

EXCERPT FROM THE MINUTES OF THE 130<sup>TH</sup> REGULAR SESSION OF THE 15<sup>TH</sup> SANGGUNIANG PANLUNGSOD, CITY OF GENERAL SANTOS, HELD AT THE SANGGUNIANG PANLUNGSOD SESSION HALL ON THURSDAY, FEBRUARY 11, 2010.

PRESENT:

Hon. Jose Orlando R. Acharon	City Councilor & Presiding Officer
Hon. Florentina L. Congson	City Vice Mayor
Hon. Eduardo D. Leyson III	City Councilor (Floor Leader)
Hon. Vivencio E. Dinopol	City Councilor
Hon. Richard L. Atendido	City Councilor
Hon. Minardo A. Avila, Jr.	City Councilor (2 <sup>nd</sup> Asst. Floor Leader)
Hon. Ramon R. Melliza	City Councilor
Hon. Nephthale P. Natividad	City Councilor
Hon. Jose Mariano Constantino G. Gonzalez	City Councilor (1 <sup>st</sup> Asst. Floor Leader)
Hon. Dante S. Vicente	City Councilor
Hon. Orlando A. Oco	City Councilor
Hon. Dominador S. Lagare, III	City Councilor
Hon. Lourdes F. Casabuena	City Councilor (President, <i>Liga ng mga Barangay</i> )
Hon. Jane R. Calunsag	City Councilor (SK Federation President)

ABSENT:

Hon. Margareth Rose N. Santos	City Councilor (OL)
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WHEREAS, Section 15, Article II of the 1987 Philippine Constitution provides that the "State shall protect and promote the right to health of the people and instill health consciousness among them";

WHEREAS, Section 16 of Republic Act 7160, otherwise known as the Local Government Code of 1991, provides that local government units shall ensure and promote health and safety of the people;

WHEREAS, the City of General Santos is committed to protect and promote the health, sanitation and welfare of its people as well as the quality of its water resources both inland and in Sarangani Bay;

WHEREAS, in its commitment to help its poor constituents gain sustained access to improved water and sanitation services, the City has adopted a Sustainable Sanitation Plan, which includes the implementation of a Septage Management Program, and its successful realization needs the complementation of an Ordinance;

NOW, THEREFORE, on motion of City Councilor Richard L. Atendido, duly seconded by City Councilor Jane R. Calunsag, be it –

RESOLVED, as it is hereby resolved, to enact the following Ordinance:

ORDINANCE NO. 01  
SERIES OF 2010

AN ORDINANCE PROMULGATING THE SEPTAGE MANAGEMENT FOR THE CITY  
OF GENERAL SANTOS

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HON. RICHARD L. ATENDIDO & HON. RAMON R. MELLIZA - Sponsors  
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*Be it enacted by the Sangguniang Panlungsod of General Santos that:*

Article 1  
Title, Authority, Coverage  
and Declaration of Policy

Section 1. Title. – This Ordinance shall be known and cited as “The General Santos City Septage Management Ordinance.”

Section 2. Authority. – This Ordinance is enacted pursuant to Sections 15 and 16, Article II of the 1987 Philippine Constitution which respectively provide that “The State shall protect and promote the right of the people and instill health consciousness among them”, and 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”; Section 16 of Republic Act 7160, otherwise known as the Local Government Code of 1991, which provides that local government units shall “promote health and safety, enhance the right of the people to a balanced ecology”, as well as Art. III, Section 458, paragraph 4, subparagraphs (ii), (viii) thereof relative to the powers of the Sangguniang Panlungsod; Sections 7. 1.2, 7.2., 8 of Republic Act 9275, otherwise known as Philippine Clean Water Act of 2004; the Code on Sanitation of the Philippines (PD 856), Chapter XVII; Water District Law (PD 198); the National Building Code of the Philippines (RA 6541); and the Revised National Plumbing Code of the Philippines.

Section 3. Coverage and Application. – This Ordinance shall cover the entire territorial jurisdiction of the City of General Santos. It shall apply to all existing and future buildings and structures whether public or private, residential, commercial or industrial, institution and establishments whether public or private as well as all kinds of sea vessels whether foreign or local, private or government owned, found within the municipal waters of the City generating domestic sewage.

Section 4. Declaration of Policy. – It is the declared policy of the City of General Santos to promote and protect the health and welfare of its constituents, especially the poor, by institutionalizing sustained access to improved water and sanitation services.

Article II  
Definition of Terms

Section 5. Definition of Terms. – For purposes of this Ordinance, the terms and phrases herein provided shall be construed to mean as follows:

- a) Anaerobic Ponds – are deep stabilization ponds used to treat high-strength organic wastewater that also contains high concentration of solids. Anaerobic treatment does not require the presence and use of oxygen and encourages the growth of bacteria which breaks down the waste material, releasing methane and carbon dioxide

- b) Backyard Hog Raising – refers to micro-scale raising of hogs in a household backyard. For the purpose of this Ordinance, micro-scale raising of hogs means raising not more than four (4) heads of hogs in the backyard at any given time.
- c) Biosolids – the byproduct of the treatment of domestic wastewater in a domestic wastewater treatment plant. Biosolids consist primarily of dead microbes and other organic matter and can be used as organic fertilizer or soil amendments.
- d) CENRO – City Environment and Natural Resources Office.
- e) Chamber – an enclosed space, cavity or compartment of a septic tank
- f) Communal Excreta Disposal System – an excreta disposal system serving a group of dwelling units
- g) Desludging Service Provider – any person or organization duly licensed to undertake desludging of septage and has met the qualifications to undertake this service.
- h) Desludging – the process of cleaning or removing the accumulated sludge or septage from a septic tank and transporting it to treatment facilities.
- i) Destination – the place or the facility where the septage/sludge is treated or disposed of, such as the treatment facility, sanitary landfill, or land application site.
- j) Digestive Cesspool – Means a pit for the reception or detention of sewage.
- k) Digestion – a microbiological process that converts chemically complex organic sludge to methane, carbon dioxide, and inoffensive humus-like material.
- l) Drainage System – Means drainage pipes of a plumbing system taking the wastewater from the plumbing fixtures and delivering it to the sewer or some other outlet.
- m) Dwelling – Means any building or structure which is wholly or partly used or intended to be used for living or sleeping by human occupants; provided that temporary housing as hereinafter defined shall not be regarded as dwelling.
- n) Effluent – a general term for any wastewater, partially or completely treated, or in its natural state, flowing out of a drainage canal, septic tank, building, manufacturing plant, industrial plant, treatment plant, etc.
- o) Environmental Sanitation Clearance (ESC) – the clearance issued by the Secretary of Health, or his duly authorized representative, allowing the collection, handling, transport, treatment, and disposal of domestic sludge or septage.
- p) Establishments – any structure or building used principally in conducting one's trade or business. It includes stables, pigpens, poultry, slaughter houses, dressing plants, restaurants, hotels, schools, funeral parlor, resorts, pension houses, dormitories, canneries, markets, hospitals, malls, supermarkets, restaurants, government buildings, private commercial buildings, churches, and the like.
- q) Excreta – human waste composed of urine and feces.

- r) Facultative Ponds – shallow rectangular ponds that stabilize wastes using a combination of anaerobic, aerobic, and facultative (aerobic-anaerobic) processes.
- s) Home Sewer – the pipeline conveying sewage from the house or building to the septic tank or to any point of discharge.
- t) IEC/BCC – Information, Education and Communication/Behavior Change Communication Programs.
- u) Individual Excreta Disposal System – an excreta disposal system serving a dwelling unit.
- v) Land Applications – the use of treated septage for agricultural purposes or as a soil amendment or filling materials.
- w) Maturation Ponds – low-rate stabilization ponds that are designed to provide for secondary effluent polishing and seasonal nitrification.
- x) Mobile Service Provider – a public or private entity, operator or water utility that is authorized to provide desludging services and to transport the septage to treatment and disposal facilities.
- y) Pollution Control Officer (PCO) – an officer of a private company that provides linkages between the company and the Environmental Management Bureau (EMB) of the Department of Natural Resources (DENR). This possesses the qualifications of a PCO and is duly accredited by DENR.
- z) Project Description – a section of the ESC that contains information on the operational process, environmental sanitation measures, and site. It should provide sufficient details for the regulatory agency to review.
- aa) Project Proponent – the service provider applying for ESC.
- bb) Public Sanitary Sewer – Refers to a common sewer to which all abutters have equal rights of connection.
- cc) Public Toilet – Refers to a toilet facility located at public places like markets, bus stations, buildings, plazas, seaports, etc. intended for public use.
- dd) Scum - the lighter fraction of sewage composed of fats, oils, and grease that floats.
- ee) Septage – the combination of scum, sludge, and liquid that accumulates in septic tanks. It is a mixture of sludge, fatty materials, human feces, and wastewater removed during pumping of an onsite sewage treatment and disposal system. Excluded from this definition are the contents of portable toilets, holding tanks, and grease interceptors.
- ff) Septage Management – refers to comprehensive programs for managing septic tanks and the procedures for proper desludging, transporting, treating, and disposing of septic tank contents.
- gg) Septage Management or Treatment Facility – means a stationary facility that treats only domestic septage or combinations of domestic septage, food establishment sludges, wastes removed from portable toilets, and wastes removed from holding tanks associated with boats, marinas, and onsite sewage treatment and disposal systems, before use or land application.

- hh) Septic Tank – a watertight, multi-chambered receptacle that receives sewage from houses or other buildings and is designed to separate and store the solids and partially digest the organic matter in the sewage.
- ii) Service Provider – a public or private entity, operator, or water utility, that is authorized to engage in the collection, desludging, handling, transporting, treating, and disposing of sludge and septage from septic tanks, cesspools, portalets, sewage treatment plants.
- jj) Sewage – mainly liquid waste containing some solids produced by humans, which typically consists of washing water, feces, urine, laundry wastes, and other material that flows down drains and toilets from households and other buildings.
- kk) Sewage Disposal System – a system of collection, transportation, treatment and disposal of sewage.
- ll) Sewer – a pipe or conduit for carrying sewage and wastewater.
- mm) Sewerage Works – refers to a system of pipes, pumps, devices and other appurtenant structures for the collection, transportation and final disposition of waste water.
- nn) Sludge – precipitated solid matter with highly mineralized content produced by domestic wastewater treatment processes.
- oo) Stabilization – the process of treating septage or sludge to reduce pathogen densities and vector attraction to produce an organic material that may be applied to the land as a soil conditioner.
- pp) Stabilization Pond – an artificial pond designed to treat wastewater in general using solely naturally occurring biological treatment processes and without the need for an electro-mechanical energy input.
- qq) Stationary Service Provider – a public or private entity, operator or water utility that is authorized to provide treatment and/or disposal of sludge and septage at a fixed location.
- rr) Toilet Facility – refers to a structure built of materials of any kind inside or as part of a house or building used by its residents, occupants, visitors, employees, transients or customers as comfort room and lavatory with septic tank built for the purpose.
- ss) Wastewater Treatment Facility – means a system of structures, equipment and related appurtenances designed to treat, store, or manage wastewater. Wastewater treatment facility includes pretreatment facilities and wastewater recycling facilities, which are not part of an industrial manufacturing process.

### Article III General Provisions

Section 6. General Santos City Sustainable Waste Management Board (GSC-SWMB).  
– Without prejudice and in addition to the duties and functions of the officials named herein and mandated under the Local Government Code of 1991, the Charter of the City of General Santos and other national laws, the General Santos City Sustainable Waste Management Board, created by Ordinance No. 14, Series of 2005 shall, in addition to its

functions, include septage management in its policy agenda and direction.

Unless otherwise reconstituted by the City Mayor, and until a regular office or department shall have been created and filled up, the present Technical Working Group of the GSC SWMB shall provide technical and administrative support to the GSC-SWMB on matters pertaining to septage management.

The City Mayor shall, through an executive order, reiterate the functions of the various departments and offices pertaining to the implementation of this Ordinance.

Section 7. Right of Entrance and Inspection. – No person, after being duly notified, shall interfere with or obstruct the entrance to any premises, establishment, dwelling unit, or vessel, of the proper city officials or duly authorized representatives in the discharge of their official functions under this Ordinance.

#### Article IV Sanitary Toilets and Septic Tanks Mandatory

Section 8. Sanitary Toilet Facility for Every House. – Every house used for habitation shall be provided with a sanitary toilet of the type approved by the City Engineer/Building Official. In areas covered by small houses of light materials or temporary in nature and are close to one another, a communal excreta disposal system or other affordable alternative sanitation technologies adaptable to the local needs and conditions may be allowed.

Section 9. Sanitary Toilet Facility in Every Building. – Every building constructed in the City, whether public or private, intended to be used as dwelling quarters, or where persons are to be employed or to be occupied in any trade or business or a place of assembly, shall be provided by the owner/s with sufficient and suitable toilets facilities for the number of people dwelling therein or may be employed, occupied or assembled therein.

In all public buildings, theaters, factories, churches and other houses used as places of assembly where persons of both sexes are employed, occupied or assembled, sufficient, suitable and separate sanitary toilet facilities shall be provided for each sex, of the type approved by the City Engineer/City Building Official and which shall not be less than one (1) seat for every twenty five (25) female and one (1) seat and one (1) urinal for every fifty (50) male, and every fraction thereof to be calculated on the maximum capacity of the establishment, building or place of assembly. Separate suitable toilet facilities of a design approved by the City Engineer/City Building Official shall be provided for male and female disabled persons. It shall be unlawful for any owner, lessor, administrator, or agent to allow any person to occupy therein or assemble therein unless the same is suitable and sufficiently provided with such sanitary toilet facilities.

Section 10. Structural Requirements. –

- a. Size of toilet rooms. No toilet room shall have a floor area that is less than one and a half (1.5) square meters, nor a height of less than two and a half (2.5) meters (Sec. 5.01.05 of the National Building Code prescribes a minimum ceiling height of 2.40 meters (8 feet). Sec. 5.01.06 of the same Code prescribes a minimum floor area of 1.20 sq. m. A minimum ceiling height of 2.5 meters and 1.5 square-meter floor area prescribed in this Ordinance are more than compliant.
- b. Lighting and ventilation. All toilet rooms shall have sufficient lighting and ventilation, either natural or artificial, satisfactory to the City Health Officer.
- c. Type of Toilet. The following types of toilet maybe used, if applicable, provided approved by the City Health Officer:

1. Water carriage system

- a. Toilet facility connected to a individual septic tank
  - b. Toilet facility connected to centralized piping/sewer system leading to a communal septic tank for houses in congested areas built on coastal waters and river banks;
  - c. Toilet facility connected centralized piping/sewer system leading to a communal septic tank for cluster of houses in inland.
2. Any other model or type tailored to the users peculiar needs and conditions provided approved by the City Health Officer.

Section 11. Sanitary Maintenance. – All toilets shall be kept clean and in good condition and no waste water shall be permitted to be exposed to flies, insects, rodents and/or an other animals.

Section 12. Public Toilets. – All toilets intended for public use shall be under the control and supervision of the City Engineer and the operator shall provide sufficient number of personnel and funds for proper upkeep of the same. No public toilet shall be constructed other than the water carriage system type, and it shall not be constructed within or nearer than twenty-five (25) meters from food establishments and water supply sources/facilities.

Section 13. Drainage of Premises and Yards. – It shall be the duty of any owner, administrator or agent of any establishment or premises to provide the yard of the said establishment or premises with adequate drainage leading to suitable gutter, or sub-surface drainage, and causing no nuisance toilets to the neighborhood or the public in general.

Section 14. Disposal of Sewage. – For the purpose of sewage disposal, the following shall apply to all public and private sewage and excreta collection and disposal system project by any government agency or instrumentality including government-owned or controlled corporations, private organizations, firms, individuals or other entities:

- a) Untreated sewage and septage or other putrescible or offensive wastes shall not be discharged onto the surface of the ground or into any street, road, alley, open excavation, stream water sewer, land drain ditch, adjoining property, watercourse or body of water.
- b) Sewage and effluent of a septic tank or other putrescible, impure or offensive wastes shall not be discharged into an abandoned water supply well, spring, cistern or into a natural or artificial well, sink hole, crevices or other opening extending into limestone, sandstones, or other rock or shale formation.
- c) Individual sewage disposal system utilizing leaching field, leaching beds, or leaching wells shall not be permitted where the depth to normal ground water or rock strata is less than 1.20 meters.
- d) A leaching system shall not be installed in an area where the texture, structure and porosity of the soil are not suitable as determined by a percolation test performed by a registered civil/sanitary engineer. The local health authority may require as many percolation tests as may be necessary to determine the acceptability of the site.
- e) No leaching tile field or bed shall be installed where percolation rate is less than 2.54 cm. (1 in.) fall in water level into the test holes in 60 minutes.
- f) No seepage pit or leaching well shall be installed where the percolation rate is less than 2.5 cm (1 in.) fall in water into the test holes in 30 minutes.
- g) No person shall install individual household sewage disposal system in a new subdivision, unless site is considered to be impracticable and inadvisable to install a public sewage collection system with the required treatment.
- h) Individual sewage disposal system shall be installed on sufficient area and suitable topography to permit and ensure compliance with this Ordinance.
- i) The design, construction, installation, location, maintenance and operation of individual sewage disposal system including septic tank, leaching tile fields,

leaching beds, leaching wells, house sewers, privies and any other treatment system or part thereof shall comply with the minimum standards and engineering practices which are acceptable to GSC-SWMB and the General Santos City Health Office.

Section 15. Septic Tanks, Location, Construction and Maintenance. – All sanitary toilets shall be connected to septic tanks. For the purpose of construction and maintenance of septic tank, the following requirements shall be strictly observed to ensure that it is sanitary and will not pose hazard to health:

- a) The septic tank shall have three (3) compartments, watertight and shall be constructed of sound durable materials, not subject to excessive corrosion or decay. Each tank shall be structurally designed to withstand all anticipated earth or other loads and shall be installed on a solid bed. Structural and hydraulic designs shall be in accordance with good engineering practice.
- b) Septic tanks shall be located such that desludging equipment can have access to the opening manholes conveniently.
- c) Septic tanks shall not be located under the building;
- d) Plans and specifications for all septic tanks shall conform to the minimum standards prescribed by the General Santos City Sustainable Waste Management Board and the City Engineer in accordance with good engineering practices. Sizing requirements shall be in accordance with the Revised National Plumbing Code of the Philippines.
- e) Approved pre-fabricated septic tanks duly accredited by the Accreditation for Innovative Technology (AITECH) under the National Housing Authority, Department of Science and Technology (DOST), or Department of Health (DOH) may be used.
- f) Roof drains, foundation drains, area drains or cistern overflows shall not be made to enter the septic tank or any part of the treatment system.
- g) Septic tanks shall be cleaned before excessive sludge or scum is allowed to accumulate and seriously reduce the settling efficiency.
- h) Septic tanks shall be inspected by any designated official at least once a year and be cleaned or desludged at least every three (3) years or when the bottom of the scum mat is within 7.50 c.m. (3 inches) of the bottom of the outlet device or the sludge or scum has reduced the liquid capacity by 50%.
- i) Septic tanks shall not be washed or disinfected after cleaning. A small residue of sludge shall be left in the tank for seeding purposes.
- j) Sludge from septic tanks shall be collected and disposed of at the nearest available and duly authorized septage treatment facility (STF) or by any other method approved by the General Santos City Sustainable Waste Management Board and the City Health Office, and not to be emptied into open fields, ditches or bodies of water. In this regard, the City shall endeavor to construct its own septage treatment facility and/or encourage the General Santos Water District or private entities to put up in the City septage treatment facility/ies, within a period of seven (7) years from the approval of this Ordinance.

Section 16. Owners or users of existing septic tanks constructed not in accordance with the foregoing standards shall be given a period of one (1) year from the effectivity of this Ordinance to comply with the herein requirements either by constructing a new one, or retro-fitting or repairing the existing ones. The cost of the construction, retro-fitting or repair shall be borne by the owner or users. Should the owners or users fail or refuse to so construct a new one, or retro-fit, or repair within the period provided in this Section, the City shall undertake the same for the account of the owner or user.

No building plan for residential dwellings, or commercial and institutional structures shall be approved and issued permit by the City Building Official unless the design of the sanitary plumbing and septic tank conform to the specifications herein provided and



required by other pertinent laws, rules and regulations

Section 17. The City shall conduct a study and develop policies and implementation arrangements on alternative and feasible financing and recovery mechanisms that will address toilet/septic tanks requirements of low income households, including the informal settlers.

Section 18. Sanitation in Resettlement Projects. – All resettlement projects shall have sanitation components and facilities in accordance with this Ordinance.

Section 19. Application for Septic Tank Construction Clearance. – The City Engineer shall review and evaluate the application for septic tank clearance, conduct site visits to verify if the plans and drawings submitted match with the actual site conditions. Once the City Engineer deems the plans to be acceptable and that the septic tank can be installed in accordance with the drawings and site conditions, and the necessary fees paid, it shall issue a septic tank construction clearance.

Section 20. Septic Tank Construction Clearance – To ensure strict compliance with this Ordinance, new septic tank construction, or where a change of use in the case of commercial properties, or a substantial remodeling or repair is proposed, a septic construction permit shall be required to be secured from the City Engineer/City Building Official. A septic permit application should include:

- a) Information about the owner and the facility, including site address, mailing address, and contact phone number;
- b) Site plan drawn to scale showing the property lines, slopes, buildings, sidewalks and driveways, cut banks, water lines and other utilities, and any other features of the property that might impact on the installation of the septic tank;
- c) Drawing of the septic tank duly signed by registered sanitary engineer showing materials of construction, baffles, inlet and outlet structure, cleanouts, and access ports, including design basis/calculation;
- d) Schedule of proposed construction; and
- e) Contractor's name and certification.

No building permit shall be issued by the Building Official without the foregoing information being submitted together with the building permit application. The site plan and other information mentioned in letter b. above shall also be provided for evaluation and approval of the building official in the case of septic tanks that need rehabilitation or retro-fitting. Evaluation of plans and applications by the City Engineer shall be part of the building permit application.

Pending appointment of a regular City Public Works Supervisor as the Building Official pursuant to the National Building Code of the Philippines, the City Engineer shall perform his/her function under this Ordinance.

Section 21. Inspection of Septic Construction. – During the progress of the construction, remodeling or major repair of the septic tank, the authorized Building Inspectors from the City Engineer's Office/ Office of the City Building Official shall monitor the progress of the work to verify and ensure permit conformance.

To address shortage of inspectors from the City Engineer's Office/City Building Official, the City Mayor may authorize sanitary inspectors of the City Health Office to conduct inspection of the septic tank to check if it conforms to the approved plan.

Section 22. Submission of Report on Septic Tank Construction to the General Santos City Sustainable Waste Management Board. – The City Engineer shall submit monthly to the General Santos City Sustainable Waste Management Board through the GSC-SWMB

Technical Working Group a list of applications for received for septic tank construction clearance, clearances issued, and brief report on inspections conducted.

The Technical Working Group shall include the monthly report/s in the agenda of the GSC SWMB meetings.

#### Section 23. Waste Water Disposal System –

- a) Neutralized or pre-treated waste water from industrial, commercial and institutional establishments shall be discharged directly into the nearest sanitary sewer or sewerage system in accordance with the criteria set by the Sanitary Code of the Philippines (P.D. 856) and the Clean Water Act (RA 9275).
- b) All buildings located in areas where there are no available sewerage system shall dispose their sewerage in septic tank and sub-surface absorption field.
- c) Sanitary and industrial plumbing installation inside buildings and premises shall conform to the provisions of the National Plumbing Code.

Section 24. Damage to Public Sewer or Sewage Disposal System. – It shall be unlawful for any person to discharge, by any means whatsoever, into any plumbing fixtures, such as floor drain, sump, receptacle or device which is connected to any drainage system, public sewer, septic tank or cesspool any ashes, cinders, solids, rags, flammable, poisonous or explosive liquids or gases, oils, grease and any other thing whatsoever which would or cloud cause damage to the public sewage disposal system, whether the system is government or privately owned.

Section 25. Special Establishments. – Establishments such as industries, laundry, slaughterhouses, wet markets, dairies, poultries, large piggeries, resorts, hotels, restaurants, mining, hospitals, clinics, funeral parlors, cemeteries, memorial parks, laboratories and other similar nature of establishments discharging waste water into receiving river or other water bodies which create pollution problems shall be required to obtain environmental compliance certificate and discharge permit from the Department of Environment and Natural Resources (DENR), and sanitary permit from the City Health Office.

Section 26. Vessels. – Any vessel, whether government-owned or private, foreign-registered or domestic, anchored or docked within the municipal waters of General Santos City shall not disposed of their sewage and septage while so docked or anchored, except in the manner and through the authorized service providers, if applicable, as provided for in this Ordinance. The General Santos City Sustainable Waste Management Board shall have visitorial powers over said vessels as herein provided.

### Article V Service Providers

Section 27. General Guidelines. – Without prejudice to the City Government itself being the service provider, the City Government shall encourage private entities to apply for permit to operate as service providers. A service provider may either be for desludging, collection and hauling of septage or otherwise referred to as Mobile Service Providers, or for treatment or disposal facilities otherwise referred to as Stationary Service Provider, or both. Applicants for mobile service provider must present an Environmental Sanitation Clearance (ESC) from the Center for Health Development (CHD) of the Department of Health issued to such treatment/disposal facility as requirement in the applications for sanitary permit and business permit. This requirement applies to all new septage management activities, expansion, or modification or permitted facilities, and those existing activities that have not secured ESCs.

For treatment and disposal facilities, the applicant must secure an ESC as prerequisite in the application for an Environmental Compliance Certificate (ECC) from the EMB Regional Office. And before operating the same, a Wastewater Discharge Permit (WPD) must also be secured with the same EMB Regional Office.

Section 28. Training of Service Providers and Personnel. – All service providers and personnel directly involved in the operations must undergo mandatory trainings on health and safety from the DOH or DOH-recognized academic institutions, or professional organizations.

Section 29. Mobile Service Providers. – As part of the Sanitary Permit and Business Permit application, the applicant must complete and notarize the prescribed forms, to include the following information:

- a. Project Description
  - a.1. Proponent information and contact details
  - a.2. Scope of Activities
  - a.3. Service Area Covered
  - a.4. Method of Collection
  - a.5. Type of Vehicles and Equipment
  - a.6. Occupational and health safety measures
  - a.7. Staffing Plan
  - a.8. Mitigating/Control Measures
- b. Detailed Maps
  - b.1. Service area indicating residential, commercial, industrial and agricultural lands with major routes for septage hauling indicated
  - b.2. Location of the septage treatment facility and disposal sites.
- c. Others
  - c.1. Target market of septage desludging activities, including planned volume per month
  - c.2. Make and model of septage collection trucks
  - c.3. Staffing plan indicating number of employees, job descriptions, and organizational chart
  - c.4. Business plan indicating anticipated costs of providing services and expected revenues from grants, loans, and tariffs

Section 30. Stationary Service Providers. – As part of the ESC application, a stationary service provider must complete all sections and notarize the prescribed form which will contain, among others:

- a. Project Description to include the following information:
  - 1) Basic project information
  - 2) Site information (including neighboring parcels with land ownership information and information on water supply facilities)
  - 3) Project rationale/objective
  - 4) Project type and service area covered
  - 5) Operational processes
  - 6) Plans and specifications
  - 7) Project component
  - 8) Description of existing environment:
    - Topography

- Hydrology (including information on surface waters like streams, lakes, coastal water resources)
- Geological conditions

- 9) Environmental sanitation measures
- 10) Environmental and health impacts
- 11) Mitigating/control measures
- 12) Occupational and health safety measures
- 13) Monitoring and evaluation plan
- 14) Other relevant information

Section 31. Steps in Securing ESC. – a) The City Health Officer shall initially evaluate all ESC applications by checking the completeness and returning them to the applicants if deficiencies are found. If the application is complete, it shall receive, evaluate and transmit it to the Center For Health Development (CHD) for final decision within fifteen (15) working days regardless of whether it recommends disapproval of the application. b) The CHD evaluates and decides to approve or disapprove the ESC application within thirty (30) working days from receipt thereof. If the CHD disapproves the application, the proponent will have an opportunity to correct any deficiencies and resubmit the same to the City Health Officer.

#### Article VI Desludging, Collection and Transportation

Section 32. Desludging. – Desludging of septic tanks shall be mandatory and shall be done by authorized service providers at least once every four (4) years for households and at least once every two (2) years in commercial and institutional establishments.

Section 33. Collection – Collection of septage shall be done in coordination with the Barangay Captain concerned or his/her duly authorized representative who shall sign the prescribed manifest form. The following guidelines shall be observed:

- a) Collection shall be done when the traffic is light in the area.
- b) All collection vehicles shall have traffic cones or an early warning device which shall be placed behind and in front of the vehicle during operation.
- c) It is the responsibility of the collection operator to check regularly the safety of all the equipment. Any deficiency found should be reported immediately to the supervisor.
- d) After the desludging operation, the operator must clean and disinfect any spills. It is the collection operator's responsibility to ensure that sufficient disinfectant (bleach or lime) is on the truck before it goes to a collection site.
- e) Desludging workers must wear appropriate personal protective equipment, including rubber gloves, a face mask, and eye protection.
- f) After desludging, operators must wash their hands with soap.
- g) Only operators with a valid ESC and sanitary permit are authorized to collect and transport domestic sludge and septage.

Section 34. Transportation of Sludge and Septage. – The driver and the service provider are responsible for the safe operation of the vehicle and equipment at all times. They must therefore strictly observe the following rules:

- a) Only drivers with Land Transportation Office (LTO) License Restriction Code #3 can operate the desludging tanker/truck.
- b) Traffic rules must be followed at all times.
- c) All accidents and traffic citations shall be reviewed and investigated by the management to ensure that adequately trained and competent drivers are employed for sludge and septage transportation.

- d) The drivers must inspect all trucks prior to transport on public roads to ensure that septage will not leak, spill, or run out of the tank.
- e) All vehicles used to transport septage must be equipped, at all times, with spill control or absorbent materials and disinfectant materials.
- f) No discharge of septage or sludge shall be allowed in manholes, drainage areas, canals, creeks, rivers or other receiving bodies of water or land, except in duly authorized treatment or disposal sites.
- g) Prescribed manifest forms must be properly filled out.

Section 35. Vehicle and Tank Maintenance. – Septage transporters/haulers shall display on both sides of their vehicles being used to transport septage the company name, contact number, company logo, and body number of each vehicle. The information must be marked using permanent and legible lettering at least three (3) inches high and made of a reflective material.

All vehicles must display the names of all the cities and municipalities covered by their permits. In addition, the following requirements must be complied with:

- a) The collection vehicle used for the transport of septage and domestic sludge must have a leak-proof, watertight tank or body and lock to secure the sludge and septage, and must be able to withstand a collision with another vehicle or any permanent structure;
- b) The collection vehicle must be in good running condition in accordance with the LTO safety standards on roadworthiness;
- c) The collection vehicle and tank must be maintained to prevent excessive odors or public health hazards;
- d) All piping, valves, and connections must be accessible for cleaning;
- e) All inlet and outlet connections must be installed and maintained such that no material will leak, spill or run out of the tank during transfer or transportation;
- f) Discharge outlets must be designed to control the flow of discharge without spraying or flooding the receiving area;
- g) The discharge pipe must protrude by at least six (6) inches from the tail-end of the tank;
- h) The end of the discharge pipe must have a screwed-on end cap installed; and
- i) A clean and sanitary parking and dispatching area must be provided for collection vehicles.

Section 36. Accidental Spillage. – In the event of accidental spillage of sludge/septage, the operator shall:

- a) Immediately take action to contain the sludge/septage to minimize the environmental impact, and begin clean-up procedures. The operator shall immediately collect and contain the spill.
- b) The operator must notify the City Health Office within twenty-four (24) hours from the time of the incident, using a prescribed form.
- c) In the event that a private service provider fails to perform clean-up operations, the City Government shall perform the clean-up and charge all expenses incurred to the service provider, without prejudice to other sanctions available under this Ordinance and/or pertinent national laws, rules and regulations.

## Article VII Treatment and Disposal

Section 37. General Provisions. – All domestic sludge/septage shall be processed and treated in a treatment facility authorized by the Department of Health and/or the Department of Environment and Natural Resources. Septage treatment facilities and septage truck yards must maintain a hygienic and safe work environment.

The City Government of General Santos shall endeavor to establish its own septage treatment facility, or encourage private entities or promote/enter into public-private partnership arrangements to put up such facilities in the City within a period of seven (7) years from the approval of this Ordinance. In the meantime, the City shall conclude the soonest possible time mutually acceptable arrangements with the existing Septage Treatment Facilities (STFs) of neighboring LGUs to enable mobile service providers to transport and dispose for treatment of the desludged septage in compliance with this Ordinance.

Section 38 . Requirements for Treatment Facilities. –

- a. Only applicants with valid ESCs and sanitary permits may be authorized to operate domestic sludge and septage processing and treatment facilities;
- b. These operators shall also obtain all other necessary permits as requires by existing regulations;
- c. The designated Pollution Control Officer (PCO) of the service provider shall be responsible for the operation of the facility;
- d. Only domestic sludge and septage with corresponding manifest forms shall be accepted by the facility
- e. The treatment facility shall comply with existing standards and regulations of regulating agencies, including disposal of treated effluent to the receiving environment;
- f. Treatment facilities shall comply with hygienic and sanitation requirements as specified in Section 31 of Article VI hereof.
- g. Must comply with the following minimum sanitation requirements:
  - g.1. At least one (1) hand washing facility
  - g.2. At least one (1) toilet
  - g.3. At least one (1) bathroom
  - g.4. At least one (1) drinking water fountain/dispenser
  - g.5. At least one (1) utility sink
  - g.6. Proper Ventilation and lighting
  - g.7. Flooring and walls shall be made of impervious materials
  - g.8. All plumbing fixtures must be in accordance with the National Plumbing Code (RA 1378)
  - g.9. Availability at all times of soap and any approved hand-drying device/material
  - g.10. There must be adequate and separate changing rooms for both male and female users with individual lockers for clothes and personal belongings. The changing room must have an area of at least 1.9 sq. m/user

Section 39. Sludge and Septage Treatment Processes. – Septage must be stabilized prior to disposal. One or a combination of the following methods shall be used to treat sludge and septage such as dewatering and drying, composting, and/or any other treatment process approved by the Department of Environment and Natural Resources.

Section 40. Disposal of Treated Sludge and Septage. – Treated sludge and septage shall be disposed of by landfilling, spread on land, or using other new technology options that may be accepted by the Department of Health or the Department of Science and Technology. Under no circumstances shall untreated sludge or raw septage be placed in a sanitary landfill. All septage or sludge must be treated or stabilized prior to landfilling.

Section 41. Requirements for Land Application. – Only treatment plant operators or their authorized agents with valid Environmental Sanitation Clearance and sanitary permits are allowed to dispose of treated septage or sludge on land. Project proponents must specify which parcels of land are intended for such uses. This information, along with approval from the landowner, shall accompany the application submitted to the Department

of Agriculture (DA) for permit for land application.

The sludge may be applied to agricultural land, forestland, lahar areas if any, coconut, bamboo and rubber plantations, etc. as organic fertilizer and/or soil conditioner to facilitate nutrient transport and increase water retention. If applied to land where food crops will be grown, special precautions must be taken to prevent contamination. The amount of nitrogen, phosphorous, potassium, pathogens, essential trace elements and heavy metals shall be within the allowable/acceptable limits set by the DA Bureau of Soils and Water Management. In cases where the operator intends to sell its treated sludge, product registration must be secured from DA.

Section 42. General Guide for Land Application. – As a general guide, land application of stabilized septage or treated sewage sludge shall conform to the following conditions:

- a) Keep land application to a minimum of 10 meters away from irrigation return flow ditches, rivers, streams, lakes, or wells.
- b) Spread the material evenly, on or just below the soil surface, and not dump it all in one place where it can easily get washed off in heavy rain;
- c) Avoid application on soils that are highly permeable, have a low water holding capacity, have a shallow depth to bedrock or a hardpan, have a high water table, or have a slope steeper than six percent;
- d) Follow good irrigation water management practices to prevent surface runoff or leaching of nutrients;
- e) Keep good records of application rates, management practices, and field condition at the time of application.

#### Article VIII Manifest System and Recording

Section 43. Manifest System. – All transport of domestic sludge and septage must possess a prescribed manifest form. The collection and transport service provider must complete the manifest form by providing the following required information:

- a) Origin of sludge and septage indicating the name of the client, complete address, and contact numbers;
- b) Date and time of collection;
- c) Source of sludge and septage (whether it is residential, commercial, or institutions);
- d) Estimated volume in cubic meters of sludge and septage collected;
- e) Identity of transport/hauler including the name of the operator, company, address, storage capacity of vehicle, plate number, body number, and name of driver;
- f) Destination (treatment/disposal facility) of collected sludge and septage. The manifest form must be signed by the receiving facility, including the name and address of the facility;
- g) Date and time when the sludge or septage is received by the treatment/disposal facility; and
- h) Other applicable conditions such as:

h.1. If the destination is a treatment plant, the form shall be signed by the treatment facility owner and indicate that it is a treatment and not a disposal facility;

h.2. If the treated sludge will be transported to a disposal site after treatment or application of any of the treatment processes mentioned in Section 37 hereof, a separate prescribed manifest form should be completed;

h.3. The name and signature of the disposal facility owner or his authorized representative shall be affixed, without which, the manifest form shall be considered void.

The service providers, including collection and transport and the treatment and disposal facilities, shall retain copies of the manifest forms for a minimum of five (5) years

Section 44. Recording and Reporting. – Service providers shall establish and maintain accurate record keeping and reporting system. Information for record keeping shall include, but not limited to, the following:

- a) Desludging activity and volume recorded in log book;
- b) Filled out manifest forms
- c) Notes about deficiencies with the septic tank. Cracks, missing pipes or fittings, improper manholes or access ports should be recorded to serve as basis for any required upgrading by homeowners;
- d) Inventory of tools; and
- e) Desludging schedules.

The service provider shall retain its records for a minimum of five (5) years. Each service provider shall submit quarterly report or before the 15<sup>th</sup> of the month following the end of the quarter to the City Health Officer, who shall furnish the Technical Working Group a copy of the report for inclusion in the agenda of the next meeting of the GSC SWMB.

#### Article IX Administration and Enforcement

Section 45. The General Santos City Sustainable Waste Management Board (GSC SWMB) as Over-All Septage Management Policy Coordinator. – Without encroaching upon or supplanting the inherent duties, functions and responsibilities under the national laws, rules and regulations, of the officers named herein, the General Santos City Sustainable Waste Management Board shall act as the over-all septage management policy coordinator and perform oversight functions on the implementation of the City Septage Management Program as well as in the enforcement of this Ordinance.

Section 46. Monitoring and Evaluation. – Close monitoring of all activities in the implementation of the City Septage Management Plan as well as enforcement of this Ordinance shall be undertaken by the GSC-SWMB, assisted by the Technical Working Group until a regular Office or Department shall have been duly created and filled up. For this purpose, the GSC-SWMB and/or the pertinent City Department as provided in this Ordinance or its duly authorized representative/s shall have access to the premises and pertinent records of the service providers operating within its area or with whom it has contractual relations.

Section 47. Selection of Desludging Service Providers. – Within six (6) months from the approval of this Ordinance, the GSC-SWMB shall adopt a system of qualifications and criteria in selecting service providers for desludging. Qualifications shall include, among others, experience in desludging service, minimum equipment required to undertake desludging, possession of valid permits, and a contract with an authorized septage disposal facility.

- a) The City may enter into agreements with more one or more qualified desludging service providers. Such agreements shall include reasonable fees to compensate for desludging service, subject to the recommendation of the GSC-SWMB.



- b) The Technical Working Group of the GSC-SWMB shall formulate the system of collection of desludging fee from households and subsequent payment to the desludging service providers.
- c) The City Planning and Development Office shall include in its data base the information and systems that will efficiently reflect households and establishments covered by this Ordinance, desludging schedules and desludging events, volume of septage desludged, fees due and collected, as well as those uncollected; payment due and paid to desludgers, and other relevant information.
- d) The City Planning and Development Office shall assist the City Engineer and the City Health Office in recording and tracking the households, including their location and number, that have septic tanks complying with this Ordinance and those that still have to comply. However, the above-mentioned task may be assigned to a responsible service provider following the principle of a public-private partnership.
- e) There should be an accredited pollution control officer.

Section 48. Desludging/Tipping Fee/Collection of Fees. – There shall be collected monthly from households, commercial and institutional establishments desludging/tipping fee for the mandatory desludging of septic tanks and the treatment of septage.

Within six months from the approval of this Ordinance, and after conducting public consultations, the amount of monthly desludging fee and the procedure of payment and collection shall be determined and formulated by the General Santos City Sustainable Waste Management Board to be assisted by the Technical Working Group and the City Planning and Development Office for submission to the General Santos City Sustainable Waste Management Board, which shall submit its recommendation to the City Mayor.

For households served by the General Santos Water District and the Rural Water Associations, the City shall, within six (6) months from the effectivity of this Ordinance, conclude an agreement with these water service providers to collect and remit to the City Treasurer, the aforementioned desludging/tipping fee, subject to collection fee that will be included in the Agreement.

Establishments that have desludging and treatment contracts with authorized disposal facilities and upon presentation of a copy of the agreement and a desludging certificate issued during the past three months to the City Engineer, shall not be covered by the monthly desludging fee.

Commercial and similar establishments that operate wastewater /sewage treatment facilities duly covered by environmental compliance certificates and discharge permits from the Environmental Management Bureau and upon presentation of these documents to the City Engineer, shall not be covered by the monthly desludging fee; Provided, that their septic tanks for human excreta shall be covered by the monthly desludging fee.

In the case of communal septic tanks, the barangay concerned shall, within one (1) year from the effectivity of this Ordinance, facilitate the organization of users and devise adaptable schemes to enable the users to pay the desludging/tipping fee when due. The Barangay Chairman and the Barangay Treasurer shall be jointly responsible for the collection and remittance of the fee to the Treasurer's Office as trustee of the Trust Fund.

Section 49. Septage Management Trust Fund. – There is hereby established a Septage Management Trust Fund in the City Treasurer's Office.

- a) Unless otherwise decided by the General Santos City Sustainable Waste Management Board, desludging/tipping fees collected for the desludging and treatment of septage shall be held as Septage Management Trust Fund by the City Treasurer's Office and shall be used solely to pay the services of authorized

desludgers and/or septage desludging/treatment facility operators.

- b) Penalties paid as provided for in Article X hereunder shall likewise form part of the Trust Fund. Funds received exclusively for the septage management program of the City from foreign and domestic donations, endowments, grants, contributions shall likewise form part of the Trust Fund. Said components of the trust fund shall only be disbursed upon proper authorization by the General Santos City Sustainable Waste Management Board, subject to the usual accounting and auditing rules and regulations.

Section 50. Funding. – Apart from the Septage Management Trust Fund, the City Government shall allocate the necessary funds to support the capital expenditures for septage management infrastructure that may be necessary to carry out this Ordinance, and for the operating and maintenance expenses of the GSC-SWMB for facilitating enforcement of this Ordinance and the implementation of the City Septage Management Plan.

Section 51. Rewards and Incentives. – Rewards, monetary or otherwise, shall be provided to individuals or group of individuals, barangays and/or barangay leaders, private organizations and entities that have undertaken outstanding and innovative projects, technologies, processes, techniques, or activities in connection with the Septage Management Program of the City. Funding for the rewards shall be sourced from the Trust Fund.

By way of incentive to encourage the stakeholders to faithfully comply with the Ordinance and participate in the sustainability of the Program, the recorded volume of the septage desludged from each stakeholder's septic tank shall be tagged a value on commercialization of processed sludge, which value shall be correspondingly deducted from the stakeholder's desludging in the next succeeding desludging operation.

The General Santos City Sustainable Waste Management Board shall, within one (1) year from the effectivity of this Ordinance, establish a formula that will best obtain a fair and acceptable commercialization value for processed sludge.

The GSC-SWMB shall likewise, within one (1) year from the effectivity of this Ordinance, establish a system for the grant of rewards and envisioned in this Ordinance.

Article X  
Information, Education and Communication,  
Behavior Change Communication Program

Section 52. To ensure widespread understanding and support of the objectives, components and implementation mechanics of this Ordinance and the City Septage Management Program, among the households, establishments and institutions in General Santos, the City through the City Information Office shall, within six (6) months from the approval of this Ordinance, formulate an appropriate and stakeholder-directed information, education and communication (IEC) program and materials. Such program shall be in the form and context of behavior change communication (BCC) inasmuch as the effectiveness of this Ordinance depends on stakeholder support through change in behavior towards sanitation.

- a) Implementation of IEC/BCC activities shall commence immediately after the approval of this Ordinance by disseminating copies of the Ordinance to barangay captains, heads of government agencies and owners/managers of establishments in General Santos City.
- b) The City shall endeavor to secure the cooperation of the mass media organizations operating in the City to disseminate information pertaining to this Ordinance.

Section 53. The City Mayor, upon recommendation of the GSC SWMB, may authorize the use of the Septage Management Fund for the purpose of carrying out IEC/BCC programs and activities.

Article XI  
Penalty Clause

Section 54. Penalties. – For violation of any provision of this Ordinance, the City Engineer/City Health Officer shall issue a pre-numbered and accountable citation ticket to the person, owner, proprietor, manager, administrator of the establishment, institution, household stating therein the nature of the violation committed, the period within which the same must be settled, corrected or abated, and the consequence of continuing violation thereof. The violator shall suffer the following penalties:

- a) First Offense – Attendance in a seminar on the City Septage Management Program.
- b) Second Offense – Fine in the amount stated hereunder plus attendance in a seminar on the septage management program:
  - 1. For public and private residential buildings ----- P1,000.00
  - 2. For hotels, condominiums, town houses  
apartments, lodging houses, banks, offices  
malls, restaurants and other business  
establishments ----- P2,000.00
  - 3. For septic tanks use by hospitals, funeral parlors and similar operations -  
P2,000.00

or imprisonment of not less than one (1) day and not more than six (6) months, or both such fine and imprisonment at the discretion of the court, and attendance in seminar on septage management.

- c) Third and Succeeding Offenses – Fine in the amount stated hereunder, plus attendance in a seminar on the septage management program.
  - 1. For public, private residential buildings ----- P2,000.00
  - 2. For hotels, condominiums, town houses, apartments,  
lodging houses, banks, offices, malls, restaurants  
and other business establishments ----- P4,000.00
  - 3. For septic tanks used by hospitals, funeral parlors and similar operations -----  
P4,000.00

or imprisonment of not less than one (1) month and not more than one (1) year, or both such fine and imprisonment at the discretion of the court, and attendance in a seminar on septage management.

If the violator is a juridical person, the penalty of imprisonment, as the case may be, shall be imposed on the President, Manager, Executive Officer or person responsible for its operation, or head of the local government unit.

Failure to comply with the provisions hereof shall cause the cancellation or revocation of business permits for business establishments.

In the case of residential building or household, the penalty shall be imposed on the head of the family or household.

Section 55. No Contest Provision. – For the purpose of efficient implementation of this Ordinance, it is hereby provided that any person, natural or juridical, who is

apprehended or cited for violation of this Ordinance who does not wish to contest the violation and is willing to pay voluntarily the fine imposed upon him/her prior to the filing of formal charge with the proper court, shall be allowed to pay said fine with the City Treasurer's Office to avoid being criminally prosecuted pursuant to the citation ticket Ordinance.

Article XII  
Final Provisions

Section 56. Separability Clause. – Should any section or provision of this Ordinance be declared by any court to be unconstitutional or invalid, such decision shall not affect the validity of this Ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

Section 57. Repealing Clause. – All ordinances or parts thereof which are in conflict with the provisions of this Ordinance are hereby repealed, modified or amended accordingly.

Section 58. Effectivity Clause. – This Ordinance shall take effect fifteen (15) days after its publication in a newspaper of general circulation in the City of General Santos.

Passed by the Sangguniang Panlungsod, City of General Santos, on its 130<sup>th</sup> Regular Session held on February 11, 2010.

CERTIFIED CORRECT:

ATTY. ROSENDO A. ROQUE  
Secretary to the Sanggunian

ATTESTED BY:

JOSE ORLANDO R. ACHARON  
City Councilor and Presiding Officer

Approved by His Honor, the City Mayor on \_\_\_\_\_2010.

PEDRO B. ACHARON, JR.  
City Mayor