Paninigarilyo ay Mapanganib sa Inyong Kalusugan.)

GOVERNMENT WARNING: CIGARETTES ARE ADDICTIVE. (Babala: Ang Sigarilyo ay Nakaka-adik.)

GOVERNMENT WARNING: TOBACCO SMOKE CAN HARM YOUR CHILDREN. (Babala: Ang Usok ng Sigarilyo ay Mapanganib sa Bata.)

GOVERNMENT WARNING: SMOKING KILLS. (Babala: Nakakamatay ang Paninigarilyo.)

21.3. Violation of this Section 21 shall be penalized with the following penalties:

21.3.1. First Offense – Warning

21.3.2. Second Offense – Three Thousand Pesos (P3,000.00)

21.3.3. Third Offense and succeeding violations – Five Thousand Pesos (P5,000.00)

Sec. 22. *Non-Inclusion of Tobacco Company or Products in Signs; Nonsmoking Area Signages.* –

22.1. Under no circumstances shall any mark, device, word or image associated with any tobacco company or product be included in any of the signs and warnings required under Sections 21 and 22 of this Rule.

22.2. Non-smoking areas shall likewise have at least one (1) legible and visible sign posted saying “NON-SMOKING AREA” or “NO SMOKING.”

Sec. 23. *Administration and Authority to Institute Action.* –The Department of the Building Official, the City Health Department, and Business Permits and Licensing Office are tasked to inspect and certify the appropriateness of the designated smoking areas provided by service establishments taking into consideration the air quality standards provided for under this IRR. To effectively implement this ordinance, the local chief

executive upon the recommendation of the City Building Official is authorized to institute criminal proceedings against the violators of this provision.

Sec. 24. “No Smoking” Signages in Public Establishments and Conveyances. –

24.1. Smoking is hereby prohibited in hospitals, movie houses, assembly halls, enclosed and air-conditioned public establishments, public conveyances, government buildings and school rooms, except in the designated smoking area to be identified by the administrator, owner, operator or manager of said establishments.

24.2. The aforementioned establishments shall install a signage “NO SMOKING AS PER ORDINANCE NO. SP-2350, S-2014” in most conspicuous places of the establishments, except in designated smoking area. Public conveyances shall likewise install the same signage in their front area or at the right side of the driver, and at the back of the driver’s seat with hotline number indicated below to be determined by the City Health Department. In both cases, the signage shall at least be 6 inches in length and 4 inches in height.

24.3. The penalties provided under Section 17 of this Chapter shall likewise be applied in case of violation of the immediately preceding paragraphs.

Sec. 25. *Designation of Smoking Areas in Public Establishments.* – All establishments open to the general public and all government offices must provide adequate smoking areas which may be duly designated and identified with sufficient markings for public information.

RULE VI – WATER POLLUTION

Sec. 1. *The Philippine Clean Water Act* – In implementing Rule VI and other pertinent provisions of this IRR, the City shall be guided by the provisions of Republic Act No. 9275, otherwise known as the Clean Water Act of 2004, which aims for a more efficient prevention, control, and abatement of water pollution and effective management of the country’s water resources.

Title 1: Effluent Discharge

Sec. 2. *Prohibited Acts on Water Pollution* – The following acts are hereby prohibited:

2.1. Discharging, depositing, or causing to be deposited, material of any kind, directly or indirectly into the water bodies (such as but not limited to throwing any kind of garbage, used oil, waste matters, or refuse in any drainage outlets such as canals, rivers, and creeks) or along the margins of any surface water, where the same shall be liable to be washed into such surface water, either by tide action or by storm, floods,

or otherwise, which could cause water pollution, or impede natural flow in the water body;

2.2. Discharging, injecting, or allowing to seep into the soil or subsoil, any substance in any form that would pollute groundwater;

2.3. Operating facilities that discharge or allow to seep, willfully, or through gross negligence, prohibited chemicals, substances or pollutants listed under RA No. 6969, into bodies of water, or wherein the same shall be liable to be washed into such surface, ground, coastal, and marine water;

2.4. Transport, dumping, or discharge of prohibited chemicals, substances, or pollutants listed under RA No. 6969;

2.5. Discharging regulated water pollutants without the required valid discharge permit;

2.6. Operating facilities that discharge regulated water pollutants without the required valid permits, or after the permit was revoked for any violation of any condition therein;

2.7. Disposal of potentially infectious medical waste into water bodies; or

2.8. Unauthorized transport over, or dumping into, water bodies of sewage sludge, or solid waste, as defined under RA No. 9275 and RA No. 9003.

2.9. Any violation of this provision shall be punishable as follows:

2.9.1. First Offense – One Thousand Pesos (P1,000.00) and issuance of Notice of Violation

2.9.2. Second Offense – Three Thousand Pesos (P3,000.00)

2.9.3. Third Offense – Five Thousand Pesos (P5,000.00)

Sec. 3. *Requiring Business Establishments to Install Appropriate Waste Water Treatment Facility/Plant and Other Pollution Control Devices –*

3.1. Major industries, markets, commercial buildings, restaurants, commissaries, eateries, food processing enterprises, mortuaries and other business establishments with wastewater discharges/effluents regulated by LLDA or DENR, shall secure a wastewater discharge permit and put up the plant or facility appropriate for their respective operations and in accordance with the City's Green Building Code. In addition, these establishments shall be required to connect to available sewer lines in

accordance with Section 15, Rule VI of this IRR. For the purposes of this provision, “major industries” shall be understood to include those developmental activities requiring an LLDA clearance. The following are examples of plants or facilities required of specific industries or establishments:

3.1.1. Waste Water Treatment Plant/Facilities – major industries and establishment with waste water discharge

3.1.2. Septic Tank/Sewerage Treatment Plant – commercial buildings, markets, restaurants, mortuary and other similar establishments

3.1.3. Grease Trap/Grease Interceptor – restaurants, commissary, eateries, food processing, and other similar establishments

3.1.4. Oil and Water Separator – gasoline stations, machine shops, car wash, motor pool, auto repair/supply surplus shops, public transport terminals/garages and other similar establishments

3.1.5. Sealed Concrete Holding Tank – piggery, livestock

3.1.6. Sealed Container – dental clinics, veterinary clinics, hospitals, laboratories, and other medical establishments.

3.1.7. Grease Vault - Industries or establishments that generate grease, waste oil, and similar end-products are required to hire the services of DENR-accredited toxic and hazardous wastes treaters for the proper collection, transport, treatment and disposal of said wastes.

3.2. In case of spillage of any waste, it is the responsibility of the establishment to make necessary action to contain and recover the waste that has been spilled.

3.3. Any violation of this provision shall be punishable as follows:

3.3.1. First Offense – One Thousand Pesos (P1,000.00) and issuance of Notice of Violation

3.3.2. Second Offense – Three Thousand Pesos (P3,000.00) and issuance of Cease and Desist Order (CDO) for the pollution source

3.3.3. Third Offense – Five Thousand Pesos (P5,000.00) and recommendation to the BPLO for the issuance of a Closure Order.

3.4. For the first offense, a period of compliance of not more than six (6) months shall be given to the establishment to institute corrective measures, after which the

concerned establishment shall be charged of second offense and third offense, respectively, for continuous violation. Thereafter, the case shall be endorsed to the local and national agencies concerned for appropriate action.

3.5. In case of irreparable or grave damage to the environment as a consequence of any violation or omission of the provisions of the Clean Water Act, the Head of the Department shall recommend the filing of appropriate criminal charges against the violators, and shall assist the public prosecutor in the litigation of the case.

3.6. Effluent shall conform to effluent standards set by the DENR. A Discharge Permit from concerned National Government Agencies shall also be secured. Applications for wastewater discharge permits shall be filed with the appropriate Laguna Lake Development Authority (LLDA) Regional or Satellite Office, or any other National Government agency, as mandated by law.

3.7. An LLDA Discharge Permit shall be a pre-requisite for the renewal of the Q.C. Environmental Clearance of establishments requiring such permit.

Sec. 4. *Requiring Markets and Slaughterhouses to Put Up a Sewerage Treatment Plant (STP) –*

4.1. Existing markets operating within the territorial jurisdiction of Quezon City are hereby required to secure permits from the Department, Market Development and Administration Department (MDAD), Department of the Building Official (DBO) and other concerned City Departments/offices, and shall provide the necessary documentary requirements pertaining to their compliance to the construction of STP and the water quality it produces. Only newly constructed markets and slaughterhouses with corresponding permits and clearances from the Department, DBO, and MDAD, etc. shall be allowed to operate. For the purposes of Section 4, Title 1, Rule VI of this IRR, “market” shall not include *talipapa*, flea markets, and satellite markets. Non-compliance hereof shall cause the non-issuance of the Business Permit to markets and slaughterhouses.

4.2. Existing and newly constructed markets and slaughterhouses applying for the installation of an STP shall submit the following requirements:

4.2.1. Q.C. Environmental Clearance from EPWMD and its prerequisite permit(s);

4.2.2. Business Permits from MDAD and its prerequisite permit(s); and

4.2.3. Building Permit from DBO (Construction Permit and Final Permit and Clearances) and its prerequisite permit(s).

4.3. No markets and slaughterhouses, whether existing or newly constructed, shall be allowed to operate in the City without the required STP.

4.4. Wastewater effluents of the STP should pass the standards set forth by the LLDA and/or DENR.

Sec. 5. *Clean-Up Operations.* –In addition to the penalties provided in this IRR, any person who causes pollution in, or pollutes water bodies, shall be responsible for containing, removing and cleaning-up any pollution incident at his own expense to the extent that the same water bodies have been rendered unfit for utilization and beneficial use: *Provided*, That in the event emergency clean-up operations are necessary and the polluter fails to immediately undertake the same, the Department, in coordination with other government agencies concerned, shall conduct containment, removal and clean-up operations. Expenses incurred in said operations shall be reimbursed by the persons found to have caused such pollution upon proper administrative determination in accordance with this IRR.

Title 2: Sewerage and Sanitation

Sec. 6. *Coverage.* –In implementing this Title, the City shall abide by the following Sewerage and Septage Management Principles:

6.1. All buildings and structures, whether residential, commercial or industrial establishments, government offices, or other institutions shall be required to have proper sewage treatment or septage management system.

6.2. Untreated excreta from residential areas without septic tanks and untreated wastewater from industrial and public establishments shall not be discharged to open drainage canals or piped drainage systems.

6.3. No wastewater shall be discharged to the environment without any proper treatment, which treatment shall be in accordance with the standards set by the appropriate National Agencies.

Sec. 7. *Existing Facilities.* –

7.1. All residential houses and buildings located in “unsewered areas” of the City must have a hygienic septic tank that is compliant with national standards: *Provided*, That no structure must be built on top of a septic tank to ensure that it is accessible at all times: *Provided, further*, That once sewer lines become available in the area, the said septic tank shall be decommissioned to comply with the requirement for mandatory connection to existing sewer lines under Section 15, Title 2, Rule VI of this IRR.

7.2. Owners of commercial, industrial and institutional buildings or facilities shall have an operational wastewater treatment facility either onsite or by service off-site. The said facility shall conform to the applicable standards of EMB-DENR, DOH, and other national government agencies. Owners of these buildings or facilities shall secure an Environmental Clearance from the Department. In addition, wastewater from medical facilities shall conform to the policies and guidelines on the handling, collection, transport, treatment, storage, and disposal of health care wastes under Joint DENR-DOH Administrative Order No. 02, series of 2005, and any other applicable regulation.

7.3. Pertinent permits from the offices/departments specified in Sections 8.2 and 8.3, Title 2, Rule VI of this IRR shall be required for the design of sanitary plumbing, septic tank, and/or STP/WWTF of existing facilities that are undergoing renovation/retrofitting/rehabilitation.

Sec. 8. *New Facilities.* –

8.1. No building plan for residential dwelling units, commercial, industrial, institutional, or recreational structures shall be approved unless the design of the sanitary plumbing and septic tank or wastewater treatment facility conforms to the specifications as provided by national standards.

8.2. The following procedure in securing permit shall be observed in the approval of the design of the sanitary plumbing, septic tank or STP/WWTF as part of the building plan:

8.2.1. Construction Permit and Final Permit from the DBO;

8.2.2. Sanitary Permit from the CHD (provisionary permit as to design only);
and

8.2.3. Environmental Clearance (provisionary clearance as to design only).

8.3. Before commissioning and operation of the building facilities and/or the business, the owner and/or operator shall secure a certificate or permit from the following offices/departments:

8.3.1. Sanitary Permit from the CHD, and its prerequisite permit(s);

8.3.2. Environmental Clearance from the EPWMD and its prerequisite permit(s);

8.3.3. Business Permit from the BPLO and its prerequisite permit(s), if applicable.

Sec. 9. *Septage, Collection, Transport and Disposal* –

9.1. Only DENR- and/or DOH-accredited private entities complete with permits shall be allowed to provide septage collection and transport services. Collected septage shall only be disposed of and treated in a DENR- and/or DOH-accredited disposal/treatment facility with pertinent permits.

9.2. Procedure for septage collection, transport and disposal/treatment:

9.2.1. The source or generator of septage/sludge may only secure the services of an accredited service provider or water/sewerage concessionaire in the City.

9.2.2. The concerned service provider or water/sewerage concessionaire shall keep a document or manifest as evidence of the transaction.

9.2.3. The concerned service provider or water/sewerage concessionaire shall provide the generator a document (e.g., copy of a desludging job order) showing the service or services provided.

9.3. The concerned service provider or water/sewerage concessionaire shall make their records/data available for the City's documentation as to the number/names of households and establishments being served. This includes the volume of wastewater that was treated, recycled, and disposed of.

Sec. 10. *Mandatory Desludging of Septic Tanks*. – All owners and users of septic tanks shall be required to desludge it on an average of once every three (3) to five (5) years or when the sludge volume is around one-third ($1/3$) of the total volume of the septic tank, whichever comes earlier.

10.1. Septic tanks shall be accessible at all times. Further, no structure shall be built on top of any septic tank.

10.2. Inaccessible septic tanks shall be repaired, upgraded or replaced by a new one, as maybe directed by the Department of the Building Official, to ensure accessibility and for purposes of desludging, at the sole expense of its owner or user.

10.3. The inspection and opening of septic tanks shall only be done by a representative of the City Health Department, Barangay officials, a representative of the Department of the Building Official, MWSS or any of its concessionaires, in coordination with the Department.

10.4. For purposes of database monitoring, the Department and CHD shall keep a record of all establishments and households who have desludged their septic tanks in coordination with the concerned concessionaires.

10.5. Violation of this provision shall subject the owner and/or user of the septic tank to the penalty as stipulated in Section 18 in relation to Section 17.1 of Title 2, Rule VI of this IRR.

Sec. 11. *Design of Septic Tanks.* –

11.1. All septic tanks shall be designed to exclude rainwater/flow from downspouts and such other requirements and specifications as provided by national standards. The City Building Official is mandated to ensure that appropriate standard designs of septic tanks are enforced in the evaluation and processing of plans, permits, and inspection procedures.

11.2. The concerned service provider or water/sewerage concessionaire shall include in its report under Section 10.4, Title 2, Rule VI of this IRR the buildings and houses whose septic tanks it finds, in the course of providing its service, to be non-accessible.

Sec. 12. *Regulation of Desludgers.* –

12.1. Liquid and/or solid materials removed from septic tanks shall be transported by the DENR/DOH accredited septage hauler/pumper to the approved septage treatment facilities pursuant to the regulations prescribed by the DOH. Unless otherwise provided by law, no septage hauler/pumper shall be allowed to collect, transport and unload or dispose of septage in other places, including bodies of water, agricultural fields, and the drainage system within the City.

12.2. Accredited desludgers shall observe the procedures stated in Section 9.2 of Title 2, Rule VI of this IRR.

12.3. Accredited desludgers or service providers must have a treatment facility approved by the DOH, and if there is no such facility, the desludger or service provider must show proof that it has a contract with the owner of a treatment facility where the collected sludge is processed.

Sec. 13. *Permitting Requirements.* –

13.1. All entities engaged in desludging activities are required to secure a Permit to Transport from the DENR, Environmental Sanitation Clearance (ESC) from the DOH, Sanitary Permit from the City Health Department, Quezon City

Environmental Clearance from the Department and other pertinent permits as may be deemed necessary as part of the requirements for issuance of annual business permit from Quezon City.

13.2. BPLO, before issuing a business permit to the concerned service provider, shall require the latter to submit the following permits and clearances, in addition to other requirements:

13.2.1. Permit to Transport or an equivalent permit issued by the DENR or a Discharge Permit from LLDA;

13.2.2. Environmental Sanitation Clearance or an equivalent clearance issued by the DOH;

13.2.3. Sanitary Permit from the City Health Department; and

13.2.4. QC Environmental Clearance from the Department.

Sec. 14. *Institutional Arrangements.* –

14.1. *Construction and Design of Septage Facilities* – The Department of the Building Official shall designate field inspectors that will check on the general design, construction and maintenance requirements such as leakage/seepage of septic tanks, STPs/WWTFs in houses, subdivisions, buildings, commercial and business establishments for new and existing structures to ensure compliance with the existing laws as to wastewater and septage management.

14.2. *Database* – The City Health Department shall keep a comprehensive database of all households with and without septic tanks and those who have desludged their septic tanks and other relevant data that may be deemed necessary. The Department, on the other hand, shall keep a database of all business establishments, buildings with septage facilities and who have availed of the services of relevant service providers and other pertinent data that may be deemed necessary.

14.3. *Transport, Treatment and Disposal of Septage* – The Department and City Health Department shall enforce the rules and regulations set forth by the DENR and DOH in handling, transporting, treatment and disposal of septage.

14.4. *Sanitary Permits.* – The City Health Department shall issue Sanitary Permits for all treatment/disposal and collection facilities and develop their own procedures for periodic inspections of facilities and equipment, and training programs for septage workers.

14.5. *Opening and Desludging of Septic Tanks.* – The City Health Department, together with Barangay officials, representatives from the DBO, MWSS and its concessionaires and/or other accredited service providers, in coordination with the Department, shall be responsible for the opening and desludging of septic tanks.

14.6. *Sewer Line Connection.* – The DBO shall coordinate with the MWSS and its concessionaires in the mandatory connection to existing sewer lines and to impose penalty for any illegal connection/tapping.

14.7. *Illegal Structures on Waterways.* – The City Engineering Department shall perform regular monitoring of illegal construction to prevent encroachment of easements and waterways and implement removal of the same in coordination with other concerned City Departments/Offices.

14.8. *Information and Education Campaign.* – The Department and the City Health Department shall implement an information and education campaign about the proper wastewater and septage management to increase the level of awareness and commitment of the public to address problems on water pollution control, sewerage and sanitation.

Sec. 15. *Mandatory Connection of Facilities to Sewer Lines.* –

15.1. Buildings or premises producing sewage shall connect to the sewer main lines in all areas where they exist. The design of sewer connection shall comply with applicable standards. Where such connection is technically not feasible (e.g., when due to elevation issues), mandatory connection to a sewer line shall not be imposed but the concerned buildings or premises shall still be required to comply with the septic tank and desludging requirements.

15.2. The DBO and City Health Department shall oversee the MWSS or its concessionaires to ensure connection of the existing sewage line found in all subdivisions, condominiums, commercial centers, hotels, sports and recreational facilities, hospitals, market places, public buildings, industrial complex and other similar establishments including households to available sewerage system: *Provided,* That the said connection shall be subject to sewerage service charges/fees in accordance with existing laws, rules or regulations, unless the sources of sewage are utilizing their own sewerage system.

15.3. In overseeing the connection of concerned establishments to sewer lines, the DBO and CHD, with the assistance of the Department, shall require MWSS and/or its concerned concessionaires for the following information:

15.3.1. Map or maps indicating the location of existing available sewerage line/system and STPs in Quezon City;

15.3.2. List of households and establishments that have availed of the sewerage connection as well as those who have refused to connect to existing sewer lines; and

15.3.3. Plans of existing and future development projects, including maps, showing the installation or proposed installation of sewerage lines/systems and STPs within Quezon City.

Sec. 16. *Maintenance of the City's Drainage System.* –

16.1. The City Engineering Department shall maintain the City's drainage system in a sanitary state and in good condition.

16.2. To ensure the proper maintenance of the drainage system in Quezon City, the City Engineering Department shall do the following:

16.2.1. Conduct regular monitoring and maintenance of manholes and box culverts;

16.2.2. Conduct de-clogging of the drainage system whenever necessary; and

16.2.3. In coordination and jointly with MMDA and DPWH, conduct regular monitoring of the City's waterways.

Sec. 17. *Prohibited Acts.* –

17.1. Refusal to desludge as required by this IRR.

17.2. Refusal of any person/establishment to connect his/its sewage lines to available sewerage lines.

17.3. Dumping/discharging of sludge and septage in public places such as road, sidewalks, parks and establishments and in any bodies of water, such as drainage, canals, creeks, esteros, rivers or causing or permitting the same.

17.4. Desludging and transporting of septage without valid permits and accreditation from authorized permitting agencies as provided in the Code and this IRR.

17.5. Hiring/availing the services of illegal/non-accredited desludger, transporter by any person or establishment to desludge septic tank.

Sec. 18. *Penalties.* –

18.1. Any owner and/or user of a non-complying establishment who fails to comply with or violates the provisions of Section 17.1 or 17.2, Rule VI of this IRR, within one (1) year from the date of its effectivity shall be liable to pay the following fine for every violation thereof, as follows:

18.1.1. First Offense – One Thousand Pesos (P1,000.00) and issuance of a Notice of Violation (NOV)

18.1.2. Second Offense – Three Thousand Pesos (P3,000.00) and issuance of a Cease and Desist Order (CDO) by BPLO upon endorsement by the concerned agency

18.1.3. Third Offense – Five Thousand Pesos (P5,000.00) and issuance of Closure Order by BPLO upon endorsement by the concerned agency.

18.2. For non-complying residences, the owner and/or user thereof shall be liable to pay a fine of One Thousand Pesos (P1,000.00) for every count of violation.

18.3. Any person/establishment who violates Section 17.3, 17.4, or 17.5, Rule VI of this IRR shall pay an administrative fine of Five Thousand Pesos (P5,000.00) for every person involved in the violation and imprisonment of three (3) months but not more than six (6) months at the discretion of the court. Any equipment/paraphernalia that was used in this illegal activity shall be confiscated.

RULE VII – NUISANCE

Sec. 1. *Nuisance Defined.* – As used in this Rule, nuisance refers to any act, omission, establishment, business, condition of property, or any else which:

- 1.1. Injures or endangers the health or safety of others; or
- 1.2. Annoys or offends the senses; or,
- 1.3. Obstructs or interferes with free passage of any public highway or street, or any body of water; or
- 1.4. Hinders or impairs the use of property.

Sec. 2. *Prohibition Against Nuisances.* – For the purposes of this Rule, the following shall be considered nuisances within the purview of the Department, and shall be prohibited:

- 2.1. Excessive noise generated by business establishments and residences which exceeds the maximum allowable noise levels as provided in Section 6, Rule VII of this IRR, thereby disturbing the peace and quiet of the area.
- 2.2. Foul or objectionable odor emitted by cargo trucks or motor vehicles that transport any freight, load or delivery.
- 2.3. Foul odor emanating from residences or any business operation that adversely affect health and sanitation.
- 2.4. Vehicles, machinery, equipment or structures situated along public streets or sidewalks that affect and obstruct the convenient passage of motor vehicles and passers-by.
- 2.5. Public or private places that shall be used and maintained as a disposal site of refuse or any other noxious waste unless the site has been designated for such purpose and with the approval of concerned National Agencies.
- 2.6. Stockades, cages or pens for fighting cocks, pigs and other animals raised and intended for commercial purposes that shall be constructed, operated and maintained adjacent to any place of human habitation.
- 2.7. Livestock and dogs or pets, including birds under the control of the owner or keeper which disturb the peace and quiet of the neighborhood by constant barking or whining, or cause Unnecessary Noise, and that cause or emit foul odor due to disease or uncleaned animal waste.
- 2.8. Allowing dogs or pets, including birds by the owner/keeper to defecate (animal excreta) in public places or outside the owner's property.
- 2.9. Storing and drying of manure and other annoying materials/merchandise in places or areas not designated under existing zonal laws and local zoning ordinances.
- 2.10. Growth of weeds, grasses and bushes outside or within the premises of the establishment, abandoned houses or in any public or private vacant lots that may become breeding grounds for snakes and other harmful insects or animals.
- 2.11. Animal excreta.
- 2.12. Other cases similar to any of the above.

Sec. 3. Impounding Area. – Any dog, cat, or any stray animal seized by the authorized representative of the Barangay or the City Veterinary Department shall be brought to the

duly assigned impounding area for temporary animal custody and confinement. The City Veterinary Department shall take care of the animals while in captivity.

Sec. 4. Institutional Arrangement for Nuisance. –

- 4.1. Nuisance caused by business establishments shall be under the jurisdictional function of the Department.
- 4.2. Nuisance emanating from residences and caused by humans shall be under the jurisdictional function of the City Health Department. Nuisance emanating from and caused by animals shall be under the jurisdictional function of the City Veterinary Department.
- 4.3. Nuisance caused by obstruction on streets, public places, waterways, and that hinders or impairs the use of property shall be under the jurisdictional function of the DPOS and/or Engineering Department.

Sec. 5. Fines and Penalties for Violation of Section 2. – Any person or business establishment found violating any of the provisions of Section 2 of this Rule shall be imposed with a fine of One Thousand Pesos (P1,000.00) and cited with a Notice of Violation for the first offense; Three Thousand Pesos (P3,000.00) and issuance of a Cease and Desist Order (CDO) for the second offense; and Five Thousand Pesos (P5,000.00) and issuance of a Closure Order for the third offense.

Sec. 6. Noise Nuisance. –The maximum allowable noise quality standards (in decibels) in general areas shall be as follows:

Area Category	Morning 5am - 9am	Daytime 9am – 6pm	Evening 6pm -10pm	Night Time 10pm – 5am
Class AA	45 db	50 db	45 db	40 db
Class A	50 db	55 db	50 db	45 db
Class B	60 db	65 db	60 db	55 db
Class C	65 db	70 db	65 db	60 db
Class D	70 db	75 db	70 db	65 db

Class AA – A section or contiguous area which requires quietness within 100 meters from schools, nursery schools, hospitals, and homes for the aged.

Class A – A section or contiguous area that is primarily used for residential purposes.

Class B – A section or contiguous area that is primarily a commercial area.

Class C – A section primarily reserved as a light industrial area.

Class D – A section primarily reserved as a heavy industrial area.

Sec. 7. *Noise Restrictions/Prohibitions.* –

7.1. Activities that generate excessive noise classified as not permissible in areas as provided in the existing City Zoning Ordinance and other ordinances shall be prohibited. However, such activities that are permissible in the zone class shall be regulated under this IRR. These include, but are not limited to:

7.1.1. Restobars with live bands, music performers, videoke/karaoke/KTV/
Piped-in music and the like

7.1.2. Comedy bars

7.1.3. Repair shops of any kind

7.1.4. Vulcanizing and welding shops

7.1.5. Metal/wood/plastic works and fabricators

7.1.6. Building constructions and relevant infrastructures

7.1.7. Noise from machineries including automobiles and motorcycles

7.1.8. Such other activities that generate excessive noise.

7.2. The activities enumerated in Section 7.1 above shall be further regulated as follows:

7.2.1. Establishments in Sections 7.1.1 and 7.1.2 must provide appropriate soundproofing of their facilities.

7.2.2. Activities and machines of establishments under Sections 7.1.3, 7.1.4, and 7.1.5 that create excessive noise shall limit their business operations from 8:00 am to 5:00 pm only. However, business operations may extend beyond 5:00 pm provided that no loud noise is created and the same is not the subject of a complaint by neighbors. The installation of appropriate soundproofing device will be directed to the concerned establishment if the Department finds it necessary to prevent disturbance to the neighboring residents.

7.2.3. Construction of buildings or other infrastructures that creates excessive noise shall abide by the environmental management plan provided in the ECC with regard to the containment of sound.

7.2.4. The provisions of Section 7.2.2, Rule VII of this IRR shall apply to noise created by machineries and other activities that generate excessive noise and which is the subject of a complaint.

7.2.5. The provisions of Section 10, Rule VII of this IRR shall apply to noise created by automobiles and motorcycles.

7.3. *Noise Restrictions in Residential Areas.* – The use of component or sound system, motorcycle stereo, videoke machines, and karaoke machines shall be prohibited from 10:00pm to 6:00am, except during Christmas and New Year's Day. However, during special occasions like birthday, wedding day, wedding anniversary, death anniversary, barangay fiestas, sitio or purok fiestas, Araw ng Barangay, anniversary celebration or commemoration of any civic or non-government organization, events during elections, or any special occasion identified by the City Mayor, the use of loud sound-producing equipment may be allowed from 6:00am to 12:00am or as may be determined by the Barangay Chairman: *Provided*, That all religious observances, rites, practices, celebrations and commemorations, including but not limited to Ramadan, shall not be included in the prohibition in case it will need the use of a sound system.

Sec. 8. *Standards for Soundproofing of Business Establishments.* –

8.1. Any person, whether natural or juridical, within the territorial jurisdiction of Quezon City, who is engaged in the business of and/or operating with live bands, videoke or karaoke bars, discotheque houses, or similar establishments using loud speaker systems, shall be required to install soundproofing measures of walls, roofings, ceilings, and floors: *Provided*, That all existing business establishments subject to this Section are hereby given six (6) months within which to comply with the provisions hereof: *Provided*, further, That the provisions of this Section shall immediately apply to all establishments which shall be constructed, established and operated upon the issuance of this IRR.

8.2. To ensure that standards for the soundproofing of the establishment are met, a certificate signed by a professional/licensed Engineer must be secured by the concerned business establishment, certifying that the subject facility is soundproof. Said certification must be submitted to the Department as a pre-requisite for the issuance of an Environmental Clearance. The Department, whenever it deems necessary, may verify the authenticity/credibility of said certification by conducting its own test on the facility subject of the certification.

Sec. 9. *Exemption to Soundproofing Requirements.* – Business establishments as mentioned in Section 8 of this Rule may be exempted from the soundproofing requirement if their activities conform with the ambient noise quality standards under this IRR and their operations have no outstanding complaint of noise nuisance.

Sec. 10. *Prohibitions Against the Operation of Loud Car Stereo Systems, Amplifiers, Power Horns, Public Address and Speaker Systems and Loud Tricycle Mufflers.* –

10.1. It shall be unlawful to operate car stereo systems, amplifiers, power horns, horns with varying sounds, and other similar devices to be used indiscriminately through the emission of exceptionally-loud, startling, or disagreeable sound, and powerful music on all types of motor vehicles, both private and public, including buses, jeepneys, taxis, FX, tricycles, motorcycles, pedicabs, and the like while plying the thoroughfares and streets of Quezon City: *Provided, That* a public address and speaker system utilized in open public places employing loud noise during public gatherings or similar activities shall be covered by a valid permit. Likewise, motorcycles and tricycles operating with substandard muffler system emitting loud, excessive, disturbing and unhealthful sound plying the streets of Quezon City shall be apprehended.

10.2. Motorized and non-motorized vehicles mentioned in Section 10.1. above caught plying the streets of Quezon City, emitting a loud, startling, or disagreeable sound, or equipped with mufflers emitting a loud sound, shall be apprehended, except if the subject vehicle is part of a public gathering covered by a valid permit.

10.3. The Department's Environment Police and/or any deputized enforcer shall issue the appropriate violation ticket to the violator.

Sec. 11. *Fines and Penalties for Violation of Sections 6, 7, and 8.* – Any person or business establishment found violating Sections 6, 7, or 8, Rule VII of this IRR shall be imposed a fine of One Thousand Pesos (P1,000.00) and issued of a Notice of Violation for the first offense; Three Thousand Pesos (P3,000.00) and a Cease and Desist Order (CDO) for the second offense; and Five Thousand Pesos (P5,000.00), confiscation of the sound source, and a Closure Order for the third offense.

Sec. 12. *Administrative Procedure and Imposable Administrative Fines.* –

12.1. Any entity that violates Sections 2, 6, 7, and 8, Rule VII of this IRR shall be cited and informed by the duly authorized inspection team regarding the nature of infringement committed with the corresponding administrative fines to be paid. If the violator is a corporation or any other corporate entity, the president, manager, or person responsible for its operation shall be held liable.

12.2. Refusal to pay the fines provided for in Sections 5 and 11, Rule VII of this IRR shall authorize the Head to cause the institution of summary proceedings against the violator, or the filing of necessary criminal charges in court. The following penalties shall be imposed on those found guilty by the court:

12.2.1. First Offense – An imprisonment of not less than fifteen (15) days, but not more than thirty (30) days.

12.2.2. Second Offense – An imprisonment of not less than forty-five (45) days but not more than sixty (60) days.

12.2.3. Third Offense – An imprisonment of not less than ninety (90) days but not more than one hundred and twenty (120) days.

Sec. 13. *Administrative Procedure and Imposable Administrative Fines for Violating Section 10.* –

13.1. Any person who violates the provisions of Section 10, Rule VII of this IRR shall be cited and informed by the duly authorized inspection team regarding the nature of the infringement committed with the corresponding administrative fines to be paid, as follows:

13.1.1. First Offense – Five Hundred Pesos (P500.00)

13.1.2. Second Offense – One Thousand Pesos (P1,000.00)

13.1.3. Third Offense – One Thousand Five Hundred Pesos (P1,500.00).

13.2. Refusal to pay the fines shall authorize the Head to cause the institution of summary proceedings against the violator, or the filing of necessary criminal charges in court. The following penalties shall be imposed on those found guilty by the court:

13.2.1. First Offense – An imprisonment of not less than fifteen (15) days, but not more than thirty (30) days

13.2.2. Second Offense – An imprisonment of not less than forty-five (45) days but not more than sixty (60) days

13.2.3. Third Offense – An imprisonment of not less than ninety (90) days but not more than one hundred and twenty (120) days.

Sec. 14. *Complaint on Nuisance.* –

14.1. A complaint on nuisance shall be done in writing and signed by the community, neighborhood, or a considerable number of persons. Such complaint shall be acted upon in accordance with this IRR.

14.2. Nuisance is either public or private pursuant to Article 695 of the Civil Code. Public nuisance affects a community or a neighborhood or a considerable number of persons, although the extent of the annoyance, danger, or damage upon individuals may be unequal. A private nuisance is one that is not included in the foregoing definition, although a private person may file the appropriate action on account of a public nuisance, if it is especially injurious to himself, pursuant to Article 703 of the Civil Code.

14.3. Remedies against public nuisance:

14.3.1. Based on the written complaint signed by members of the community or neighborhood or by a considerable number of persons living adjacent to or affected by the source of nuisance, the Department shall conduct an inspection and direct the person or entity complained of to abate the nuisance.

14.3.2. A Notice of violation shall be issued to and/or the appropriate fines imposed on the concerned person or entity causing the nuisance.

14.3.3. If deemed necessary, the Department may call the respondent and the complainants for a meeting/conference to hear and resolve the case.

14.3.4. If the nuisance complained of concerns public health, or is an obstruction on streets, public places, waterways, or buildings, the complaint shall be endorsed to the concerned Office/Department as provided in Section 4, Rule VII of this IRR.

RULE VIII – QUEZON CITY ENVIRONMENTAL CLEARANCE

Sec. 1. *Quezon City Environmental Clearance.* – Every owner/operator of business, industrial, commercial or agricultural establishment with potential source of pollution/nuisance (air, water, odor, noise, or smoke) shall secure an Environmental Clearance for purposes of enforcement and implementation of existing rules and regulations on environmental concerns and industrial safety of the public, upon payment of an annual fee in accordance with the following schedule:

BUSINESS ACTIVITY	Inspection Fee
All Big-Scale Manufacturing Industries	P1,500.00
Funeral Parlor with crematorium/embalming services and other similar activities	P1,500.00
Sewage/Hazardous waste collector, transporter and treater	P1,500.00
Fuel Depot and Fuel Storage Activities	P1,000.00
Sanitary Waste Landfills and Toxic Waste Treatment Disposal Sites	P1,000.00
Hotels/Motels/Apartelles/Inns	P1,000.00
Welding Shops/Auto Repair and Painting Shops/Printing Shops/Machine Shops	P1,000.00
Furniture Shops/Refrigerator Repair Shops	P1,000.00
Garbage Contractors/Garbage Truck Terminals/Transfer Stations	P800.00
Private Hospitals and Laboratories	P800.00
Shopping Centers/Malls/ Markets/Talipapa	P800.00
Housing Development Projects, i.e., Residential Subdivision, Parks (Memorial Parks included), Condominiums	P800.00
High-Rise Buildings	P800.00
Private Schools	P800.00
Fast Food Chains/Restaurants	P800.00
Amusement/Recreational Places, e.g., Sport Centers, KTV, Videoke, Golf Courses and similar establishments	P600.00
Small-Scale Manufacturing Industries	P500.00
Transport Terminals/Garage/ Trucking Services	P500.00
Filling Stations and LPG Filling Stations	P500.00
Substations/Cell Sites	P500.00

Foundry Shops and similar activities	P500.00
Animal Farms/Piggery exceeding 25 heads	P500.00
Carwash/Laundry Services/Funeral Parlors	P500.00
Junkshops	P500.00
LPG Retailers (10 tanks and above)	P300.00
Medical Clinics/ with lying-in Clinics	P300.00
Animal Farms/Piggery exceeding 25 heads (repetition; see above)	P300.00
Other activities, projects as may be determined by the Department, has been the subject of complaints/inspection	P300.00

Sec. 2. *Environmental Protection Officer (EPO).* – All owners/operators of business, industrial, commercial or agricultural establishments/buildings shall appoint or designate an Environmental Protection Officer (EPO), who must be duly accredited by the Department, for purposes of supervision and enforcement within such establishments or buildings of existing rules and regulations for the protection of the environment and to promote the general welfare. An EPO shall pay to the Department an Annual Accreditation Fee of Three Hundred Pesos (P300.00).

Sec. 3. *Other Permitting Requirements.* – The submission of other permitting requirements shall, whenever applicable, be required prior to the issuance of an Environmental Clearance. These additional permitting requirements include, but are not limited to, the following:

- 3.1. Environmental Compliance Certificate from EMB-DENR,
- 3.2. Certificate of Non-Coverage from EMB-DENR,
- 3.3. Permit to Operate from EMB-DENR,
- 3.4. Discharge Permit from LLDA,
- 3.5. LLDA Clearance from LLDA, and/or
- 3.6. Hazardous Waste Generator I.D.

Sec. 4. *Administrative Provision.* – The duly authorized inspection team of the Department shall conduct an inspection of all industrial, commercial, and agricultural

business establishments in order to determine the propriety of their operations pursuant to the existing laws, rules and regulations. A Quezon City Environmental Clearance shall be issued to the owner after such inspection has been conducted and the establishment is found to be compliant to such laws, rules and regulations.

Sec. 5. Administrative Procedure and Imposable Administrative Fines on Administrative Provisions. –

5.1. Business establishments found without local and/or national permits at the time of inspection shall be deemed to be in violation of the provisions of this IRR and shall be duly informed and cited thereat by the authorized inspection team regarding the nature of infringement committed, with corresponding fines or penalties to be paid. If the violator is a corporation or any other corporate entity, the president, manager, or person responsible for its operation shall be held liable: *Provided*, That if the business establishment can show proof of payment of its application for national permits, a six-month grace period shall be extended to such business establishment.

5.2. *Renewal of Quezon City Environmental Clearance.* – Renewal of Quezon City Environmental Clearance issued by the Department shall be secured within the first month of the current year pursuant to the existing City Revenue Code and the Local Government Code. Failure to renew such clearance within the prescribed period shall entail a fine of P5,000.00 and P5,000.00 for every succeeding year of non-renewal.

5.3. Imposable Administrative Fines for non-compliance:

5.3.1. First Offense – One Thousand Pesos (P1,000.00) and advice for cessation of operations until such time that the violator fully complies with the requirements of the existing laws, rules and regulations. The violator is given a period of thirty (30) days to fully comply.

5.3.2. Second Offense – Three Thousand Pesos (P3,000.00) and the cessation of operations until such time that the violator fully complies with the requirements of the existing laws, rules and regulations. The violator is given a period of thirty (30) days to fully comply.

5.3.3. Third Offense – Five Thousand Pesos (P5,000.00) and the imposition of a Closure Order.

5.4. Refusal to pay the fines shall authorize the Head to cause the institution of summary proceedings against the violator, or the filing of necessary criminal charges in court.

RULE IX – INSTITUTIONAL ARRANGEMENTS

Sec. 1. **Original Authority to Hear Administrative Cases Under the Code.** – The following offices shall have the original authority to hear administrative cases, to impose Cease and Desist Orders and to recommend the issuance of Closure Orders to the BPLO, and to impose penalties for violation of the pertinent provisions of the QC Environment Code:

Rule III - Biodiversity Management	PDAD
Rule IV - Solid Waste Management	EPWMD
Rule V - Air Pollution	EPWMD
Rule V - Air Pollution (Title 4: Ban on Smoking)	CHD
Chapter VI - Water Pollution	EPWMD and/or CHD and/or DBO and/or ENGINEERING DEPT.
Chapter VII - Nuisance	CHD and/or EPWMD and/or DPOS and/or CITY VETERINARY DEPT.
Chapter VII - Noise Nuisance	EPWMD and/or CHD
Chapter VIII - QC Environmental Clearance	EPWMD

Sec. 2. **The Department.** – Administrative cases on pollution and other forms of nuisance as referred to in the preceding Section shall be adjudicated by the Department. As such, the Department is hereby authorized to perform the following:

- 2.1. Hear and deliberate pollution cases, whenever appropriate or necessary;
- 2.2. Impose fines and penalties, as provided in the Code and this IRR;
- 2.3. Issue a Cease and Desist Order on a pollution source (e.g., machine) installed by the concerned business establishments when such source causes pollution/nuisance and when such source (e.g., machine or equipment) has no corresponding permits from the national government and/or local government;

- 2.4. Recommend the issuance of a Cease and Desist Order (CDO) or Closure Order (CO), as may be appropriate, against business establishments to the Business Permits and Licensing Office;
- 2.5. Revoke or suspend Environmental Clearances issued by the Department;
- 2.6. Recommend to the proper government agencies the filing of appropriate administrative charges against violators of the Code and this IRR; and
- 2.7. Assist the public prosecutor in the litigation of cases, if needed.

Sec. 3. QC Environmental Protection Appeals Board (EPAB). –

3.1. The Environmental Protection Appeals Board shall be composed of the following Heads of Departments/Offices or, in their absence, by their respective and duly-designated representatives:

- 3.1.1. The Department (EPWMD) – Chairperson
- 3.1.2. City Health Department – Member
- 3.1.3. City Building Official – Member
- 3.1.4. Business Permits and Licensing Office – Member
- 3.1.5. City Engineering Department – Member
- 3.1.6. Parks Development and Administration Department – Member
- 3.1.7. Market Development and Administration Department – Member
- 3.1.8. City Planning and Development Office – Member
- 3.1.9. Department of Public Order and Safety – Member
- 3.1.10. City Legal Department – Member, and
- 3.1.11. Other Offices as may be deemed necessary.

3.2. In cases where the Department or Office Head is unavailable, the head must designate a representative who shall perform his duties and responsibilities as member of EPAB. The person designated shall act as representative for a period of one (1) year, subject to renewal upon the discretion of the concerned Department/Office Head.

3.3. All cases forwarded to the board shall be decided by a majority vote.

3.4. The Chairperson shall only vote in cases of a tie.

3.5. The EPAB shall have the following powers and responsibilities:

3.5.1. To hear and deliberate cases of violation of this IRR on appeal from the decision of a concerned office in QC especially in cases where the decision of the Department on pollution cases is being contested by concerned respondents and/or complainants whenever necessary;

3.5.2. To impose fines and penalties as provided in the Code and this IRR;

3.5.3. To issue a Cease and Desist Order on pollution source (e.g., machine) installed by the concerned business establishments that causes pollution/nuisance and that such equipment/machine has no corresponding permits from the national government and/or local government;

3.5.4. To recommend the issuance of a Cease and Desist Order (CDO) and/or Closure Order (CO) of business to the Business Permits and Licensing Office;

3.5.5. To recommend revocation or suspension of Quezon City Environmental Clearances issued by the Department;

3.5.6. To recommend to the proper government agencies the filing of appropriate administrative charges against the violators of the Code and this IRR; and

3.5.7. To assist the public prosecutor in the litigation of cases, if needed.

3.6. The EPAB shall take the lead in preparing and formulating the Rules of Pleading, Procedures and Practice to govern the adjudication of environmental cases and interrelationships of all offices handling cases involving violations of the Code and this IRR. These Rules shall be issued within sixty (60) days from approval of the Code and this IRR.

Sec. 4. *The Business Permits and Licensing Office (BPLO).* – The Business Permits and Licensing Office shall issue a Cease and Desist Order (CDO) and/or Closure Order (CO) to the concerned business establishment, upon the recommendation of the Department or the EPAB for noncompliance with the respective directives of either of the latter offices.

RULE X – PUBLIC INFORMATION AND EDUCATION

Sec. 1. *Conduct of Public Information and Education Campaigns.* – The Department shall, in coordination with the barangays, conduct a massive and continuing information and educational campaign on environmental protection. Such campaign shall:

- 1.1. Aim to develop public awareness of the ill effects of, and the community-based solutions to, environmental problems;
- 1.2. Concentrate on activities which are feasible and which will have the greatest impact on the environmental problems of Quezon City; and
- 1.3. Encourage the general public, NGOs and people's organizations to publicly endorse and patronize environmentally acceptable products and technologies.

RULE XI – COLLECTION AND DISPOSITION OF FINES

Sec. 1. *Collection and Disposition of Fines.* – Fines collected from violators of the Code and this IRR shall accrue in favor of the following:

- 1.1. Fifty percent (50%) to the City Government General Fund;
- 1.2. Forty percent (40%) to the Department for Research and Development Fund for environmental protection; and
- 1.3. Ten percent (10%) for the incentive program of the Department for its personnel. For the purposes of this Section, "personnel" shall be construed as including personnel of other Departments, Offices, as well as barangays, who are deputized by the Department to implement the Code and this IRR.
- 1.4. Fees collected under the Code and this IRR shall accrue to the General Fund and be disbursed in accordance with existing disbursement and accounting rules and regulations.

Sec. 2. *Fines Collected under Section 7, Rule IV.* –

2.1. The sharing scheme in the preceding provision shall not apply to the disposition of fines collected for violations of Section 7, Rule IV of this IRR, which shall accrue in favor of the following:

- 2.1.1. Seventy-five percent (75%) to the City Government General Fund, and
- 2.1.2. Twenty-five percent (25%) to the barangay where the violation was committed.

2.1.3. The share accruing to the concerned barangay shall be utilized exclusively for waste management-related projects.

Sec. 3. *Source of Incentive Schemes for Barangays.* – Funds for the implementation of the incentive scheme for barangays with best solid waste management practice and for barangays utilizing their own dump trucks for solid waste collection service, pursuant to the provisions of Sections 16 and 17 of Rule IV of this IRR, shall be sourced from the approved appropriations for the Department. For this purpose, the Department shall program and include an allocation for the incentive schemes for barangays in the proposed budget that it submits to the City Council for approval.

RULE XII– FINAL PROVISIONS

Sec. 1. *Implementing Rules and Regulations.* – This IRR was prepared and adopted by the Department in consultation with the City Health Department, Business Permits and Licensing Office, Department of the Building Official, Parks Development and Administration Department, and other key stakeholders, pursuant to Section 1, Chapter XII of the Code.

Sec. 2. *Accessory Penalties.* – In addition to the imposable penalties for any violation of the Code, all improvements introduced, and all tools, equipment, devices and all conveyances used in the commission of the offense shall be confiscated in favor of the City Government.

Sec. 3. *Community Service.* – If the violator cannot pay the fine or penalty provided in Section 2, Rule XII of this IRR, the Court may impose a penalty thirty (30) days community service.

Sec. 4. *Appropriations.* – Appropriations for the effective implementation of the Code and this IRR shall be included in the budget proposal to be prepared by the Department and submitted for inclusion in the annual budget and/or supplemental budget of the City Government.


Sec. 5. *Separability Clause.* – If any provision, section, or part of this IRR is declared unconstitutional or otherwise invalid by a court of competent jurisdiction, such judgment shall not affect or impair the remaining provisions, sections, or parts which shall continue to be in force and effect.


Sec. 6. *Applicability Clause.* – All other matters relating to the impositions in this IRR shall be governed by pertinent provisions of existing laws, the Code, and other ordinances.


Sec. 7. Repealing Clause. – The provisions of rules and regulations, or parts thereof, in conflict with, or inconsistent with any of the provisions of this IRR are hereby repealed or amended accordingly.

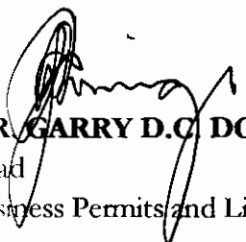
Sec. 8. Effectivity. – This IRR shall take effect fifteen (15) days following its publication in a newspaper of general circulation.

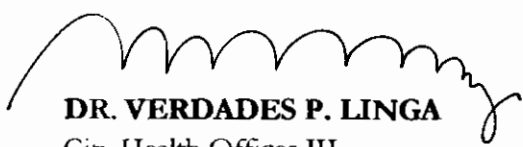
Recommending approval:


MS. RUBY G. MANANGU
Assistant City Accountant
Accounting Department


MR. RODOLFO M. ORDANES
City Assessor
Assessor's Office


ENGR. ISAGANI R. VERZOSA JR.
Head
Department of the Building Official


MR. GARRY D.C. DOMINGO
Head
Business Permits and Licensing Office


DR. VERDADES P. LINGA
City Health Officer III
City Health Department



ARCH. PEDRO P. RODRIGUEZ JR.

Officer-in-Charge

City Planning and Development Office



MS. BASILIA S. PACIS

Acting Treasurer

City Treasurer's Office



P C/SUPT. ELMO D.G. SAN DIEGO, Ph. D., PESE

Head, Department of Public Order and Safety

Action Officer, QC Disaster Risk Reduction and Management Office



ENGR. JOSELITO B. CABUNGCAL

City Engineer

Engineering Department



MS. FREDERIKA C. RENTOY

Head

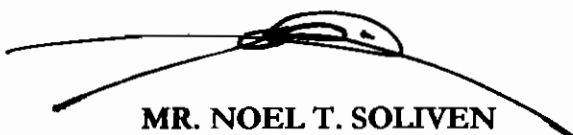
Environmental Protection and Waste Management Department



MR. REYNALD PAUL M. IMJADA

Head

Information Technology and Development Office



MR. NOEL T. SOLIVEN

Head

Market Development and Administration Department

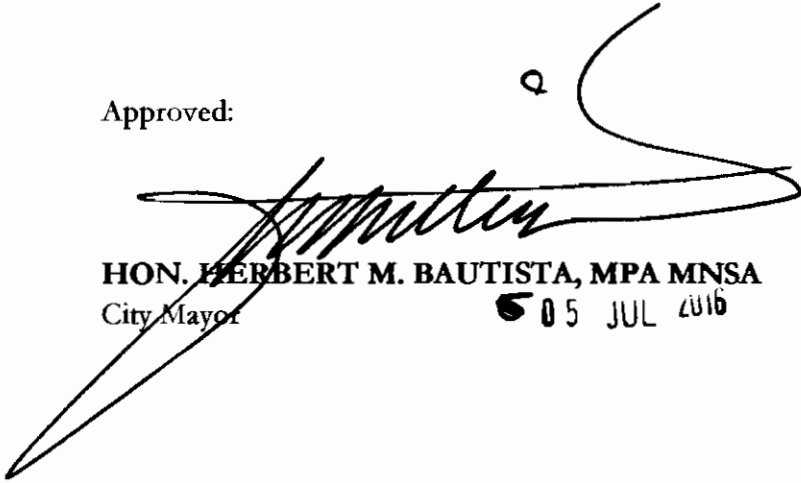


ENGR. ZALDY N. DELA ROSA

Head

Parks Development and Administration Department

Approved:



HON. HERBERT M. BAUTISTA, MPA MNSA
City Mayor

5 05 JUL 2016