WHEREAS, Article II, Section 16 of the Philippine Constitution provides "The State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature";

WHEREAS, it has been a tradition to install buntings(banderitas) and pennants(pasabit) along streets, roads, public thoroughfares, and public places during festivals, celebrations, barangay festivities, and occasions in the City of General Santos;

WHEREAS, buntings(banderitas) and pennants(pasabit) are often hand made using plastic bags, packaging leftovers and product ads;

WHEREAS, non-biodegradable plastics are considered as environmental nuisance, remaining in the environment for hundreds of years, thereby causing long-term pollution and often cause the blocking of drainage and open canals, resulting to flooding;

WHEREAS, there are environment-friendly materials that can be of alternative use to make buntings and pennants which can be washed, stored and reused such as fabric/cloth scraps, recyclable and indigenous materials;

WHEREAS, the City Government of General Santos, a frontrunner in environmental protection, realizes the need to sustain the development of its tourism industry and protect the health of its community, thus deems it necessary to prohibit the installation and display of buntings and pennants made with plastic & non-biodegradable materials along the streets, roads, public thoroughfares, and public places;

NOW THEREFORE, on motion of Hon. ____________, seconded by Hon. ____________, be it -

Resolved, as it is hereby resolved to enact the following ordinance

ORNANCE NO. ________
Series of 2018

AN ORDINANCE PROHIBITING THE INSTALLATION AND DISPLAY OF BUNTINGS AND PENNANTS MADE WITH PLASTIC & NON-BIODEGRADABLE AND ITS COMPONENT MATERIALS IN THE CITY OF GENERAL SANTOS

HON. ELIZABETH B. BAGONOC – Author/ Sponsor

Be it enacted by the Sangguniang Panlungsod, City of General Santos, that:

SECTION 1. SHORT TITLE. – This ordinance shall be known as the “Plastic Buntings and Pennants Ban Ordinance”

SECTION 2. DECLARATION OF POLICY. - The City government in line with this thrust deems it necessary to prohibit the installation and display of buntings (banderitas), pennants (pasabit) along streets, roads, major thoroughfares and public places made of plastic materials or non-biodegradable materials and by doing so, hereby penalizes its violators/ offenders.
SECTION 3. Definition of Terms. – For purposes of this Ordinance, the following words and phrases are hereby defined:

a. Buntings or banderitas - little flags or strips of plastics tied on a string and hanged, used as holiday decorations with or without print of brand name, company logo or product image.

b. Pennants or pasabit - any long, narrow, usually triangular flag, as used in naval signal hoists, for school banner, for decoration, etc.

c. Plastics - the general common term for a wide range of synthetic or semisynthetic organic solid materials suitable for the manufacture of industrial products. Plastics are typically polymers of high molecular weight, and may contain other substances to improve performance and/or reduce costs.

d. Non-biodegradable – not capable of being decomposed or broken down by other living organisms in a natural environment.

SECTION 4. SCOPE OF COVERAGE.- The coverage of this ordinance will be those outside the buildings both in private and public which are prohibited especially on the street.

SECTION 5. ENFORCEMENT. – In the implementation of this ordinance, the following guidelines shall be observed:

a) Lead Agency

The Waste Management Office (WMO) shall be the main implementing office of this ordinance. Furthermore, it shall be empowered to issue Citation Tickets to violators of the provisions contained herein.

(b) Permits

Persons/parties who wish to install and display buntings and pennants made of biodegradable materials as herein mentioned must first secure a permit from the Waste Management Office (WMO) by submitting:

- A letter of request
- A sample of the actual material to be used

(c) Citation Ticket

a. The Citation Ticket shall consist of two (2) copies and shall both contain the full name of the violator including complete and latest address, contact particulars, nature of the offense and the corresponding penalty.
b. Upon receipt of a citation ticket, the violator shall be given ten (10) days to settle the penalty at the City Treasurer’s Office. Otherwise, the matter shall be turned over to the City Legal Office for lawful action.

(d) Other Duties

The person/party granted the permit to install and display buntings and pennants shall also be required to ensure that:

a. The materials shall be installed only within fifteen (15) days prior to the actual date of the event for which the materials are to be used;

b. The materials displayed or installed shall be properly removed within a period of five (5) days after the event for which the materials were displayed or installed.

SECTION 6. The barangay concerned is tasked to identify the site where the buntings and pennants will be placed as applied by the sponsoring entity.

SECTION 7. FINES AND PENALTIES. - Any person whether natural or juridical, found in violation of the provisions of this ordinance shall be fined with Five Thousand Pesos (P5,000.00), or imprisonment of not more than Three (3) Months or both, at the discretion of the court and in the case of business entities, cancellation of their licenses or permit for one (1) year.

SECTION 8. REPEALING CLAUSE. - All ordinances, orders, rules and regulations which are inconsistent with any of the provisions of this Ordinance are hereby repealed or modified accordingly.

SECTION 9. SEPARABILITY CLAUSE. – If, for any reason or reasons, any part or provision of this ordinance shall be held to be unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in force and effect.

Section 10. EFFECTIVITY. – This Ordinance shall take effect Ten(10) days after its complete publication in any newspaper of general circulation within the city.