



Republic of the Philippines
City of Angeles
SANGGUNIANG PANLUNGSOD
16th Council

ORDINANCE NO. 343, S-2014
(PO-758-12-13)

AN ORDINANCE PROVIDING FOR THE WATER QUALITY AND SEPTAGE MANAGEMENT SYSTEM IN ANGELES CITY

WHEREAS, Section 16, Article II of the 1987 Philippine Constitution declares that, *"The state shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature."*

WHEREAS, RA 9275 otherwise known as the Philippine Clean Water Act of 2004 states that *"The State shall pursue a policy of economic growth in a manner consistent with the protection, preservation and revival of the quality of our fresh, brackish and marine waters;"*

WHEREAS, Section 16, Chapter 2 of the Local Government Code of the Philippines or RA 7160 states that *"Within their respective territorial jurisdictions, local government units shall ensure and support, among other things, the preservation and enrichment of culture, promote health and safety, enhance the right of the people of a balanced ecology;"*

WHEREAS, Section 458, No. 1 (vi), Article Three of RA 7160 mandates the Sangguniang Panlungsod to *"Protect the environment and impose appropriate penalties for acts which endanger the environment, such as dynamite fishing and other forms of destructive fishing, illegal logging and smuggling of logs, smuggling of natural resources products and of endangered species of flora and fauna, slash and burn farming, and such other activities which result in pollution, acceleration of eutrophication of rivers and lakes, or of ecological imbalance;"*

WHEREAS, it is the prime concern of the city government to safeguard the health of the people and to protect the environment;

WHEREAS, City Ordinance No. 101, Series of 2000 maintained that the city government shall control and regulate the growth and future development of Angeles City in accordance with its development plan;

WHEREAS, City Ordinance No. 282, Series of 2010 created the City Environment and Natural Resources Office (CENRO). It is the primary office of the City Government of Angeles in the campaign for environmental management and enhancement, protection and conservation of the city's natural resources and maintenance of ecological balance, and

NOW THEREFORE, be it resolved, as it is hereby RESOLVE, to pass an ordinance providing for a Water Quality Protection and Management of Angeles City.

Section 1. Short Title. This Ordinance shall be called WATER QUALITY AND SEPTAGE MANAGEMENT ORDINANCE.

Section 2. Purpose of this Ordinance:

- a. To utilize and manage local water resources in a sustainable manner;
- b. Promote environmental strategies, use of appropriate economic instruments and of control mechanisms for the protection of water resources;
- c. Formulate a holistic local program of water quality management that recognizes that water quality management issues cannot be separated from concerns about water sources and ecological protection, water supply, public health and quality of life;

- d. Promote commercial and industrial processes and products that are environment friendly and energy efficient;
- e. To encourage cooperation and self-regulation among citizens and industries and to promote the role of private industrial enterprises in shaping its regulatory profile within the acceptable boundaries of public health and environment;
- f. To provide for a comprehensive management program for water protection and management focusing on water resource conservation and pollution prevention;
- g. To promote public information and education and to encourage the participation of an informed and active public in water quality management and monitoring;
- h. To encourage civil society and other sectors, particularly labor, the academe and business in undertaking environment-related activities in their effort to organize, educate and motivate the people in addressing pertinent environmental issues and problems at the local and national levels.

Section 3. Operative Principles. Water resources in the city shall be utilized and managed for the primary purpose of:

- a. Meeting indefinitely the basic requirement for potable water of all residents;
- b. Securing the availability of adequate supplies of water for the growing industrial, recreational, commercial and agri-business development activities, and
- c. Groundwater recharge areas must be protected from groundwater pollution.

Section 4. Definition of Terms. The following words and phrases shall be defined as follows:

- a. *City* - unless otherwise stated, this will refer to the City of Angeles.
- b. *City ENRO* - this is the acronym that shall refer to Environment and Natural Resources Office as well as to the Environment and Natural Resources Officer both of which were created under City Ordinance No. 282, S-2010.
- c. *City Waters* - include rivers, creeks and subterranean waters within the territorial jurisdiction of the City that are not subject to private ownership
- d. *Critical Watershed* - refers to a drainage area of a river system, lake or water reservoir supporting existing and proposed hydroelectric power, domestic water supply, geothermal, irrigation works, which needs immediate rehabilitation and protection to minimize soil erosion, improve water yield and prevent possible flooding.
- e. *Devolution* - refers to the act by which the national government confers power and authority as provided for by law.
- f. *DENR* - refers to the Department of Environment and Natural Resources.
- g. *Effluent* - means discharge from known sources which is passed into a body of water or land, or wastewater flowing out of a manufacturing plant, industrial plant including domestic, commercial, agricultural farms and recreational facilities.
- h. *Pollution* - means any alteration of the physical, chemical, biological properties of any water, air and/or land resource of Angeles City, or any discharge thereto of any liquid, gaseous or solid waste, or any production of unnecessary noise, or any emission of objectionable odor, as will or is likely to create or to render such water, air and/or land resources harmful, detrimental or injurious to public health, safety or welfare, or which will adversely affect their utilization for domestic, industrial, agricultural, recreational or other legitimate purposes
- i. *Pollutant* - A substance or condition that contaminates air, water, or soil. Pollutants can be artificial substances, such as pesticides and polychlorinated biphenyls (PCBs), or naturally occurring substances, such as oil or carbon dioxide, that occur in harmful concentrations in a given environment.
- j. *Sludge* - means any solid, semi-solid or liquid waste or residue generated from a wastewater treatment plant, water supply treatment plant, or water control pollution facility, or any other such waste having similar characteristics and effects.

k. *Sewage* - means water-borne human or animal wastes, excluding oil or oil wastes, removed from residences, building, institutions, industrial and commercial establishments together with such groundwater, surface water and storm water as may be present including such waste from vessels, offshore structures, other receptacles intended to receive or retain waste or other places or the combination thereof.

l. *Sewerage* - includes, but is not limited to, any system or network of pipelines, ditches, channels, or conduits including pumping stations, lift stations and force mains, service connections including other constructions, devices, and appliances appurtenant thereto, which includes the collection, transport, pumping and treatment of sewage to a point of disposal.

Section 5. Creation of City Water Resources Management Board (CWRMB).

Within six (6) months upon effectivity of this Ordinance, the City Mayor shall organize a multi-sectoral City Water Resources Management Board (CWRMB). The City ENRO (CENRO) shall serve as the permanent Secretariat of the said board.

The CWRMB shall be vested with the following duties and responsibilities:

- a. Conduct regular water sampling and analysis of samples collected using the parameters, standards, and procedures established by national laws. The priority parameters to be measured shall include biological oxygen demand (BOD), total suspended solids (TSS) and total coli form.
- b. Assist national government agencies in the enforcement of anti-pollution laws including Presidential Decree No. 984, DENR Administrative Order 34 (Revised Water Usage and Classification Water Quality Criteria) and DENR Administrative Order No. 35 (Revised Effluent Regulations of 1990), Republic Act No. 6969 (Toxic Substances and Hazardous and Nuclear Waste Control Act of 1990) and Clean Water Act.
- c. Convene and organize industrial firms and tourism establishments in the city so that they can share water pollution reduction techniques, work as a group with the government and non-governmental organizations on pollution reduction.
- d. Advise the City Government on policy requirements to safeguard water resources in the city

Section 6. Utilization of Waters. The City of Angeles shall pursue the following policies and guidelines for proper utilization of water. Pursuant to the provisions of the Water Code of the Philippines, utilization of the water resources for domestic, agricultural, industrial and the environment shall be allowed provided it is in consonance with the global and national agenda in the development of water.

- a. Rainwater collection and harvesting system pursuant to EO 774 or Reorganizing the Presidential Task Force on Climate Change shall be put in place. In the construction of buildings and dwellings, provisions for rainwater collection system are required.
- b. Water peddlers, water refilling stations and commercial surface and/or groundwater permittees in the city should maintain the safety and quality of their drinking waters passed on to their customers and secure necessary DOH permit and clearances relating to their business and activities. Water quality monitoring report should be submitted by the permittees on a regular basis determined upon the nature of their business to the City ENRO.
- c. The City Mayor shall declare and allocate water with the advice of the City ENRO and other agencies in coordination with the NWRB during critical periods and extreme conditions such as drought as determined by PAGASA the priority use for water pursuant to the Water Code of the Philippines following the most beneficial use.

Section 7. Designation of Water Quality Management Area of Angeles City (WQMAAC). Pursuant to the provision of the Clean Water Act of 2004, the Water Quality Management Area of Angeles City shall be designated for the purpose of maintaining water production, conservation and protection. The WQMA designated by the Angeles City Government shall be delineated together with DENR.

- a. All areas that serve as watershed for the water supply of Angeles City including but not limited to the groundwater resource.
- b. The Angeles City Government shall initiate the formation of Water Quality Management Area for the Abacan River and Sapang Balen Creek in coordination with other concerned Local Government Units to control the cumulative negative impacts of land development, industries and agriculture particularly from livestock and poultry.

Section 8. Water Quality Management Area Monitoring Plan. The City Mayor, together with the concerned national government agencies, local water districts, private water providers, City ENRO, CPDO, CEO and private sector groups shall formulate a strategic management plan for the Sapangbato Watershed. The plan shall include but not limited to the following:

- a. Characterization of the status of the watershed in terms of water producing capacity, water quantity, water quality and use;
- b. The measures to be implemented to improve water quality and production capacity of the watershed and restore water quality of water resources such as rivers and streams to a state for which they can serve their most beneficial use.
- c. The appropriate institutional arrangements to be established for managing the watershed;
- d. The investment requirement, duration and revenue generating measures to be implemented, and
- e. Appropriate policy incentives and regulations to ensure that the watershed is managed in a sustainable manner.

Section 9. Drainage and Sewerage Systems. The City Government shall adopt necessary measures to ensure that adequate city and barangay drainage and sewerage systems are established and maintained to prevent the negative effects of all types of effluents on both surface and ground water quality. The City Government through units (City Engineer, City ENRO, CPDO) shall establish proper sewerage system as required in the Clean Water Act known as RA 9275. The city government may seek the coordination and assistance of local water providers in improving the drainage and sewerage system in the city.

Pursuant to Clean Water Act of 2004 or RA 9275, the city government may appropriate the necessary land, including the required rights-of-way/road access to the land for the construction of the sewage and/or septage treatment facilities, unless otherwise undertaken by the Angeles City Water District or by duly accredited private providers of sewage septic treatment facility.

The city government shall also raise funds to subsidize necessary expenses for the operation and maintenance of sewerage treatment or septage facility through local property taxes and enforcement of a service fee system.

Section 10. Minimum Standards for Building Septic Vaults. One (1) year upon the effectivity of this Ordinance, all new house dwellings and any other buildings to be constructed shall have a three (3) chamber concrete septic vaults for sewage containment. The digestive chamber of the vault should have a concrete flooring with a minimum dimension of 1.80 m. x 1.50 m. x 0.90 m. for its length, depth and width, respectively while the two (2) leaching chambers should have at least 20 cm. of gravel base with minimum dimensions of 0.90 m. x 1.50 m. x 0.90 m. for their length, depth and width, respectively.

The inside dimension of digestive chamber shall correspond to the number of house/building occupants. Below is the prescribed dimension in relation with the number of occupants:

Number of occupants	Depth in meters	Width in meters	Length in meters
10	1.20	0.90	1.80
15	1.20	1.10	2.20
20	1.20	1.25	2.50
25	1.20	1.40	2.80
30	1.30	1.50	3.00
35	1.30	1.60	3.20
40	1.40	1.65	3.30
45	1.40	1.75	3.50
50	1.50	1.80	3.60
60	1.50	1.95	3.90
70	1.60	2.00	4.00
80	1.60	2.20	4.40
90	1.80	2.20	4.40
100	1.80	2.30	4.60

Section 11. Desludging of Septage. The suction of the septage of those establishments whose septic vaults do not conform to the preceding section shall be made at least once every three (3) to five (5) years to insure that the septage therein will not seep into the portion of the earth where the water deposit is located.

Section 12. Suction of Septic Vaults. To insure the quality of services that will be rendered and the propriety of septage disposal, an Accreditation Compliance Certificate, to be issued by the Sangguniang Panlungsod is an indispensable requirement before an entity may be allowed to perform siphoning services.

Section 13. Disposal of Septage. In accordance with the existing rules and policies of the Department of Environment and Natural Resources (DENR) and Department of Health (DOH), all septage shall be processed and disposed by an entity or agency, possessing an Accreditation Compliance Certificate with a proper water treatment facility. The water treatment facility providers shall likewise possess or secure Accreditation Compliance Certificate from the Sangguniang Panlungsod.

Section 14. Prohibited and Punishable Acts

- a. Discharging, depositing or causing to be deposited material of any kind directly or indirectly into the water bodies or along the margins of any surface water, where, the same shall be liable to be washed into such surface water, either by storm, floods or otherwise, which could cause water pollution or impede natural flow in the water body;
- b. Discharging, injecting or allowing seeping into the ground soil any substance in any form that would pollute groundwater.

- c. Operating facilities that discharge regulated water pollutants without the valid required permits or after the permit was revoked for any violation of any condition therein;
- d. Disposal of potentially infectious medical waste into bodies of water;
- e. Unauthorized transport or dumping into bodies of water of sewage sludge or solid waste as defined under RA 9003;
- f. Dumping or discharge of prohibited chemicals, substances or pollutants listed under RA 6969 in city's waterways;
- g. Operate facilities that discharge or allow to seep, willfully or through gross negligence, prohibited chemicals, substances or pollutants listed under RA 6969 into water bodies or wherein the same shall be liable to be washed into such surface and ground water;
- h. Undertaking activities or development and expansion of projects, or operating wastewater/sewerage facilities in violation of Presidential Decree. No.1586 and its implementing rules, and regulations;
- i. Directly using booster pumps in the distribution system or tampering with the water supply in such a way as to alter or impair the water quality.
- j. No industrial or manufacturing plant shall be operated without functional wastewater treatment system or operates at capacities beyond the limits of operation or capability of wastewater treatment facility in order to maintain the effluent quality within the standards or pertinent conditions required by law and/or as stipulated in the permit to operate.
- k. No person or business shall discharge, wholly or partially, untreated or inadequately treated industrial effluents directly into bodies of water through the use of bypass canals and/or pumps and other unauthorized means.
- l. The construction of houses, resorts and other physical structures within banks of rivers shall be governed by existing laws.
- m. No person shall use any part of waterway for recreational or commercial purposes without first securing a permit from the Office of the City Mayor.
- n. No person shall raise or lower or cause the raising or lowering of the water level of a stream, creek or river nor drain the same without the necessary government clearances and/or permits.
- o. Impounding of water in large amounts such as to prejudice downstream or upstream users shall be prohibited.
- p. No person shall drill a well without a permit from the National Water Resources Board in the case of subterranean waters. No groundwater shall be extracted if this will result to the deterioration of critically important surface waters. The City Government shall reserve the right to revoke or cancel any permit for the extraction of groundwater if this is found to be detrimental to its sustainability or inimical to other higher priority water uses.
- q. Dumping of wastes and sediments from quarrying operations, as well as farm water carrying pesticide residues and/or pollutants such as swine or livestock effluents directly to water body, is hereby banned and therefore prohibited.

Section 15. Fines and Penalties

- a. Any person who commits any of the prohibited acts or violates any of the sections provided in this Ordinance shall be fined and penalized as follows:

First Offense – Php 1,000.00 fines;

Second Offense – Php 3,000.00 fines;

Third Offense – Php 5,000.00 fines and imprisonment.

- b. If the offense is committed by a firm, corporation, partnership or other juridical entity, the chief executive officer, president, general manager or person-in-charge shall be liable for the commission of the offense penalized under this act.

Section 16. Separability Clause. If any provision of this Ordinance or the application of such provision to any person or circumstances is declared unconstitutional, the remainder of this Ordinance or the application of such provision to other persons or circumstances shall not be affected by such declaration.

Section 17. Repealing Clause. All City Ordinances, resolutions, issuances, rules and regulation, or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed or modified accordingly.

Section 18. Effectivity. This Ordinance shall take effect fifteen (15) days after its publication in at least one (1) newspaper of local circulation and its implementation will be after the formulation of the Implementing Rules and Regulations for accreditation framework.

Section 2. This Ordinance shall take effect upon its approval and publication in a newspaper of local circulation.


Sponsored by Councilors **EDGARDO D. PAMINTUAN, JR., AMOS B. RIVERA**
and **BRYAN MATTHEW C. NEPOMUCENO**.

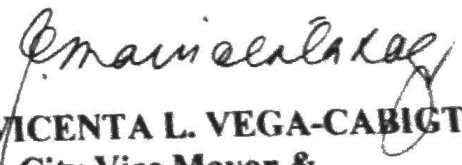
Seconded by Councilor Jericho G. Aguas

UNANIMOUSLY ADOPTED by the Members Present: Councilors Jericho G. Aguas, Arvin M. Suller, Bryan Matthew C. Nepomuceno, Edgardo D. Pamintuan, Jr., Alexander P. Indiongco, Carmelo G. Lazatin Jr., Maximo L. Sangil and Amos B. Rivera during Regular Session No. 5 held on February 18, 2014.

Approved by His Honor, the City Mayor on February 26, 2014.

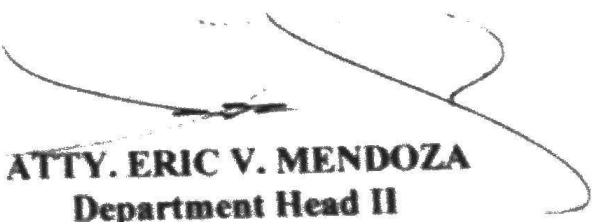
APPROVED:


EDGARDO D. PAMINTUAN
City Mayor


MA. VICENTA L. VEGA-CABIGTING
City Vice Mayor &
Presiding Officer

ATTESTED:


LEONARDO KIRK I. GALANZA
Executive Assistant V


ATTY. ERIC V. MENDOZA
Department Head II
City Secretary