RESOLUTION TO ENJOIN THE METRO MANILA COUNCIL (MMC) TO EFFECT THE MASSIVE AND CONTINUOUS CLEAN-UP OF METRO MANILA IN ACCORDANCE WITH THE PROVISIONS OF RA 9003

WHEREAS, Section 16. General Welfare, of Republic Act 7160, Local Government Code of the Philippines, states that: Within their respective territorial jurisdictions, local government units shall ensure and support, among other things, the preservation and enrichment of culture, promote health and safety, enhance the right of the people to a balanced ecology, encourage and support the development of appropriate and self-reliant scientific and technological capabilities, improve public morals, enhance economic prosperity and social justice, and preserve the comfort and convenience of their inhabitants;

WHEREAS, Section 17 of RA 7160 stipulates that the Local Government Units (LGUs) shall also discharge the functions and responsibilities of national agencies and offices devolved to them pursuant to RA 7160. LGUs shall likewise exercise such other powers and discharge such other functions and responsibilities as are necessary, appropriate, or incidental to efficient and effective provision of the basic services and facilities such as solid waste disposal system or environmental management system and services or facilities related to general hygiene and sanitation;

WHEREAS, the enactment of Republic Act 9003, the Ecological Solid Waste Management Act of 2000, institutionalized the creation of the National Solid Waste Management Commission (NSWMC), an inter-agency body that is mandated to oversee the implementation of the solid waste management plans and prescribe policies to achieve the objectives of the Act, of which the Metropolitan Manila Development Authority (MMDA) is a member;

WHEREAS, Article 1, Section 2 (d) of RA 9003 provides that proper segregation, collection, transport, storage, treatment, and disposal of solid waste through the formulation and adoption of the best environmental practices in ecological waste management is ensured;

WHEREAS, Article 1, Section 2 (g) of RA 9003 retains primary enforcement and responsibility of solid waste management with local government units while establishing a cooperative effort among the national government, other local government units, non-governmental organizations, and the private sector;

WHEREAS, the governing board and policy making body of the MMDA is the Metro Manila Council (MMC), composed of the mayors of the cities and municipality;

WHEREAS, the MMC promulgates rules and regulations, set policies and standards for metro-wide application governing the delivery of basic services, prescribe and collect service and regulatory fees, and impose and collect fines and penalties;

Waste No More! Waste No Time!
WHEREAS, the Supreme Court Mandamus orders the petitioners to clean up, rehabilitate and preserve Manila Bay in their different capacities, and states that the MMDA, as the lead agency and implementer of programs and projects for flood control projects and drainage services in Metro Manila, to cause the apprehension and filing of the appropriate criminal cases against violators of the respective penal provisions of the Ecological Solid Waste Management Act (RA 9003), Sec. 27 of RA 9275 (The Clean Water Act), and other existing laws on pollution;

WHEREAS, Section 50 of RA 9003 entitled Administrative Sanctions, states that all officials of government agencies and LGUs who fail to comply with and enforce rules and regulations promulgated relative to this Act should be charged administratively in accordance with RA 7160 (Local Government Code of 1990) and other existing rules and regulations;

WHEREAS, the NSWMC in its desire to achieve the objectives of the Act, and to achieve a clean Metro Manila, hereby, require the MMC to engage all LGUs to adopt all measures to implement and fully comply with their mandates as embodied in RA 9003, specifically Sections 21, 22, 23 and 24 and its IRR.

NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, that corresponding policy issuance shall be promulgated by the MMC to mandate the cities and municipality to effectively implement immediately the provisions of RA 9003 on segregation at source, segregated collection and establishment of materials recovery facility (MRF) and/or system (MRS) in all barangays or cluster of barangays and the regular clean-up activities to sustain the cleanliness of Metro Manila.

APPROVED on this 5th day of July, 2013.

RAMON J.P. PAJE
Secretary, Department of Environment and Natural Resources (DENR) and Chairman, National Solid Waste Management Commission (NSWMC)

ATTESTED BY:

EMELITA C. AGUINALDO
OIC-Executive Director, NSWMC