



Republic of the Philippines
QUEZON CITY COUNCIL

Quezon City
20th City Council

PO20CC-106

28th Regular Session

ORDINANCE NO. SP- **2592**, S-2017

AN ORDINANCE MANDATING ALL HOSPITALS, CLINICS AND ALL HEALTH CARE WASTE GENERATORS IN QUEZON CITY TO AVAIL OF THE SERVICES OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (DENR) ACCREDITED MEDICAL AND HAZARDOUS WASTE HAULERS AND TREATERS AND PROVIDING PENALTIES THEREOF.

*Introduced by Councilor EUFEMIO C. LAGUMBAY.
Co-Introduced by Councilors Anthony Peter D. Crisologo, Lena Marie P. Juico, Elizabeth A. Delarmente, Victor V. Ferrer, Jr., Oliviere T. Belmonte, Precious Hipolito Castelo, Voltaire Godofredo L. Liban III, Ramon P. Medalla, Ranulfo Z. Ludovica, Estrella C. Valmocina, Roderick M. Paulate, Allan Benedict S. Reyes, Kate Abigael G. Coseteng, Jose Mario Don S. De Leon, Franz S. Pumaren, Marvin C. Rillo, Raquel S. Malañgen, Irene R. Belmonte, Ivy Xenia L. Lagman, Jose A. Visaya, Karl Edgar C. Castelo, Julienne Alyson Rae V. Medalla, Godofredo T. Liban II, Allan Butch T. Francisco, Marivic Co-Pilar, Melencio "Bobby" T. Castelo, Jr., Diorella Maria G. Sotto, Donato C. Matias, Eric Z. Medina and Ricardo B. Corpuz.*

WHEREAS, Section 16, Article II of the 1987 Philippine Constitution provides that: "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, the General Welfare clause provided for under Section 16 of the 1991 Local Government Code states that, "Every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general

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welfare. Within their respective territorial jurisdiction, local government unit shall ensure and support, among other things, the preservation and enrichment of culture, 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, promote full employment among their residents, maintain peace and order, and preserve the comfort and convenience of their inhabitants.”;

WHEREAS, Section 458 (a) (4) (iii) of R.A. No. 7160, otherwise known as the Local Government Code of 1991, provides that the Sangguniang Panlungsod may “Regulate the disposal of clinical and other wastes from hospitals, clinics and other similar establishments.”;

WHEREAS, Section 458 (a) (1) (iv) of the same Code provides that the Sangguniang Panlungsod may “Adopt measures to protect the inhabitants of the City from the harmful effects of manmade or natural disasters and calamities, and to provide relief services and assistance for victims during and in the aftermath of said disasters or calamities and in their return to productive livelihood following said events.”;

WHEREAS, the rapid increase of population in Quezon City has resulted in a fast-paced increase in the number of health service establishments, thus, the need for local government to monitor and regulate the wastes of said establishments for the safety and protection of patients, their workers and the populace in general.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY
IN REGULAR SESSION ASSEMBLED:

SECTION 1. TITLE – This Ordinance shall be known as “Ordinance Mandating All Hospitals, Clinics And All Health Care Waste Generators In Quezon City To Avail Of The Services Of The Department of Environment and Natural Resources (DENR) Accredited Medical And Hazardous Waste Haulers And Treaters Providing Penalties Thereof.”



SECTION 2. OBJECTIVE – All medical and hazardous wastes produced by hospitals and clinics and all health care waste generators in Quezon City shall be collected only by the Department of Environment and Natural Resources (DENR) accredited waste hauler.

SECTION 3. REQUIRED DOCUMENTS – Prior to the issuance of an Environmental Clearance by the Environmental Protection and Waste Management Department (EPWMD), all hospitals and clinics and all health care waste generators in Quezon City shall enter into a Service Agreement with a DENR accredited hazardous and waste hauler. In addition, they shall submit the Transporter Registration Certificate of the Hauler, and Permit to Transport of the Hauler, both issued by the DENR.

SECTION 4. REVOCATION – All hospitals and clinics and all health care waste generators in Quezon City are required to register with the EPWMD, otherwise, it shall be a ground for the revocation of their Sanitary Permit and Business Permit issued by the City Health Department (CHD) and Business Permits and Licensing Office (BPLO) respectively.

SECTION 5. PARTNERSHIP – All other similar establishments that generate minimal hazardous waste should partner with big hospitals serviced by a DENR accredited waste hauler for the disposal of their hazardous waste.

SECTION 6. CLASSIFICATION OF HEALTH CARE WASTES. Health Care Wastes shall be classified as follows:

- a. Pathological wastes – consist of tissues, organs, body parts, human foetuses and animal carcasses; and most blood and body fluids.*
- b. Infectious wastes – contain pathogens in sufficient concentration or quantity that exposure to it could result in disease. These include cultures and stock of infectious agents from laboratory work, waste from surgery and autopsies on patients*

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with infectious diseases, waste from infected patients in isolation wards, waste that has been in contact with infected patients undergoing hemodialysis (e.g.: dialysis equipment such as tubing and filters, disposable towels, gowns and aprons, gloves and laboratory coats) and waste that has been in contact with animals inoculated with an infectious agent or suffering from an infectious disease.

- c. Sharps – include needles, syringes, scalpels, saws, blades, broken glass, nails and other items that could cause a cut or puncture.*
- d. Pharmaceutical wastes – include pharmaceutical products, drugs, and chemical that have been returned from wards, have been spilled, are outdated or contaminated, or are to be discarded because they are no longer required.*
- e. Radioactive wastes – include solid, liquid, and gaseous waste contaminated with radionuclides generated from vitro analysis of body tissues and fluids, in vivo body organ imaging and tumor localization, and therapeutic procedures.*
- f. Genotoxic wastes – may include certain cytostatic drugs, vomit, urine, or feces from patients treated with cytostatic drugs, chemicals, and radioactive materials. This type of waste is highly hazardous and may have mutagenic, teratogenic, or carcinogenic properties.*
- g. Chemical wastes – comprise discarded solid, liquid, and gaseous chemicals, such as those from diagnostic and experimental work, and cleaning, housekeeping and disinfecting procedures. ✓*

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~~It is hereby declared that the following Rules and Regulations shall be created/formulated for the implementation of this Ordinance to be spearheaded by the Quezon City Health Department.~~

SECTION 8. PENALTIES – The following penalties shall be imposed for any violation of this ordinance:

First offense: Fine of Two Thousand Pesos
(Php2,000.00)

Second offense: Fine of Five Thousand Pesos
(Php5,000.00)

Third offense: Revocation of Sanitary Permit
and Business Permit until
compliance with this ordinance.

SECTION 9. OTHER VIOLATIONS – All persons who shall interfere or hinder or oppose any officer or member of the EPWMD, BPLO, and CHD in the performance of their duty in the implementation of this ordinance, or shall tear down, mutilate, deface or alter any billboard, streamer, poster or similar notices affixed to the premises in the enforcement of this ordinance shall be guilty of misdemeanor and punishable, upon conviction, by imprisonment for a period not exceeding six (6) months, or a fine of not less than Five Thousand Pesos (Php5,000.00) or both, upon discretion of the court.


SECTION 10. SEPARABILITY CLAUSE – If for any reason any part or provision of this Ordinance shall be held unconstitutional or invalid, other parts or provisions thereof which are not affected shall continue to be in full force and effect.

SECTION 11. REPEALING CLAUSE – All Ordinances and Administrative Circulars and Executive Orders, or parts thereof, which are inconsistent with any of the provisions of this ordinance, are hereby repealed or amended accordingly. ✓

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SECTION 12. *EFFECTIVITY CLAUSE* – This Ordinance shall take effect after fifteen (15) days following its publication in a newspaper of general circulation and posting in conspicuous places in Quezon City.

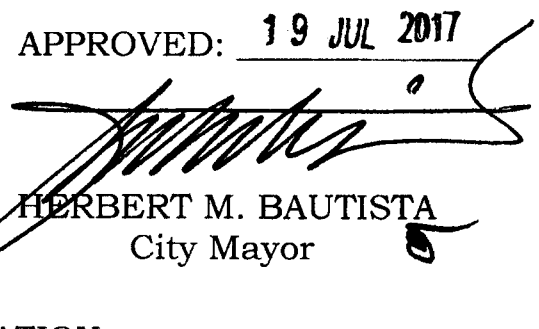
ENACTED: May 29, 2017.


MA. JOSEFINA G. BELMONTE
Vice Mayor
Presiding Officer

ATTESTED:



Atty. JOHN THOMAS S. ALFEROS III
City Gov't. Asst. Dept. Head III

APPROVED: 19 JUL 2017


HERBERT M. BAUTISTA
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on May 29, 2017 and was PASSED on Third/Final Reading June 13, 2017.


Atty. JOHN THOMAS S. ALFEROS III
City Gov't. Asst. Dept. Head III

