

**Republic of the Philippines**  
**SANGGUNIANG PANLUNGSOD**  
**MAKATI CITY**

**PRESENT:**

|               |   |
|---------------|---|
| Vice Mayor    | ROMULO V. PEÑA, JR. – Presiding Officer             |
| Councilor     | MARIE ALETHEA SJ. CASAL-UY                          |
| “             | MARIA THERESA N. DE LARA                            |
| “             | MANUEL MONSOUR T. DEL ROSARIO III                   |
| “             | FERDINAND T. EUSEBIO                                |
| “             | VIRGILIO V. HILARIO                                 |
| “             | HENRY A. JACOME                                     |
| “             | LEONARDO M. MAGPANTAY                               |
| “             | ROMEO C. MEDINA                                     |
| “             | SALVADOR D. PANGILINAN                              |
| “             | NELSON S. PASIA                                     |
| “             | TOSCA CAMILLE P. RAMOS                              |
| “             | VINCENT T. SESE                                     |
| “             | MARY RUTH C. TOLENTINO                              |
| “             | NEMESIO S. YABUT, JR.                               |
| ABC President | MA. ARLENE M. ORTEGA – Sectoral Representative      |
| SK President  | KARIS ISRAELLE S. CRUZADO – Sectoral Representative |

**ABSENT:**

|           |  |
|-----------|--|
| Councilor | ARNOLD C. MAGPANTAY – Vacation Leave     |
| “         | MA. CONCEPCION M. YABUT – Vacation Leave |

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By unanimous vote of the Sangguniang Panlungsod members who are present, the following City Ordinance was enacted:

**CITY ORDINANCE NO. 2011-036**

Authors: Councilors F.T. Eusebio, M.M.T. del Rosario III,  
M.A.M. Ortega, M.A.SJ. Casal-Uy, T.C.P. Ramos,  
K.I.S. Cruzado, M.T.N. de Lara, V.V. Hilario,  
H.A. Jacome, L.M. Magpantay, R.C. Medina,  
S.D. Pangilinan, N.S. Pasia, M.R.C. Tolentino,  
M.C.M. Yabut, V.T. Sese and N.S. Yabut, Jr.

**AN ORDINANCE ESTABLISHING SEPTAGE MANAGEMENT SYSTEM IN  
THE CITY OF MAKATI, SUBJECT TO ALL LAWS AND EXISTING  
LEGAL RULES AND REGULATIONS.**

**WHEREAS**, the Supreme Court in *MMDA vs. Concerned Residents of Manila Bay* states: “*The cleanup and/or restoration of the Manila Bay is only an aspect and the initial stage of the long-term solution. The preservation of the water quality of the bay after the rehabilitation process is as important as the cleaning phase. It is imperative then that the wastes and contaminants found in the rivers, inland bays, and other bodies of water be stopped from reaching the Manila Bay. Otherwise, any cleanup effort would just be a futile, cosmetic exercise, for, in no time at all, the Manila Bay water quality would again deteriorate below the ideal minimum standards set by PD 1152, RA 9225, and other relevant laws...*” ;

**WHEREAS**, this Supreme Court Decision necessitates the coordinated and collective efforts of the Local Government Units (LGUs) and its instrumentalities, the concerned National Agencies and the private sectors for the effective and efficient compliance with the Supreme Court's directives;

**WHEREAS**, the Philippine Clean Water Act of 2004 (RA 9275) mandates that: *“Within five (5) years following the effectivity of this Act, the Agency vested to provide water supply and sewerage facilities and/or concessionaires in Metro Manila and other highly urbanized cities (HUCS) as defined in RA 7160, in coordination with LGUs, shall be required to connect the existing sewage line found in all subdivisions, condominiums, commercial centers, hotels, sports and recreational facilities, hospitals, market places, public buildings, industrial complex and other similar establishments including households to available sewerage system. Provided, that the said connection shall be subject to sewerage services charge/fees in accordance with existing laws, rules or regulations unless the sources had already utilized their own sewerage system: Provided, further, that all sources of sewage and septage shall comply with the requirements herein.”*;

**NOW, THEREFORE, BE IT ENACTED, AS IT IS HEREBY ENACTED BY THE SANGGUNIANG PANLUNGSOD OF MAKATI, METRO MANILA, BY VIRTUE OF THE POWERS VESTED IN IT BY LAW, IN SESSION ASSEMBLED, to:**

**SECTION 1. TITLE** – This Ordinance shall be known as the **“Ordinance Establishing a Septage Management System in the City of Makati”**.

**SECTION 2. POLICIES** – It shall be the policy of the City of Makati to share in the responsibility, in the management and improvement of water quality within their territorial jurisdiction. To meet these objectives, the city shall implement measures to prevent and control water pollution to promote public health.

**SECTION 3. SEWERAGE AND SEPTAGE MANAGEMENT PRINCIPLES** – Towards this end, the City of Makati shall abide by the following Sewerage and Septage Management Principles:

- a. All buildings and structures whether residential, commercial, industrial establishments and government offices, institutions shall be required to have proper sewage treatment or septage management system. Untreated excreta from residential areas without septic tanks and untreated wastewater from industrial and public establishments shall not be allowed to be discharged to open drainage canals or piped drainage systems.
- b. No wastewater shall be discharged to the environment without any proper treatment.

**SECTION 4. DEFINITION OF TERMS** – As used in this ordinance, the following terms shall be defines as follows:

- a. **DESLUDGING** refers to a process of cleaning or removing the accumulated domestic sludge or septage.
- b. **DOMESTIC SLUDGE** refers to a solid particle of domestic sewage which settles at the bottom of the sedimentation tank and is digested by anaerobic bacteria purely from domestic sources.

- c. **DENR** refers to the Department of Environment and Natural Resources.
- d. **DOH** refers to the Department of Health.
- e. **EMB** refers to the Environmental Management Bureau.
- f. **SEPTAGE** refers to a combination of scum, sludge and liquid from household septic tanks.
- g. **HYGIENIC SEPTIC TANK** refers to a septic tank with no openings at the bottom of the slab; closed structure so as not to allow the leaching of liquid or solid wastes to the surrounding soil or ground.
- h. **SEPTIC TANK** refers to a watertight receptacle, which receives the discharge of a sanitary plumbing system or part thereof, and is designed and constructed to accomplish the sedimentation and digestion of the organic matter in the sewage within the period of detention/retention and to allow the liquid to discharge to a leaching field, sewer lines, a combined sewerage network or directly to a secondary wastewater treatment facility in accordance with the standards set forth by the Revised National Plumbing Code of the Philippines.
- i. **SEPTAGE TREATMENT PLANT** refers to a series of structures purely for the process of treating septage (from septic tanks) in order to comply with DENR effluent standards.
- j. **SEWAGE** refers to any wastewater containing human, animal or vegetable waste matter in suspension or solution including human excreta and urine and may possibly contain liquids consisting of chemicals in solution.
- k. **SEWER** refers to an artificial pipe or conduit for carrying sewage and wastewater.
- l. **MWSS** refers to Manila Water and Sewerage System.
- m. **WASTEWATER TREATMENT PLANT** refers to a series of structure that will process the treatment of sewage, mostly from domestic origin, but may include pre-treated liquid wastes from industries and similar establishments; it may also accept the treatment of septage, provided there are facilities for accepting it and pre-treating it.

**SECTION 5. SEWAGE DISPOSAL SYSTEM** – All residential, commercial, industrial establishments and government institutions, both old and new ones, in the City of Makati are required to have a proper sewage disposal system such as septic tank for residences and sewage treatment facility for public or commercial establishments and government institutions.

- a. **EXISTING FACILITIES** – All residential houses and buildings must have a hygienic septic tank, as defined in Section 4 (g) above that is compliant with the national standards. Provided, that no structure must be built on top of septic tank to ensure that it is accessible at all times.

Owners of commercial, industrial and institutional buildings or facilities shall have an operational wastewater treatment facility either on-site or by service off-site. The said facility shall conform to the standards of EMB-DENR and DOH.

- b. NEW FACILITIES** – No building plan for residential dwelling units, commercial, industrial, institutional, or recreational structures shall be approved unless the design of the sanitary plumbing and septic tank or wastewater treatment facility conforms to the specifications as provided by national standards.

Facilities in sewerred areas utilizing either combined or separate sewer systems are required to provide the appropriate pre-treatment facilities prior to discharge of wastewater to drainage. Provided, that the City Building Official shall be required to evaluate the compliance of facilities to the pre-treatment standards set by the DENR.

Communal or shared septic tanks can be used alternatively, whenever feasible, particularly for existing clustered structures that are highly dense and characterized by lack of or inadequate land space. The design and the manifest of ownership and joint maintenance of shared septic tanks shall require approval process by the City Building Official.

**SECTION 6. MANDATORY DESLUDGING OF SEPTIC TANKS.** All owners and users of septic tanks shall be required to desludge it on an average of once every three (3) to five (5) years or when the sludge volume is around one third (1/3) of the total volume of the septic tank, whichever comes earlier.

Septic tanks shall be accessible at all times. Further, no structure shall be built on top of any septic tank.

Inaccessible septic tanks shall be repaired, upgraded or replaced by a new one as maybe directed by the City Building Official to ensure accessibility and for purposes of desludging at the sole expense of its owner or user.

The inspection and opening of septic tanks shall only be done by Sanitary Inspectors or barangay officials duly authorized by the City Building Official and/or representative of the MWSS or any of its concessionaire.

Violation of this provision shall subject the owner and/or user of the septic tank to the penalty as stipulated in Section 15.

**SECTION 7. DESIGN OF SEPTIC TANKS.** All septic tanks shall be designed to exclude stormwater/flow from downspouts and such other requirements and specifications as provided by national standards. The City Building Official is mandated to ensure that appropriate standard designs of septic tanks shall be enforced in the plan approvals and inspection procedures.

**SECTION 8. REGULATION OF DESLUDGERS** – Liquid and/or solid materials removed from septic tanks shall be transported by accredited septage hauler/pumper to the approved septage treatment facilities pursuant to the regulations prescribed by the Department of Health (DOH). Unless otherwise provided by law, no septage hauler/pumper shall be allowed to collect, transport and unload or dispose of septage in other places, including bodies of water, agricultural fields, and the drainage system within the city.

**SECTION 9. PERMITTING REQUIREMENTS.** All entities applying for Business and Building Permits are required to obtain an Environmental Sanitation Clearance (ESC) as part of the requirements for issuance of building permits and annual business permits from the City of Makati.

**SECTION 10. INSTITUTIONAL ARRANGEMENTS.** The City Environment and Natural Resources Office (CENRO) or any office as authorized by the Mayor shall have the following responsibilities in implementing this ordinance:

- a) **ON INSPECTION** – Assist the City Building Official in designating field inspectors that will check on the general design, construction and maintenance requirements of septic tanks in subdivisions, commercial and business establishments. For existing commercial establishments, factories and dwelling units, it will assist the City Building Official in inspecting facilities to ensure compliance with the law as to wastewater treatment facilities and/or septic tanks.
- b) **DATABASE** – Together with the Planning and Development Office, it will keep a robust database of all owners/administrators of buildings, facilities and structures who have desludged their septic tanks, those that are inaccessible, those that do not have septic tanks, and those that do not have water sealed toilets, and other data that may be deemed necessary.
- c) **TRANSPORT OF SEPTAGE** – Enforce the rules and regulations set forth by the Department of Health and EMB–DENR in handling, transporting, treatment and disposal of septage. Further, it will implement an accreditation system and operational guidelines for private desludging service providers that intend to operate in the city, including but not limited to securing an Environmental Sanitation Clearance (ESC) consistent with the prescribed DOH regulations.
- d) **SANITARY PERMITS** – Assist the City Health Office in issuing Sanitary Permits for all treatment and collection facilities and develop their own procedures for periodic inspections of facilities and equipment, and training programs for septage workers.
- e) **OPENING OF SEPTIC TANKS** – Assist barangay officials in opening septic tanks during inspection in coordination with the Sanitary Inspectors of the city.
- f) **ENFORCEMENT** – Assist in the enforcement of sewer connection/penalties for those who disconnect/with illegal tapping.
- g) **MONITORING** – Perform regular monitoring of construction to prevent encroachment of easement and waterways and implement water quality monitoring activities within the area.
- h) **INFORMATION AND EDUCATION CAMPAIGN** – Implement an information and education campaign about the proper wastewater management and to increase level of awareness and commitment of the public to address problems on water pollution control, sewerage and sanitation.

**SECTION 11. USER FEES** – Residential and commercial/institutional building or structure owners shall have their septage desludged and treated once every five (5) years for free by the water concessionaires in Metro Manila. All residential and commercial/institutional building or structure owners shall pay an amount of *Seven (P7.00) Pesos per cubic meter* for the desludging of their septic tanks and treatment of the septage in excess of that contained in the concessionaire's contract. Further, the City of Makati may raise funds to subsidize necessary expenses for the operation and maintenance of sewerage treatment or septage facility servicing their area of jurisdiction through the local property taxes and enforcement of a service fee system.

**SECTION 12. MANDATORY CONNECTION OF FACILITIES TO SEWER LINES**

Buildings or premises producing sewage shall connect to the sewer main lines in all areas where it exists.

The City shall assist the duly recognized/authorized concessionaire to connect the existing sewage line found in all subdivisions, condominiums, commercial centers, hotels, sports and recreational facilities, hospitals, market places, public buildings, industrial complex and other similar establishments including households to available sewerage system. Provided, that the said connection shall be subject to sewerage services charge/fees in accordance with existing laws, rules or regulations unless the sources had already utilized their own sewerage system.

**SECTION 13. MAINTENANCE OF DRAINAGE**

The city shall maintain its drainage system in a sanitary state and in good repair.

**SECTION 14. PROHIBITED ACTS** – The following acts are prohibited:

1. Littering, throwing, dumping of waste matters in public places such as road, sidewalks, canals, esteros or parks and establishment or causing or permitting the same.
2. Refusal to desludge as required by this ordinance.
3. Refusal of any person to connect its sewage lines to available sewerage lines.

**SECTION 15. PENALTIES** – Any owner of a non-complying residence or establishment who fails to comply with the provisions of this ordinance within one (1) year from the date of its effectivity shall be liable to pay the following fine for every violation thereof as follows:

- a. First Offense – P3,000.00
- b. Second Offense – P5,000.00
- c. Third Offense – Revocation of license for commercial establishment or factory.

The city shall post in its bulletin board and website the names of person/s or entity/ies who violate this ordinance more than twice.

Failure to comply with the provisions herein shall result in the revocation/cancellation of business permits for commercial establishments.

**SECTION 16. FUNDING** – The city government of Makati shall allocate necessary funds to support the implementation of this ordinance.

**SECTION 17. SEPARABILITY CLAUSE** – If for any reason, any part or provision of this Ordinance shall be held unconstitutional or invalid, the other parts or provisions not otherwise affected shall remain in full force and effect.

**SECTION 18. REPEALING CLAUSE** – All ordinances or provisions of previous ordinances that are inconsistent with this ordinance are hereby repealed.

**SECTION 19. FINAL PROVISION** – Let copy of this ordinance be furnished the Office of the Mayor, City Building Official, Engineering Department, Department of Environment Services, Business Permit and Licensing Office, Urban Development Department, Health Department, Office of the Floor Leader Councilor Arnold C. Magpantay, Office of all the Barangay Captains of District I and II and to all other concerned offices for their information, guidance and reference.

**SECTION 20. EFFECTIVITY** – This ordinance shall take effect immediately upon its approval.

**ENACTED BY THE SANGGUNIANG PANLUNGSOD OF MAKATI, METRO MANILA**, in its regular session held on September 8, 2011.

Certified true and correct by:

**ATTY. ANA LUZ B. CRISTAL CPA, MNSA**  
Sanggunian Secretary

Attested by:

**ROMULO V. PEÑA, JR.**  
Vice Mayor and Presiding Officer

Approved by:

**JEJOMAR ERWIN S. BINAY, JR.**  
City Mayor

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