

IMPLEMENTING RULES AND REGULATIONS OF ORDINANCE NO. SP-2876, S-2019

An Ordinance Prohibiting the Distribution and/or Use of Single-Use Plastics/Disposable Materials including Cutlery for Dine-In Purposes in All Hotels and Restaurants in Quezon City

SECTION 1. SHORT TITLE – This Implementing Rules and Regulations are promulgated pursuant to Section 8 of Ordinance No. SP-2876, Series of 2019. For brevity, this Implementing Rules and Regulations shall hereinafter be referred to as “IRR.”

SECTION 2. DECLARATION OF POLICY – It is hereby declared the policy of the City to promote sustainable development and implement sustainable practices such as prohibiting the use/ distribution of single-use plastics/disposable materials including cutlery in all Restaurants and Hotels in the City.

SECTION 3. DEFINITION

a) **Restaurant** shall refer to any business establishment where meals, snacks, refreshments may be purchased and/or consumed. This shall also include Quick Service Restaurants commonly known as fast food restaurants such as Jollibee, McDonalds, Chowking, Greenwich, coffee shops, hotel restaurants. Said restaurants may be standalone restaurants or located within a building.

b) **Hotel** shall refer to establishments providing accommodations, meals, and other services for travelers and tourists such as, but not limited to, motels, hostel, transient houses and other similar establishments.

c) **Single-use Plastic/disposable materials** shall refer to, but not limited to, plastic spoon and fork, knives, plastic/paper cups, plates, plastic/paper straws, coffee stirrers, soap sachets, shampoo sachets, condiment cups with lids, ketchup/soy sauce packets, and other similar plastic and disposal materials.

All items that will be used only once for its intended or primary purpose and disposed afterwards are considered single-use/disposable materials.

d) **Styrofoam packaging** shall refer to polystyrene packaging used as primary packaging for cooked meals and other food products.

SECTION 4. SCOPE – This Ordinance shall cover all Restaurants and Hotels as defined above located in Quezon City.

SECTION 5. PROHIBITIONS

a) Restaurants and Hotels are prohibited from distributing single-use plastic/disposable materials such as, but not limited to, plastic spoon and fork, knives, plastic/paper cups, plates, plastic/paper straws, coffee stirrers and other single use plastic/disposal materials and Styrofoam as defined in Section 3 to customers/clients who are dining in.

Restaurants and hotels that set up tables and chairs within their area of business for purposes of allowing customers to consume meals, snacks, refreshments purchased from them, shall be covered by this IRR.

b) Hotels are prohibited to distribute soap, shampoo, shower gels, liquid soap, conditioners and other items used for hygienic purposes in sachets and single used containers.

For this purpose, a wall mounted refillable container or bottle of appropriate size is recommended.

c) Single-use plastics/disposable materials used as primary packaging or to seal or store food and non-food items and products for hygiene and sanitation purposes such as but not limited to,

toothbrush, razor, and cotton buds shall be allowed: Provided, there are no other re-usable alternatives available in the market to ensure the hygiene and sanitation of the item or product; Provided further, that the Quezon City Government through the Environmental Protection and Waste Management Department (EPWMD) should be properly notified and proof that there are no other re-usable alternatives available in the market has been sufficiently submitted; Provided, finally, that single-use plastics/disposable materials used as primary packaging or for sealing or storage for hygiene and sanitation purposes are disposed properly and if possible, recovered from the waste stream.

d) Hotels accredited as COVID-19 Quarantine Facilities by relevant Government Agencies are allowed to use Single-use Plastics/Disposable Materials for room service meals for health and safety protocols.

SECTION 6. PENALTIES - Any Restaurant or Hotel violating this Ordinance shall be penalized as follows:

First Offense - A Fine of One Thousand Pesos (Php1,000.00)

Second Offense - A Fine of Three Thousand Pesos (Php3,000.00), revocation of Environmental Clearance and issuance of a Cease and Desist Order by the Business Permits and Licensing Department (BPLD).

Third Offense - A Fine of Five Thousand Pesos (Php5,000.00), revocation of the Business Permit and issuance of a Closure Order.

The City Legal Department shall take appropriate action against violators upon the recommendation of the Business Permits and Licensing Department (BPLD) for non-compliance to the Closure Order.

SECTION 7. INFORMATION DISSEMINATION - The EPWMD shall conduct appropriate information dissemination campaign to ensure that stakeholders are made aware of the provisions and penalties of the Ordinance.

Meetings, community briefings, orientations and the like shall be undertaken by the EPWMD in coordination with other relevant Quezon City Departments/Offices utilizing online platforms for health and safety protocols.

SECTION 8. IMPLEMENTATION - The EPWMD and BPLD shall ensure the compliance of restaurants and hotels to the provisions of the Ordinance. Environmental Inspectors of the EPWMD shall issue Environmental Violation Receipts (EVRs) to violators.

The EPWMD and BPLD shall conduct regular inspections of restaurants and hotels either separately or jointly, subject to relevant City Ordinances and Regulations on the conduct of inspections. For inspections done separately, the inspecting Department shall provide a report, detailing the results of inspection, to the EPWMD or BPLD, as the case may be.

For this purpose, the EPWMD shall deputize Environmental Inspectors to implement the provisions of the Ordinance and this IRR.

SECTION 9. SEPARABILITY CLAUSE - If, for any reason, a provision or part of this IRR is declared invalid or unconstitutional, the other provisions not affected thereby shall remain in full force and effect.

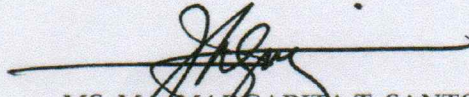
SECTION 10. REPEALING CLAUSE - All ordinances, resolutions, local executive orders or administrative issuances or parts thereof, inconsistent with the provisions of the Ordinance are hereby repealed, amended or modified accordingly.

SECTION 11. EFFECTIVITY CLAUSE - This IRR shall take effect immediately upon its approval.

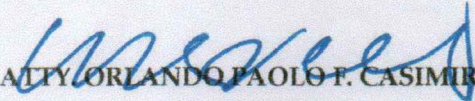
RECOMMENDING APPROVAL:



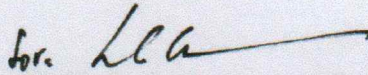
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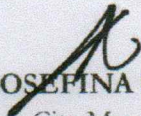


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Approved:



HON. MA. JOSEFINA G. BELMONTE
City Mayor

Date: June 30, 2021