



Republic of the Philippines
BATANGAS CITY

Office of the Sangguniang Panlungsod

Tel. No. 723-2175

ORDINANCE NO. 20 S. 2018

AN ORDINANCE ESTABLISHING SEWAGE AND SEPTAGE MANAGEMENT FOR THE
CITY OF BATANGAS AND PRESCRIBING PENALTIES FOR VIOLATION THEREOF

SPONSOR : HON. HON. NESTOR E. DIMACUHA
CO-SPONSORS : HON. AILEEN GRACE A. MONTALBO
HON. SERGIE REX M. ATIENZA
HON. HAMILTON G. BLANCO
HON. ALYSSA RENEE A. CRUZ
HON. OLIVER Z. MACATANGAY
HON. ARMANDO C. LAZARTE
HON. KARLOS EMMANJUEL A. BUTED
HON. JULIAN B. VILLENA
HON. GERARDO A. DELA ROCA
HON. NELSON J. CHAVEZ
HON. JULIAN PEDRO M. PASTOR
HON. ANGELITO "DONDON" A. DIMACUHA
HON. MARJORIE A. MANALO

WHEREAS, the City of Batangas is a fast evolving urbanized city, made apparent by the increasing number of multi-scale commercial and industrial establishments and the corresponding increase in human population;

WHEREAS, the foregoing circumstances call for the establishment of measures aimed at protecting the environment, particularly with respect to the sources of drinking water so as to avert any illness and other adverse effects on the health and welfare of the constituents of the city;

WHEREAS, Section 20 of Republic Act No. 9275, otherwise known as the "Philippine Clean Water Act of 2004" mandates unto Local Government Units to share the responsibility in the management and improvement of water quality within their territorial jurisdictions;

WHEREAS, Section 16 of the Local Government Code of 1991 provides that local government units shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance and those which are essential to the promotion of the general welfare of its inhabitants;

WHEREAS, under the same provision for the Local Government Code, local governments are mandated to ensure and support, among other things, the promotion of health and safety and the enhancement of the right of the people to a balanced ecology;

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WHEREAS, Section 7.5 of the Department of Environment and Natural Resources Administrative Order No. 2005-10 provides that local government units has the power to enact ordinances imposing a service fee system that will cover necessary costs for the operation and maintenance of sewage treatment or septage management facilities:

WHEREAS, the Office of the Government Corporate Counsel, in its opinion dated August 2, 2018 on the query of San Carlos City Water District (SCCWD), states that the environmental fee prescribed by the Sangguniang Panlungsod may be used as the basis for the rates imposed by the water district for septage management services implemented through a resolution from the Water District's Board;

NOW THEREFORE, BE IT ORDAINED by the Sangguniang Panlungsod of Batangas City in session duly assembled:

Section 1. Title. This Ordinance shall be known as the "Sewage and Septage Management Ordinance of Batangas City".

Section 2. Declaration of Policy. It shall be the policy of this City to share in the responsibility on the management and improvement of water quality within its territorial jurisdiction. To meet these objectives, the City shall implement measures to prevent and control water pollution and to promote public health and ensure a balanced ecology.

Section 3. Scope and Application. The following structures within the city are covered by this Ordinance:

- a. All residential structures including, but not limited to, apartment, house and/or land on which another's dwelling is located and used for residential purpose and shall include not only the building's parts or units thereof used solely as dwelling places, boarding houses, dormitories, rooms and bedspaces offered for rent by their owners, but also those used for home industries, retail stores or other business purposes if the owner, his or her family actually live therein and use it principally for dwelling purposes;



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- b. Commercial establishments, including but not limited to, restaurants, convenience stores, hardware, malls, groceries, markets, carwash, condominiums, motels, hotels, hostels, resorts, recreational establishments, auto-repair shops, poultries and livestock rearing establishments, etc.;
- c. Industrial establishments, including but not limited to, factories, manufacturing plants, etc.;
- d. Governmental structures, including but not limited to, barangay halls, government offices, etc.; and
- e. Institutional structures, including but not limited to, schools, colleges and universities, hospitals, churches, etc.

Section 4. Definition of Terms. For the purpose of this Ordinance, the following terms shall be defined as follows:

- a. **Baffle** - a device (as a wall or screen) to deflect, check or regulate the flow of sewage and septage. It promotes preliminary and primary treatment of the incoming sewage by allowing the physical separation of solid and liquid components in the sewage
- b. **BCWD** - the Batangas City Water District
- 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** - the Batangas City Environment and Natural Resources Office
- e. **Chamber** - an enclosed space, cavity or compartment of a septic tank
- f. **City Average Consumption** - the average monthly water consumption of Batangas City as computed by the Batangas City Water District (BCWD)
- g. **Communal Excreta Disposal System** - an excreta disposal system serving a group of dwelling units
- h. **CSMC** - City Septage Management Council



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- i. **Desludging** - the process of cleaning or removing the accumulated sludge or septage from a septic tank and transporting it to treatment facilities
- j. **Desludging Service Provider** - any person, company, or organization that has the required authorization and licenses, including but not limited to, an Environmental Sanitation Clearance from the DOH to undertake desludging of septage
- k. **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
- l. **Digestion** - a microbiological process that converts chemically complex organic sludge to methane, carbon dioxide, and inoffensive humus-like material
- m. **Digestive cesspool** - a pit for the reception or detention of sewage
- n. **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
- o. **Dwelling** - 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
- p. **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.
- q. **Emergency desludging** - a request for desludging services outside of the regular scheduled desludging of septic tanks upon the request and payment of the owner of the septic tank to the BCWD.
- r. **Environmental Fee (EF)** - the rates per cubic meter (cu. m.) of water consumption for septage management services provided by the Batangas City Water District
- s. **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
- t. **Establishment** - any structure or building used principally in conducting one's trade or business. It includes stables, pigpens, poultry, slaughterhouses, dressing plants, restaurants, hotels, schools, funeral



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- parlors, resorts, pension houses, dormitories, canneries, markets, hospitals, malls, supermarkets, restaurants, government buildings, private commercial buildings, churches, and the like
- u. **Excreta** - human waste composed of urine and feces.
 - v. **Home sewer** - the pipeline conveying sewage from the house or building to the septic tank or to any point of discharge
 - w. **IEC/BCC** - Information, Education and Communication/Behavior Change Communication Programs
 - x. **Individual Excreta Disposal System** - an excreta disposal system serving a dwelling unit
 - y. **Land Applications** - the use of treated septage for agricultural purposes or as a soil amendment or filling materials, in accordance with the regulations of the Department of Agriculture
 - z. **Mobile service provider** - a public or private entity, operator or water utility that is authorized and has the required Environmental Sanitation Clearance from the DOH to provide desludging services and to transport the septage to authorized treatment and disposal facilities
 - aa. **Pollution Control Officer (PCO)** - an officer of a private company, duly accredited by the DENR, who provides linkages between the company and the Environmental Management Bureau (EMB) of the Department of Natural Resources (DENR) and is primarily responsible for the compliance with the DENR wastewater effluent standards.
 - bb. **Public sanitary sewer** - a common sewer to which all abutters have equal rights of connection.
 - cc. **Public toilet** - 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 float
 - 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
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- ff. **Septage Collection and Treatment Fee** - fees for the collection and treatment of septage for non BCWD-customers
- gg. **Septage management** - comprehensive programs for managing septic tanks and the procedures for proper desludging, transporting, treating, and disposing of septic tank contents
- hh. **Septage management or treatment facility** - a stationary facility that treats only domestic septage or combinations of domestic septage, food establishment sludge, 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
- ii. **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
- jj. **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
- kk. **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
- ll. **Sewage Disposal System** - a system of collection, transportation, treatment and disposal of sewage
- mm. **Sewer** - a pipe or conduit for carrying sewage and wastewater
- nn. **Sewerage works** - refers to a system of pipes, pumps, devices and other appurtenant structures for the collection, transportation and final disposition of wastewater
- oo. **Sludge** - precipitated solid matter with highly mineralized content produced by domestic wastewater treatment processes



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- pp. **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
- 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. **Tipping fee** - the fee for private desludging company duly accredited by the DOH and/or DENR-EMB that will haul septage for treatment to the septage treatment plant constructed by BCWD and its joint venture partner
- ss. **Toilet facility** - 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
- tt. **Wastewater** - pertains to sewage
- uu. **Wastewater treatment facility** - 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.

Section 5. Principles of Sewerage and Septage Management.

The City of Batangas shall abide by the following sewerage and septage management principles:

a. Untreated excreta from residential areas without septic tanks and untreated wastewater from commercial, industrial, institutional and public establishments shall not be allowed to be discharged to open drainage canals or piped drainage systems. All buildings and structures, whether residential, commercial, industrial, governmental, and institutional establishments shall be required to have proper sewage treatment or septage management system.

- i. All residential structures shall have hygienic septic tanks;



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- ii. All commercial and industrial establishments, and hospitals shall have hygienic septic tanks or wastewater treatment facility based on the determination of the DENR (or LLDA in the case of LGUs covered by the LLDA) and/or DOH; and
 - iii. Commercial, industrial, governmental, and institutional structures that are required to have wastewater treatment facilities shall have an operational wastewater treatment facility either on-site or by service offsite;
- b. For sewerred areas, or areas with sewer pipelines, no wastewater other than those from residential structures shall be allowed to discharge on the sewers or sewer pipelines unless such wastewater was serviced by a pre-treatment facility to at least be of domestic wastewater quality;
- c. All food establishments (e.g. restaurants, eatery, food chains, etc.) discharging organic and inorganic wastes shall be required to have an oil and grease trap installed in their respective kitchen areas; and
- d. All septic tanks must be accessible at all times.

Section 6. Proper Sewage Disposal System Requirements. - All residential, commercial, industrial, institutional, and governmental establishments, old or new, are required to have proper sewage disposal system in accordance with Section 5 hereof.

a. Existing structures:

- i. Residential, commercial, industrial, institutional, and governmental structures with inaccessible and/or non-compliant septic tank shall opt for any of the following: (a) remodelling or restructuring to make the septic tank accessible and compliant with national standards, within ten (10) years from the effectivity of this Ordinance; or (b) connection to existing sewer lines of water utilities, as applicable; or (c) construction of communal or shared septic tank;



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- ii. Commercial, industrial, institutional, governmental establishments that are required to have a wastewater treatment facility shall comply within five (5) years from the effectivity of this Ordinance; and
- iii. No business owner shall be issued a renewed business permit unless he has obtained the discharge permits, environmental sanitation clearances, and other necessary clearances and permits as may be prescribed by existing laws or as may be required by the DENR, LLDA, and/or DOH and its instrumentalities.

b. New structures:

- i. No building permit shall be issued for residential, commercial, industrial, institutional, and governmental structures unless the design of the hygienic septic tank or wastewater treatment facility in the building plan conforms with existing environmental laws and policies; and
- ii. No business owner shall be issued new business permit unless he/she has obtained the necessary clearances and permits such as discharge permits and environmental sanitation clearances as may be prescribed by existing laws as maybe required by the DENR, and DOH and its instrumentalities.

Section 7. Design of Septic Tanks. - 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 at least two (2) compartments, watertight and shall be constructed of sound durable materials, not subject to excessive corrosion or decay. The volume of the first compartment shall be between one-half to two-thirds of the total tank volume. 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.



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- b. Septic tanks shall be located such that desludging equipment can have access to the manholes, conveniently facilitating tank maintenance. Owners of existing septic tanks that are not accessible for maintenance are required to upgrade or repair their tanks so they can be desludged.
- c. Plans and specifications for all septic tanks shall conform to the minimum standards prescribed by the Code on Sanitation of the Philippines and the Revised National Plumbing Code of the Philippines. Any septic tank shall not be within twenty-five (25) meters from any existing source of water supply.
- d. 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. Baffles or similar devices shall be installed at each inlet and outlet of the tank and at each compartment. It must be integrally cast with the tank, affixed with a permanent waterproofing material, or attached at the top and bottom with connectors that are not subject to corrosion or decay. Sanitary tees used on baffles shall have a minimum diameter of 100 mm (4 inches).
- e. The baffles between compartments shall extend at least 200 mm above the maximum liquid surface or all the way to the underside of the top cover.
- f. The centerline of the inlet pipe shall be at least 50 mm. above the centerline of the outlet pipe. Both inlet and outlet pipes shall be similar in diameter with each other and shall have a minimum diameter of 100 mm.
- g. Adequate venting shall be provided in each compartment with the use of ventilating pipes not less than 50 mm. in diameter. For buildings, where plumbing fixtures have appropriate "P" traps, venting should occur through the plumbing stack in the building, not from the septic tank. For buildings where toilets and sinks are not protected with "P" traps, traps should be installed, or vent directly from the septic tank.



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- h. There shall be at least one maintenance hole for each compartment, with a minimum side dimension of 500 mm. All maintenance holes shall extend through the tank cover and shall extend to finished grade. Manhole covers shall be designed with durable and fully-coated or non-corrosive handles for easy lifting. Septic tank access covers should be secured from unauthorized entry, either through safety screws, locks or tank lid that weighs 15kg or more.
- i. Septic tanks shall be cleaned before excessive sludge or scum is allowed to accumulate and seriously reduce the sludge settling efficiency. Septic tanks shall be cleaned or desludged at least once every five (5) years.

For commercial establishments, wastewater must conform to the typical characteristics of household wastewater, before being accepted for treatment in the septage treatment facility. If the wastewater or septage contains high values of contaminants such as fuel, oil or grease, or heavy metals or any other contaminant not usually found in domestic septage, the establishment must provide pre-treatment to bring the quality to domestic standards.

Section 8. Mandatory Desludging of Septic Tanks. - Desludging of septic tanks shall be mandatory, and must conform to the following standards:

- a. All owners and users of septic tanks shall be required to have their septic tanks desludged every five (5) years.
- b. The opening of septic tanks, for desludging purposes, shall only be done with the authority of the owner or user.
- c. Actual desludging must be done only by the BCWD or a private desludging company duly accredited by the DOH and/or DENR-EMB.
- d. Violation of this provision shall subject the owner and/or user of the septic tank to the penalties stipulated in Section 16 of this Ordinance.



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8.1 Serviced Households. -The BCWD shall determine the barangays to be served every year such that the Septage Management Services will be offered to all BCWD customers covering one hundred percent (100%) of the service area once every five years, provided that the following customers shall be considered served:

- a. those who refused the services of BCWD;
- b. those who do not have septic tanks;
- c. those who have been notified by BCWD of the service for three (3) consecutive times but fail or refuse to avail the service;
- d. Those who, despite diligent effort, have not been served by BCWD due to circumstances beyond its control.

8.2 Exemptions. Those with septic tanks that cannot be physically accessed by the desludging equipment with the following reasons are exempted from the mandatory desludging of septic tanks and the payment of User Fees discussed in Section 12:

- a. those inaccessible due to road limitations;
- b. those residing in island barangays.

8.3 Request for Emergency Desludging. - The BCWD shall provide emergency desludging services to residents and establishments within the City, subject to the following:

- a. For BCWD customers, payment for water and environmental fees should be updated;
- b. For non-BCWD customers, payment should be made to the BCWD office prior to the provision of service. The payment scheme for non-BCWD customers is discussed in Section 12.4 of this ordinance.

Section 9. Regulation on Desludgers. - Desludgers shall abide by the following regulations:

- a. Only DENR and/or DOH accredited private entities complete with permits shall be allowed to provide septage collection and transport services. Collected septage shall only be disposed and treated in a DENR and/or DOH accredited disposal/treatment facility with pertinent permits.



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- b. Liquid and/or solid materials removed from septic tanks shall be transported only by a DOH/DENR accredited septage hauler/pumper to the approved septage treatment facility pursuant to the regulations prescribed by the Department of Health (DOH) and authorized by the BCWD. Unless, otherwise provided by law, septage hauler/pumper shall not be allowed to collect, transport and upload or dispose of septage in other places, including bodies of water, agricultural fields, and the drainage system within Batangas City.
- c. All entities engaged in desludging activities are required to secure Permit to Transport from the DENR, Environmental Sanitation Clearance from the DOH, Sanitary Permit from the City Health Office, and other pertinent permits as may be deemed necessary as part of the requirements for issuance of annual business from the city.

Section 10. Institutional Arrangements. - The City Engineer shall have the following responsibilities in implementing this Ordinance:

- a. Inspection - Designate field inspectors that will check on the general design, construction, and maintenance requirements of septic tanks and/or wastewater treatment facilities in residential, commercial, industrial governmental, and institutional structures;
- b. Maintenance of Database - Coordinate with the City Health Officer and the BCWD in the formation and maintenance of a robust database of the list of all homeowners with hygienic septic tanks and with the City Business Processing and Licensing Officer for the database of all business establishments with adequate wastewater treatment facilities;
- c. Transporting of Septage - Coordinate with the City Health Officer for the implementation of an accreditation system, in consonance with the rules and regulations set forth by the DENR-EMB and DOH, and



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follow existing operational guidelines set forth by the DENR/DOH for the handling, transportation, treatment, and disposal of septage by private desludging service providers who intend to operate in Batangas City;

- d. Issuance of Sanitary Permits - Coordinate with the City Health Officer on the issuance of sanitary permits for all septage treatment and collection facilities, and development of a protocol for periodic inspection of such facilities, including but not limited to equipment, training programs, and safety;
- e. Enforcement on Sewer Connection - Assist the BCWD and other appropriate authorities in the enforcement of sewer connection, and penalties for non- or disconnection and illegal sewer tapping.

Section 11. Creation of a City Septage Management Council.

There shall be created a City Septage Management Council (CSMC) which shall be composed of the following:

- Chairman - City Mayor or his/her duly authorized representative
- Vice Chairman - SP Chairman - Committee on Environmental Protection
- Members - SP Chairman - Committee on Health
City Engineer/City Building Official
City Health Officer
City Planning & Development Coordinator
City Business Licensing Officer
City Environment and Natural Resources Officer
ABC President
BCWD and its Joint Venture Partner

The City Septage Management Council shall have the following functions:

1. To strictly implement an accreditation system and operational guidelines for private septage or desludging service providers that would like to operate in the City including but not limited to securing an Environmental Sanitation Clearances (ESC)



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as provided for in the rules and regulations of the Department of Health in handling, transporting, treatment and disposal of septage.

2. To review and approve application for service providers and to recommend the same for the approval of the Sangguniang Panlungsod.
 3. If a septic tank is not present or it is not accessible for desludging, the City Septage Management Council shall serve notice of non-conformance to the provisions of this Ordinance to the owners/administrators, or occupants. Information campaign to promote compliance with this Ordinance shall also be done.
 4. The City Septage Management Council or its authorized representatives in coordination with the deputized barangay official shall be permitted to visit properties for the purpose of inspection, observation, measurement, sampling and testing. A prior notice shall be given the property owners to obtain consent and facilitate inspection.
 5. For those property owners, administrators or occupants served with notices of non-conformance, a compliance period shall be set by the property owners, administrators or occupants and the City Septage Management Council in accordance to Section 6 of the Ordinance. The compliance period shall be based on the proper installation of an acceptable septic tank of which design is specified in this Ordinance and by national law.
 6. The CSMC shall be responsible for the strict implementation of penalties as stated in Section 16 of this Ordinance.
 7. For new developments, the occupancy permit issued by Building Official shall serve as Certificate of Compliance until the City Septage Management Council conducts another round of inspection.
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Section 12. Powers and Responsibilities of Batangas City Water District. - This ordinance hereby grants the Batangas City Water District (BCWD) with specific powers and defines its responsibilities for the effective implementation of the City's Septage Management Program, to wit:

- a. Establishment of a Facility - the BCWD shall construct, operate and maintain a DOH-approved Septage Treatment Facility within the jurisdiction of the City. The BCWD, may enter into contract or joint venture agreement with private entities duly accredited by the DOH and DENR for the construction, operation and maintenance of the facilities. The BCWD and its joint venture partner shall ensure that the capacity of the septage treatment facility shall be sufficient for the use of the City.
- b. Septage Collection and Transport Services - the BCWD and its joint venture partner, shall provide septage collection and transport services within the City. The desludging trucks shall conform to the prescribed DOH standards at all times. The BCWD and its joint venture partner shall ensure that the truck fleet shall be sufficient in capacity to provide desludging services to the City.
- c. Supplemental Rules and Regulations - the BCWD shall prepare the proposed implementing rules and regulations for septage collection and transport, including any subsequent adjustment to the proposed fees and charges for desludging and treatment of septage and submit the same to the Sangguniang Panlungsod for approval. Contracts or agreements entered into by the BCWD shall likewise be submitted to the Sanggunian for ratification;
- d. Information, Education, Communication - the BCWD shall coordinate with the Batangas City Government for the conduct of information, education and communication



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activities in collaboration with appropriate public or private agencies concerning proper wastewater management to increase level of awareness and commitment of the public to proper sewage treatment or septage management.

Section 13. User Fee - Fee for desludging and septage treatment shall be collected from owners/proprietors of all residential, commercial, industrial, governmental, and institutional structures serviced by BCWD. The User Fee will be incorporated in the BCWD monthly water bill which will be listed as the "Environmental Fee". The amount of the environmental fee for septage management shall be at a fixed rate per cubic meter of water consumed for residential customers and non-residential customers, without prejudice to future adjustments as may be determined by ordinance duly promulgated by Sangguniang Panlungsod. The fees will be exclusive of all applicable taxes and other fees, provided that proceeds from the said fee shall be used exclusively to sustain efficient and effective septage management in Batangas City. The charging of the Environmental Fee will take effect on the first day of operations of the Septage Treatment Facility.

Section 13.1. Exceptions In the Computation of the Environmental Fee. The following will be exempted in the computation of the environmental fee:

- a. Penalties due to late payment - the Environmental Fee will not be included in the base amount used for the computation for penalties due to late payment of water bills.
- b. Excessive water consumption due to identified leaks - For this case, the consumption history of at least six (6) months of the customer will be reviewed and will serve as basis for the re-computation of the environmental fee.

Section 13.2. Environmental Fee for Residential Users. - For residential customers, the environmental fee shall be collected in the following schedule, exclusive of VAT, commencing from the first day of operation of the Septage Treatment Facility:



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0 month to 6 th month	Php 1.50 per cubic meter of water consumed
6 th month to 12 th month	Php 2.50 per cubic meter of water consumed
12 th month onward	Php 3.50 per cubic meter of water consumed

Section 13.3. Environmental Fee for Business and Institutional Users. For business and institutional customers, the following matrix will be used, exclusive of VAT:

Customer Septage Class	Definition	Nature of Business	Septage Fee Computation Class Multiplier x Php 1.50/2.50/3.50 x Monthly Water Consumption)
I	Institutional Facilities directly using water on a daily basis on their operations with normal to high water consumption and producing normal volume of septage.	1. Public Schools 2. Public Hospitals 3. Government Offices including barangay halls, center etc. 4. City pound	0-6 th month - 1x P1.50 6 th -12 th month - 1xP2.50 12 th month onward - 1xP3.50
II	Business Establishments directly using water on a daily basis on their operations with high water consumption and producing low volume of septage.	1. Carwash 2. Laundry shops 3. Water Refilling Stations 4. Poultry 5. Piggeries	0- 6 th month - 1x P1.50 6 th -12 th month - 1xP2.50 12 th month onward - 1xP3.50



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III	Business Establishments directly using water on a daily basis on their operations with normal to high water consumption and producing normal volume of septage.	All other business establishments without on-site wastewater treatment facility/ies	0- 6 th month - 2x P1.50 6 th -12 th month - 2xP2.50 12 th month onward - 2xP3.50
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Section 13.4. Septage Collection and Treatment Fee for Non BCWD Customers - For non-BCWD customers, a one-time fee for the collection and treatment of septage will be paid directly at the BCWD office upon the request of the service. The fee will be Php6,000 exclusive of VAT. This fee is subject to periodic adjustment, which adjustment shall be approved by the BCWD and the Sangguniang Panlungsod. These fees cover the collection and treatment of septage that can be collected in a single trip of the vacuum truck.

Section 13.5. Tipping Fee for Other Accredited Desludgers.
- Private desludging companies duly accredited by the DOH and/or DENR-EMB can haul their collected septage to the Septage Treatment Plant of BCWD and its joint venture partner for treatment. The Tipping Fee for this service will be at Php 1,500 per cubic meter of septage to be treated. The Tipping Fee is VAT-exclusive and is subject to periodic adjustments, which adjustment shall be approved by the BCWD and the Sangguniang Panlungsod.

Section 14. Sewer Line Connection/Sewerage Projects.

- The City shall provide assistance in securing necessary permits, right of way, IEC, land acquisition to the utilities in laying down sewer lines within the city.
- Only domestic wastewater sources shall connect to existing sewer lines.



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- c. Commercial buildings and structures are required to pre-treat all wastewater from their structures to "domestic wastewater quality" in accordance with the requirements set forth in the Philippine Clean Water Act of 2004 (RA 9275), before the same is discharged.
- d. Said connection to existing sewer lines shall be subject to sewerage service charge/fees, if any, in accordance with existing laws, rules, or regulations as identified by the BCWD.

Section 15. Prohibited Acts. The following acts are prohibited:

- a. Refusal to have septic tank desludged as required by this Ordinance;
- b. Refusal of new and existing residential, commercial, industrial, governmental, and institutional facilities to connect to available sewer lines;
- c. Refusal to repair, retro-fit, upgrade or construct septic tanks, after ten years from the effectivity of this Ordinance, to conform to the specifications herein provided, or as maybe required by other pertinent laws, rules and regulations;
- d. Dumping of septage and untreated wastewater to drainage, canals, rivers, and other natural and artificial waterways and other open areas;
- e. Desludging and transporting of septage without the necessary permits and accreditation from the authorized permitting agencies; and
- f. Hiring/availing the services of illegal/non-accredited desludger, transporter by any person or establishment to desludge septic tanks or dispose of their wastewater.

Section 16. Monitoring and Evaluation. - The City Building Official, in coordination with the City Health Officer, the City Environment and Natural Resources Officer, City Business Processing and Licensing Officer (BPLO) shall be required to evaluate the compliance of the facilities one (1) year after the effectivity of this Ordinance. All these facilities must conform to the standards of DENR-EMB, and DOH.



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The same Officers are to come-up with an annual list of violators to be posted in three conspicuous places and in the Batangas City Government website, if any. The same list shall be submitted to the City Treasurer and BPLO for the imposition of appropriate penalties.

The BCWD will assist in reporting any violations incurred and submit these reports to the City Septage Management Council.

Section 17. Penalties - Any owner or user of residential, commercial, industrial, governmental, and institutional structures that fail to comply with the provisions of this Ordinance, must pay the fines per violation set here in lieu of prosecution.

- a. For private residential buildings - Php 1,000.00
- b. For hotels, apartments, banks, offices, shops, lodging houses, dormitories, malls, restaurants, and other commercial establishments - Php 5,000.00
- c. For hospitals, funeral parlors and similar operation - Php 5,000.00

If the violation is committed by a corporation, partnership or other juridical entity duly organized in accordance with law, the chief executive officer, president, general manager, managing partner or such office-in-charge shall be held liable for the commission of the offense. Failure to comply with the provisions herein may also result in the cancellation of business permits of the establishment after due process.

Section 18. Implementing Rules and Regulations. - The City Mayor shall have the power to issue Implementing Rules and Regulations for the efficient and effective implementation of this Ordinance.

Section 19. Separability Clause. If, for any reason, any part or provision of this Ordinance is held unconstitutional or invalid, other parts or provisions not otherwise affected shall remain in full force and effect.



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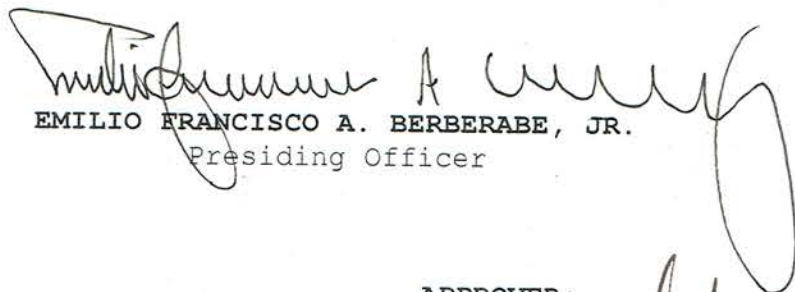
Section 20. Repealing Clause. All other Ordinances, Rules and Regulations, inconsistent herewith are hereby repealed or modified accordingly.

Section 21. Effectivity. This Ordinance shall take effect fifteen (15) days after its complete publication in a newspaper of general circulation in the Province and cities of Batangas.

ENACTED by the Sangguniang Panlungsod of Batangas City this 5th day of December, 2018.


ATTY. OLIVA D. TELEGATOS
Secretary
Sangguniang Panlungsod

ATTESTED:


EMILIO FRANCISCO A. BERBERABE, JR.
Presiding Officer

APPROVED:


BEVERLEY ROSE A. DIMACUHA
City Mayor

Date Approved: DEC 07 2018

**REPUBLIC OF THE PHILIPPINES
BATANGAS CITY**

OFFICE OF THE SANGGUNIANG PANLUNGSOD

**EXCERPT FROM THE MINUTES OF THE REGULAR SESSION HELD BY THE
MEMBERS OF THE SANGGUNIANG PANLUNGSOD OF BATANGAS CITY
ON DECEMBER 5, 2018 AT PALLOCAN WEST, BATANGAS CITY**

PRESENT:

Hon. Angelito "Dondon" A. Dimacuha,	Acting Presiding Officer
Hon. Aileen Grace A. Montalbo,	Councilor
Hon. Sergie Rex M. Atienza,	"
Hon. Hamilton G. Blanco,	"
Hon. Alyssa Renee A. Cruz,	"
Hon. Oliver Z. Macatangay,	"
Hon. Armando C. Lazarte,	"
Hon. Karlos Emmanjuel A. Buted,	"
Hon. Julian B. Villena,	"
Hon. Gerardo A. Dela Roca,	"
Hon. Nestor E. Dimacuha,	"
Hon. Nelson J. Chavez,	"
Hon. Julian Pedro M. Pastor,	"
Hon. Marjorie A. Manalo,	SK-Fed. Pres.
 Hon. Emilio Francisco A. Berberabe Jr., (O.B.)	 Presiding Officer

"On motion of Councilor Cruz duly seconded, the following Resolution was Adopted:

RESOLUTION NO. 395 S. 2018

**ADOPTING THE REPORT OF THE COMMITTEE ON LAWS, RULES AND
REGULATIONS AND APPROVING ON SECOND AND FINAL READING THE
"BATANGAS CITY SEPTAGE MANAGEMENT ORDINANCE"**

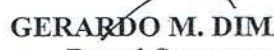
RESOLVED, to adopt the report of the Committee on Laws , Rules and Regulations and Approving on Second and Final Reading the "Batangas City Septage Management Ordinance".

UNANIMOUSLY APPROVED."

I hereby certify that the foregoing Resolution No. 395 S. 2018 was approved by the Sangguniang Panlungsod of Batangas City during its Regular Session held on December 5, 2018.

NOTED:


ATTY. OLIVA D. TELEGATOS
Secretary
Sangguniang Panlungsod


GERARDO M. DIMAANO
Board Secretary III
Sangguniang Panlungsod

ATTESTED:


ANGELITO "DONDON" A. DIMACUHA
Acting Presiding Officer

ODT/GMD/ystingchuy...



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COMMITTEE REPORT

TO: THE HONORABLE SANGGUNIANG PANLUNGSOD

FROM: THE COMMITTEE ON LAWS, RULES AND REGULATIONS

SUBJECT: PROPOSED ORDINANCE ENTITLED "BATANGAS CITY SEPTAGE MANAGEMENT ORDINANCE".

The subject request for the passage of an ordinance was referred to the Committee on Laws, Rules and Regulations for its consideration during the Regular Session on July 24, 2018. The Committee held a public hearing on October 22, 2018 and in attendance were the following:

From City Engineer's Office: Engr. Emelita C. Untalan; from City ENRO: Mrs. Maria Cristina Sunguad; and from City Health Office: Mrs. Elisha P. Dimayuga; from Primewater: Mr. Chelton Arias, Mrs. Juvy Maranan, Mrs. Carina Andal, Mrs. Lala Fabella, Mr. Nathaniel Cachero, Mr. Rizal Ale Monterola and Mr. Brian Mart Lloren; from PG-ENRO: Mrs. Marivic Esmas and Mrs. Beverly Balahibo; from BCWD: Mrs. Leilani Victoria Gonzales, Mrs. Yolanda Ogero, Mrs. Evelyn Rillera, Mr. Bernardo Hornilla, Mr. Arvil Villena, and Mr. Jose Roberto Maranan; from Citimart: Ms. Janelle Culang, Ms. Annie Bunye and Mr. Michael Joe Ogullana; from General Public: Mr. Apolonio Olluri. Most of the Barangay Chairman of various Barangays in Batangas City were also attended. Also present are the Chairperson Coun. Alyssa Renee A. Cruz and Committee members Coun. Sergie Rex M. Atienza, Coun. Gerardo Dela Roca, Coun. Armando Lazarte and Coun. Julian B. Villena, the Vice Mayor Emilio Francisco Berberabe Jr. and other members of the Sangguniang Panlungsod Councilors Aileen Montalbo, Hamilton Blanco, Oliver Macatangay, Karlos Buted, Nestor Dimacuha, Nelson Chavez, Angelito Dondon Dimacuha and SK Federation President Marjorie A. Manalo.

FINDINGS and DISCUSSION:

During the public hearing, representative of Primewater made an overview of the major contents of the proposed ordinance. First, every five (5) years there would be a regular pumping of septage waste in every household, commercial or industrial establishment which will be brought to an accredited water treatment facility for regular treatment.



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Second is the incorporation of environmental fee in the water bill of not more than 4 pesos based on water consumption per cubic meter. Third is that Batangas City Water District need to construct, operate and maintain septage facilities and desludging trucks and other related septage services. Lastly is the establishment of sanitation office to monitor proper implementation of the said services.

Some of the concerns that were raised by other attendees are the desired layout or design of compartments in which it was then reiterated that 2 compartments is already valid for the construction of septic tanks but for those who will build a new building or facility, they need to follow the 3 compartments as stated on the provisions of the proposed ordinance.

It is the submission of the Committee that the ordinance be amended in order to accommodate for a septic tank with **only 2 compartments**, and not three as required by the proposed ordinance so as to lessen the burden that the ordinance might cause the public.

One issue that was raised was the application of the ordinance, on whether the same shall apply to houses where septic tanks are already installed. The Committee respectfully recommends to give ample time for the public to be able to adjust to the added costs of the excavation and renovation of their septic tanks. Thus, households and establishments shall be given a maximum of 10 years to comply with the proposed ordinance.

On the issue of the environmental fee of not more than 4 pesos per cubic meter consumed by each household, commercial or industrial enterprise as stated in the proposed ordinance, the committee hereby respectfully recommends to lower the rates to be imposed especially for residential structures and that the charging and collection of environmental fee shall only start on the first day of the establishment of the septage plant.

A question was also raised if it would be applicable as well for other establishments which already have a sewerage treatment system. Other points are based on the effects of this proposed ordinance to those who are in the remote areas since they will be very much affected by this policy.

One important point to also consider is the monitoring of the output of the sewage plants. The Committee recommends to add a Section for the testing of the output of the plant once every 6 months.



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Most of the comments of barangay officials present during the hearing are the costs that their constituents shall face entailed by the proposed ordinance. Because this is a valid concern for the members of the Committee, it is proposed that financial assistance or assistance through materials for the construction of septic tanks be budgeted and provided by the City government of Batangas.

With the view that this request will eventually be favorable to the City of Batangas especially to its inhabitants and will assure the compliance of the city to R.A. 9275 otherwise known as the Philippine Clean Water Act of 2004, the Sangguniang Panlungsod perceives the essentiality to amend the provisions of the said proposed ordinance and consider the opinions expressed by all who extend their concerns including the amendments.

RECOMMENDATIONS:

The Committee hereby recommends:

1. The adoption of this Committee Report.
2. To report the said ordinance with inclusion of various amendments on its provision on Second reading and final reading.

Respectfully submitted, December 5, 2018.

THE COMMITTEE ON LAWS, RULES AND REGULATIONS

COUNCILOR ALYSSA RENEE A. CRUZ

Chairman

COUN. SERGIE REX M. ATIENZA

Member

COUN. GERARDO A. DELA ROCA

Member

COUN. JULIAN B. VILLENA

Member

COUN. ARMANDO C. LAZARTE

Member