

EXECUTIVE ORDER NO. CM02005-010

AN ORDER DEFINING AND IMPOSING THE PENALTIES FOR THE VIOLATION OF REPUBLIC ACT 9003 OTHERWISE KNOWN AS THE ECOLOGICAL SOLID WASTE MANAGEMENT ACT 2000 AND STRENGTHENING THE POSITION OF THE CITY GOVERNMENT TO IMPLEMENT EXECUTIVE ORDER NO. CM02005-009

WHEREAS, the City Government of San Fernando, Pampanga is now in full blast toward the implementation, without delay, of Republic Act (RA) 9003 otherwise known as the Ecological Solid Waste Management (SWM) Act 2000;

WHEREAS, Executive Order (EO) No. CM02005-009 issued on June 30, 2005 aims at creating a Special Task Force and defining its role and functions to oversee and supervise the full implementation of a SWM Program for the City of San Fernando (P);

WHEREAS, it is a recognized and accepted fact that the barangay is the foundation and repository of government;

WHEREAS, the concept of basic services includes the promotion of cleanliness and implementation of waste segregation down to the barangay level;

WHEREAS, it is expected of each Barangay Council headed by the Barangay Captain to see to the full implementation of RA9003 and EO No. CM02005-009;

WHEREAS, an administrative case is in place against any barangay official for failure to implement RA9003 and EO No. CM02005-009;

WHEREAS, there still exist many sectors including commercial, industrial and institutional establishments, and, constituents who flagrantly violate the heart and soul of RA9003;

WHEREAS, the City Government realizes the need to give further substance to the full implementation of all campaigns against anti-littering, on cleanliness and orderliness, and on RA9003 and therefore imposes the following penalties for any violation thereof in accordance with City Ordinance No. 2002-002 and City Ordinance No. 2004-010, to wit:

Section I Any individual or person who, in the operation and maintenance of an establishment/firm/facility, violates any of the provisions of Ordinance No. 2002-002 shall, upon conviction, be punished by a fine of not less than Php500.00 or not more than Php 1,000.00 or by imprisonment of not less than one (1) day but not more than one (1) month or both at the discretion of the proper court without the prejudice to the imposition of a higher penalty as indicated in Chapter VI, Section 49 of RA9003 .

Section II In violation of the any of the provisions of Ordinance No. 2004-010, any commercial, industrial and institutional establishment owner or any of its officers shall be penalized with the following, to wit:

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| 1 st Offense | Fine of Php2, 000.00 and an order for the closure of the establishment/cessation of business operation. |
| 2nd Offense | Fine of Php3, 500.00 and an order for the closure of the establishment/cessation of business operation and/or imprisonment of the owner or its officers for two (2) weeks or both at the discretion of the proper court. |
| 3 rd Offense | Fine ofPhp5, 000.00 and an order for the closure of the establishment/cessation of business operation and/or imprisonment of the owner or its officers for one (1) month or both at the discretion of the proper court. |

Section III The following policies should be strictly implemented and adhered to:

1. No Segregation, No Collection Policy.
2. Banning of all garbage trucks dumping mixed waste at the city's dumpsite at Barangay Lara.

NOW THEREFORE, by the powers vested in me, I, OSCAR S. RODRIGUEZ, City Mayor of the City of San Fernando (P) do hereby order the imposition of penalties defined above for any violation of RA9003 and EO No. CM02005-009.

Furnish copies of this Executive Order to all offices/departments of the City Government including barangay councils through their barangay captains and all commercial, industrial and institutional establishments.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of San Fernando, Pampanga, this 12th day of July 2005.