



Republic of the Philippines  
PROVINCE OF PANGASINAN  
*Lingayen*  
[www.pangasinan.gov.ph](http://www.pangasinan.gov.ph)

**OFFICE OF THE SANGGUNIANG PANLALAWIGAN SECRETARY**

# CERTIFICATION

**TO WHOM IT MAY CONCERN:**

*THIS IS TO CERTIFY that at the regular session duly constituted of the Sangguniang Panlalawigan, Province of Pangasinan, held on June 21, 2021 at Lingayen, Pangasinan, the following resolution was approved:*

Sponsored by SP Members and co-sponsored by SP Members Sheila Marie S. Perez-Galicia, Jerome Vic O. Espino and Jeanne Jinky C. Zaplan

**RESOLUTION NO. 549-2021**

**DECLARING MUNICIPAL ORDINANCE NO. 10, S-2021 OF THE SANGGUNIANG BAYAN OF BINMALEY, PANGASINAN, ENTITLED “AN ORDINANCE PROHIBITING LITTERING/DUMPING/THROWING OF GARBAGE, RUBBISH OR TRASH OF ANY KIND IN OPEN OR COVERED PUBLIC PLACES AND REQUIRING ALL OWNERS, LESSEES, OCCUPANTS OF RESIDENTIAL, INSTITUTIONAL AND COMMERCIAL ESTABLISHMENTS, WHETHER PRIVATE OR PUBLIC TO CLEAN AND MAINTAIN THE CLEANLINESS OF THEIR FRONTAGE AND IMMEDIATE SURROUNDINGS AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF” AS WITHIN THE CONFERRED POWERS OF THE SANGGUNIANG BAYAN TO ENACT**

**WHEREAS**, the Sangguniang Bayan of Binmaley, Pangasinan submitted its Municipal Ordinance No. 10, S-2021 to the Sangguniang Panlalawigan for review and evaluation pursuant to Section 56 of R.A. No. 7160, otherwise known as the Local Government Code of 1991;

**WHEREAS**, the Committee on Laws and Ordinances of the Sangguniang Panlalawigan with the technical assistance of the Provincial Legal Officer, have conducted initial review and study on said municipal ordinance and found out that the same was enacted pursuant to Sections 17 (a) and 447 (a) (4) (ii) and (iii), and (5) (xiii) of RA 7160 and Presidential Decree No. 825 or the Anti-Littering Law;



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**WHEREAS**, Section 8 of the subject ordinance imposes penalties upon any person who violates any provision/s. Reminder is made on the provision of Section 447 (1) (iii) of RA 7160, which requires prosecution in court before the penalty can be imposed. Hence, the phrase “*in the discretion of the court*”. The only way by which penalty can be imposed without court prosecution, is when the perceived violator opts to voluntarily pay the penalty or fine, in lieu of prosecution in court, as it is provided in Section 9 of the subject ordinance;

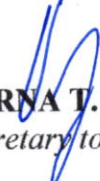
**WHEREAS**, subject ordinance shall take effect after the requirements of posting and publication pursuant to Sections 59 (c) and 511 (a) of R. A. No. 7160 are complied with;

**WHEREFORE**, in view of the foregoing, on motion of SP Members Nestor D. Reyes and Von Mark R. Mendoza and co-sponsored by SP Members Sheila Marie S. Perez-Galicia, Jerome Vic O. Espino and Jeanne Jinky C. Zaplan, duly seconded, it was –

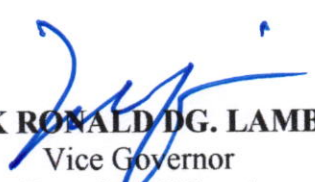
**RESOLVED**, by the Sangguniang Panlalawigan in session assembled, to declare Municipal Ordinance No. 10, S-2021 of the Sangguniang Bayan of Binmaley, Pangasinan, entitled “An Ordinance Prohibiting Littering/Dumping/Throwing of Garbage, Rubbish or Trash of Any Kind in Open or Covered Public Places and Requiring All Owners, Lessees, Occupants of Residential, Institutional and Commercial Establishments, Whether Private or Public to Clean and Maintain the Cleanliness of Their Frontage and Immediate Surroundings and Providing Penalties For Violations Thereof” as within the conferred powers of the Sangguniang Bayan to enact;

**RESOLVED FURTHER**, that a copy of this resolution be furnished the Office of the Sangguniang Bayan of Binmaley, Pangasinan, for its information and guidance.

CERTIFIED BY:

  
**VERNA T. NAVA-PEREZ**  
*Secretary to the Sanggunian*

ATTESTED:

  
**MARK RONALD DG. LAMBINO**  
Vice Governor  
*(Presiding Officer)*