



**Republika ng Pilipinas**  
**SANGGUNIANG PANLUNGSOD NG MARIKINA**  
**7<sup>th</sup> City Council**

**Present:**

HON. JOSE FABIAN I. CADIZ, MD

City Vice-Mayor/  
Presiding Officer**District 1**

HON. RONNIE S. ACUÑA

City Councilor

HON. FRANKIE C. AYUSON

City Councilor

HON. JOSEPH B. BANZON

City Councilor

HON. WILLIE N. CHAVEZ

City Councilor

HON. SAMUEL S. FERRIOL

City Councilor

HON. EVA AGUIRRE-PAZ

City Councilor

HON. THADDEUS ANTONIO M. SANTOS, JR.

City Councilor

**District 2**

HON. ARIEL V. CUARESMA

City Councilor

HON. PAUL B. DAYAO

City Councilor

HON. MARK ALBERT J. DEL ROSARIO

City Councilor

HON. XYZA R. DIAZEN

City Councilor

HON. ERNESTO M. FLORES

City Councilor

HON. SUSANA P. MAGTUBO

City Councilor

HON. ROMMEL F. ORTIZ

City Councilor

**SECTORAL REPRESENTATIVE:**

HON. LEVY DL. DE GUZMAN

Liga President

**ON LEAVE:**

HON. RUBEN R. REYES

City Councilor

**ON OFFICIAL BUSINESS:**

HON. MARIO M. DE LEON

City Councilor

**Ordinance No. 057**

Series of 2014

**ORDINANCE REGULATING THE JUNKSHOP OPERATION WITHIN THE CITY OF MARIKINA, THEREBY REPEALING ORDINANCE NO. 80, SERIES OF 2006**

Introduced by:

Councilor Ariel V. Cuaresma

Co-sponsored by:

Councilor Frankie C. Ayuson

Councilor Mark Albert J. del Rosario

Councilor Ernesto M. Flores

Councilor Samuel S. Ferriol

Councilor Willie N. Chavez

Councilor Ruben R. Reyes

Councilor Xy-za R. Diazen

Councilor Joseph B. Banzon

Councilor Ronnie S. Acuña

Councilor Paul B. Dayao

and

Vice-Mayor Jose Fabian I. Cadiz, MD

**WHEREAS**, there is a need to introduce new provisions to regulate the operation of junkshops within Marikina City to ensure compliance and conform to the changing needs of the City;

**WHEREAS**, the City Government of Marikina is mandated to regulate business operation of junkshops for the safety and protection of its inhabitants;

**WHEREAS**, in the Local Government Code of 1991, Chapter II Section 16, Every local government unit shall exercise the powers expressly granted, those necessarily imposed there from , 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 welfare.

**NOW, THEREFORE, BE IT ORDAINED, AS IT IS HEREBY ORDAINED, BY THE SANGGUNIAN PANLUNGSOD of MARIKINA**, in session, duly assembled that:

### **SECTION 1. OPERATION OF JUNKSHOPS**

The City hereby authorizes the operation of Junkshops within the territorial jurisdiction of the City subject to strict compliance with the Health and Sanitation Code and all ordinances of the City relative to business operation and cleanliness. Junkshops shall be allowed to operate from 8:00 in the morning till 5:00 in the afternoon only.

### **SECTION 2. DEFINITION OF TERMS**

- 2.1. Employee – a person working in a junkshop who shall not be less than eighteen (18) years of age
- 2.2. Junkshop – refers to the business operation of trading, selling and buying of junk materials
- 2.3. Junkyard – refers to the junkshop premises including land, building and other structure or parts thereof being used for the business
- 2.4. Local Health Authority – refers to an official or employee responsible for the application of a prescribed health measure in a local political subdivision
- 2.5. Local Health Officer - refers to the City Health Officer
- 2.6. Non-conforming use – existing non-conforming uses/establishments in an area allowed to operate despite the non-conformity to the provisions of the Ordinance (Annex A No. 124 of Ordinance No.161, Series of 2006, entitled: Ordinance Adopting the Revised Zoning Regulations for Marikina City and Providing for the Administration, Enforcement and Amendment therewith”.
- 2.7. Operator/s – a person or group of persons who owns, leases, operates, manages, supervises, exercise control of an establishment, its premises and facilities
- 2.8. Scavenger – a person not having the capital to buy/acquire junks. It includes a person with or without push carts, who interferes in garbage collection of follow garbage trucks for the purpose of taking any item or material therefrom or take any item or materials from any household or commercial garbage to be collected by the city's garbage trucks.
- 2.9. Trader (Eco-Aide) - refers to a person or individual who has the capital to buy junks.

### **SECTION 3. REQUIREMENTS**

There shall be imposed the following requirements for the Junk Shop operations:

- 3.1. Junkshop operation shall be allowed only at **Commercial and Industrial Zones**, except on the main thoroughfares of the City. The list of major roads or thoroughfares where **no junkshop operations will be allowed** are as follows:

Barangay	Street/Road
J. DELA PEÑA	• A. Bonifacio Avenue
TANONG	• A. Bonifacio Avenue
BARANGKA	• FVR Road/Riverbanks • Don Gonzalo Puñat / Loyola Subd. • A. Bonifacio Avenue
KALUMPANG	• J.P Rizal St. • N. Roxas St. • Gen F. Santos St.
STA. ELENA	• J.P Rizal St. • W.C. Paz St. • Oriole St./Dr. Chanyungco St. • E. dela Paz St. • Zapatero St. • Shoe Avenue
SAN ROQUE	• Gil Fernando St. • Shoe Avenue • N. Roxas St. • I.B Liamzon St. • J.P Rizal St.
STO. NIÑO	• J.P Rizal St. • Shoe Avenue • Sumulong Highway • Gil Fernando Avenue • E. dela Paz St. • Toyota Avenue
CONCEPCION I	• J. Molina Street • Bayanbayanan Avenue • Gen. B.G. Molina Street • J.P. Rizal Street
TUMANA	• Katipunan Street, Loyola Grand Villas
NANGKA	• J.P. Rizal Street • V.V Soliven Avenue
PARANG	• Gen. B.G. Molina Street
CONCEPCION 2	• Panorama Street • Lilac Street • Rainbow Street • Olive Street • Russet Street • Pio del Pilar Street • Katipunan Street
MALANDAY	• Malaya Street • J.P. Rizal Street
INDUSTRIAL VALLEY COMPLEX	• Major Dizon Street

3.2. On top of the five-meter setback requirements, junkshop owners/ operator/s must provide a parking slot for the unloading and loading of junk materials inside their premises and never on roadways and sidewalks with a minimum dimension of 3m x 7m. The five-meter setback must be solely used for parking purposes only and shall not be converted into any other use.

3.3. There should be strict compliance with the Health and Sanitation Code, and all Ordinances of the City related to business operation and cleanliness.

3.4. The operation of junkyard shall only be allowed within a designated commercial and industrial zone, with a minimum area requirement of **100 square meters**. Any structure to be built shall comply with the yard requirements of the National Building Code as well as Ordinance No. 161, Series of 2006. In no case shall walls and fences be built within the five (5) meters parking area allowed located between the front monument line and the building line.

3.5. All junk materials must be properly stored and filed inside an enclosed paved area and must be at least six (6) inches off ground arranged in palettes and/ or racks.

3.6. The storing and filing of junk shall not exceed the firewall built by the operator.

3.7. It is hereby prohibited for scavengers, with or without pushcarts, to interfere in garbage collection or to follow garbage trucks for the purpose of taking any item or material there from or take any item or materials from any household or commercial garbage to be collected by the city's garbage trucks (Section 2, Ordinance No. 210, Series of 1996, as amended by Section 2, Ordinance No. 120, Series of 2004).

3.8. All Traders are required to immediately sell within in the day the junks they acquire and must not stuck up the same.

3.9. Proper keeping of all records in compliance with Local and National Government agencies' requirements.

**3.10. Health Certificate Requirements:**

- a. The operator and employees of the establishment shall be required to secure a health certificate (EHS Form No. 102-B; green in color) issued by the local health officer. The health certificate shall be issued only after the required physical and medical examinations and immunizations.
- b. The health certificate shall be renewed at least once a year.
- c. The health certificate shall be clipped visibly in the upper left front portion of the uniform worn by the employee while working. When such condition is not practical due to the nature of work in the establishment, the health certificate shall be made available upon inspection.
- d. The Health Certificates issued to the operator and employees are non-transferable.

**3.11. Personal Health and Hygienic Practices:**

- a. Employees of the establishment shall at all times observe good personal hygiene
- b. Employees of the establishment shall observe personal health and safety practices at all times while working:
  - i. No smoking of tobacco
  - ii. No drinking of alcoholic beverages
  - iii. No eating of any kind of food
  - iv. No spitting or blowing of nose
  - v. No littering

- vi. Other personal health and safety practices called for by the nature of work in the establishment.
- c. Employees suspected to be suffering from a contagious or communicable disease should be immediately referred for treatment by the operator.
- d. Operator/s shall provide a separate dining/mess area for their employees.

### **3.12. Personal Protective Equipment**

Personal protective equipment shall be provided to and used by every employee and is required to wear the following personal protective equipment while working: Safety shoes, gloves, dust mask and shirts with sleeves.

## **SECTION 4. BUILDING AND FIRE CODE REQUIREMENTS**

4.1. The junkshop operation shall likewise comply with the Building and Fire Code requirements which include but not limited to the following:

- a. Firewall- The Firewall built by the operator must be made of 6-inch thick concrete hollow blocks
- b. Electrical wirings/installations must comply with the provisions of the Philippine Electrical Code

4.2. Any structure or parts thereof that was decayed, damaged by fire or termites, or declared as 'Condemned' and to which in the assessment of the Building Official that structural integrity is questionable and shall constitute a hazard to public health and safety shall be demolished within such reasonable time as the local officers may order after due written notification to the owner or operator.

4.3. Machinery, equipment, or any structure or material placed unprotected, unguarded unsanitary, or situated or operated in any premises which constitute as nuisance shall be confiscated or abated within thirty (30) days after its assessment by the local health office and building officials and, after written notification to the owner or operator.

**SECTION 5. TOILET AND HAND WASHING FACILITIES.** The junkshop operators shall provide a separate toilet and hand washing facilities for their employees.

5.1. The toilet and hand washing facilities shall comply with the minimum requirements set forth by the Sanitation Office of the Marikina City Health Office (CHO).

5.2. Toilets and washing facilities shall be properly located, lighted, and ventilated.

5.3. Proper maintenance of toilets and hand washing facilities shall be done regularly.

**SECTION 6. NUISANCES AND PROPER DISPOSAL OF WASTE WATER-** The junk shop operation shall comply with the provisions for specific types of nuisances, observe the proper disposal of waste water and other noxious matters.

6.1. There shall no structure, materials, equipment machinery, or vehicles abutting unto public streets or sidewalks that affects and obstructs the convenient passage of traffic and passersby.

6.2. There shall be no noxious matter or any harmful substance that shall be disposed off unto streets, roads, alleys, bodies of water, or in any pathways or place not approved by the local health officer or other concerned regulatory agencies, as disposal site for such. The sanitary requirements of its disposal shall be pursuant to Chapter XVII of the Code on Sanitation of the Philippines (PD 856) and its implementing rules and regulations and all other pertinent laws, rules and regulations, and local ordinances.

6.3. Sewage or any waste water that are discharged unto streets, roads, alleys, bodies of water or in any pathways or place, or is used to water street plants, that is likely to affect health, cause pollution or contamination of wells, springs, or any source of drinking water, shall be declared as nuisance and shall be acted upon, corrected or removed by the owner or operator of the establishment within twenty-four (24) hours.

## **SECTION 7. VIOLATION AND PENALTY**

Any person who violates any of the provisions of this Ordinance, shall be penalized, as follows:

	Penalty
First Offense	Fine of P2,000.00

In case of violation by a corporation, partnership, or association, the penalty shall be imposed upon the erring officers thereof.

Upon the discovery of any violation after the expiration of the period provided for in this Ordinance, the City Engineering Office, the City Health Office and/or the Business Permits and Licensing Office shall issue a notice of violation requiring the junk yard owner/operator to comply with the notice or undertake corrective measures within seven (7) days from receipt thereof. His failure to do shall cause the closure of the business, revocation of its permit to operate and demolition of the structure. Such demolition, however, shall not prejudice the filing of the necessary complaint in court for violation of this Ordinance.

**SECTION 8.** All existing junkshops with Non-Conforming Uses shall be given up to December 31, 2014 to comply with all the provisions of this Ordinance or owners/operators of the said junkshops shall program the phase out or relocation of its operation within the date stated above.

## **SECTION 9. IMPLEMENTING AUTHORITIES**

The Business Permits and Licensing Office (BPLO), the City Engineering Office (CEO), the City Health Office (CHO), the City Environmental Management Office (CEMO), with the City Legal Office and Office of Public Safety and Security (OPSS) are hereby mandated and tasked to formulate the Implementing Rules and Regulations and to enforce this Ordinance.

**SECTION 10. REPEALING CLAUSE.** This Ordinance hereby repeal Ordinance No. 80, Series of 2006 and all ordinances, circulars and other regulations inconsistent herewith are hereby repealed and/or modified accordingly.

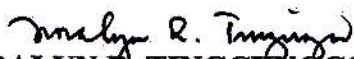
**SECTION 11.** Copies of this Ordinance shall be furnished the Office of the City Mayor, and all Departments/Agencies concerned.

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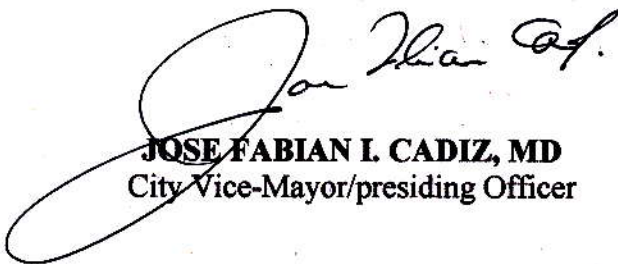
**SECTION 12. EFFECTIVITY.** This Ordinance upon its approval shall take effect after fifteen (15) days of posting in three (3) conspicuous places within the City.

ENACTED by the SANGGUNIANG PANLUNGSOD this 8<sup>th</sup> day of October 2014.

I hereby certify to the passage of the foregoing Ordinance which was duly approved by the Sangguniang Panlungsod of Marikina during its 38<sup>th</sup> Regular Session held on October 8, 2014.

  
**NORALYN R. TINGUNGO**  
Secretary to the Sanggunian

ATTESTED :

  
**JOSE FABIAN L. CADIZ, MD**  
City Vice-Mayor/presiding Officer

APPROVED by the HONORABLE CITY MAYOR on 15 OCT 2014

  
**DEL R. DE GUZMAN**  
City Mayor