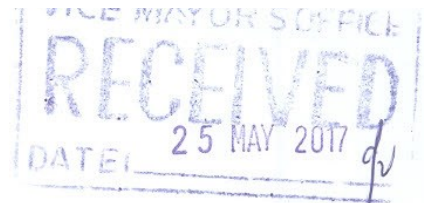




REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE
FOURTEENTH SANGGUNIANG PANLUNGSOD NG ORMOC HELD
AT THE SANGGUNIANG PANLUNGSOD SESSION HALL,
ORMOC CITY HALL BUILDING
ON MAY 23, 2017 IN LIEU OF
MAY 25, 2017

PRESENT:

Leo Carmelo L. Locsin, Jr.,	Vice Mayor & Presiding Officer
Rolando M. Villasencio,	SP Member, Majority Floor Leader
Vincent L. Rama,	SP Member, Asst. Majority Floor Leader
Mario M. Rodriguez,	SP Member, Presiding Officer "Pro-Tempore"
Tomas R. Serafica,	SP Member
Benjamin S. Pongos, Jr.,	SP Member
Eusebio Gerardo S. Penserga,	SP Member
Nolito M. Quilang,	SP Member
John Eulalio Nepomuceno O. Aparis II,	SP Member
	Minority Floor Leader
Lea Doris C. Villar,	SP Member, Asst. Minority Floor Leader
Mariano Y. Corro,	Ex-Officio SP Member
	Chapter President, Liga ng mga Barangay ng Ormoc

ON LEAVE:

Gregorio G. Yrastorza III,	SP Member
----------------------------	-----------

PREFATORY STATEMENT

WHEREAS, an endorsement was issued by the City Mayor dated March 13, 2017 requesting the Sangguniang Panlungsod to enact an Ordinance that will require all newly constructed buildings to install rainwater harvest facilities, as a requirement for the issuance of building and/or occupancy permit;

WHEREAS, the Local Government Code of 1991 (R.A 7160) accords every local government unit the power and authority to promote the general welfare of its constituents, including the preservation and enrichment of culture, promote health and safety, enhance the right of the people to a balanced ecology;

WHEREAS, it is the policy of the City Government of Ormoc to pursue within the context of a balanced ecology through the proper use of natural resources, giving due consideration to the protection and conservation of the environment and adapt to the impacts of climate change;

WHEREAS, the City Government of Ormoc recognizes the need to promote the proper harvesting, storage and utilization of rainwater as a viable alternative source of water supply, primarily for non-potable use;

WHEREAS, the proper harvesting, storage and utilization of rainwater would reduce the effects of storm water and surface runoff and siltation, that will contribute in the reduction or mitigation of flooding, soil erosion, deposit of silt loads on local road and rivers, non-point source pollution in urban areas, and improve the quality of surface water;

WHEREFORE, FOREGOING PREMISES CONSIDERED, on motion of SP Member Rolando M. Villasencio, Chairman, Committee on Zoning, Housing and Land Use, severally Seconded by SP Members Vincent L. Rama, Tomas R. Serafica, Eusebio Gerardo S. Penserga, Nolito M. Quilang, John Eulalio Nepomuceno O. Aparis II, Lea Doris C. Villar and Mariano Y. Corro; be it

RESOLVED, to enact:

ORDINANCE NO. 032

**AN ORDINANCE FOR THE PROPER HARVESTING,
STORAGE AND UTILIZATION OF RAINWATER IN
ORMOC CITY.**

BE IT ENACTED, by the Fourteenth Sangguniang Panlungsod ng Ormoc in regular session assembled, That:

SECTION 1. TITLE – This Ordinance shall be known as the “Ormoc City Rainwater Ordinance of 2017.”

SECTION 2. DECLARATION OF POLICY – It is hereby declared the policy of Ormoc City that sustainable development shall be pursued within the context of a balanced ecology through the proper use of natural resources giving due consideration to the protection and conservation of the environment and adapt to the impacts of climate change. Towards this end, the City shall:

- a) Promote the proper harvesting, storage and utilization of rainwater as a viable alternative source of water supply primarily for non-potable use including domestic usage for flushing of toilets, general cleaning, washing of clothes, urban agriculture, landscape irrigation and supplement water source for industrial, commercial, institutional, agricultural usage;
- b) Promote the proper harvesting, storage and utilization of rainwater to reduce the effects of storm water peak flow and surface runoff and siltation that will contribute in the reduction or mitigation of flooding and reduction of erosion of canals and deposit of silt loads on local roads and non-point source pollution in urban areas;
- c) Encourage and support the adoption and development of appropriate technology related to rainwater utilization by medium to large size commercial, institutional and industrial establishments including medium to high-end residential subdivisions which are primarily consuming high volume of freshwater;
- d) Enact and enforce policies towards the promotion of the proper harvesting, storage and use of rainwater.

SECTION 3. DEFINITION OF TERMS– As used in this Ordinance, the following terms are defined as follows:

- a. Agricultural Plantations – refer to agricultural farm planting for commercial purposes;
- b. Catchment surface – the collection surface from which rainfall runs off;
- c. Communal – type or cluster type of Rainwater Catchment System (CTRCS) – type of structure that would serve as common system for a group of persons;
- d. Filter – is the act of removing dirt or any matter suspended in the water by passing it through a porous article or mass;
- e. Gutters and downspout – to channel water from the roof to the tank;
- f. Leaf screens, first flush diverters and roof washers – components of the treatment and disinfection subsystem of the rainwater harvesting system which will remove debris and dust from the captured rainwater before it goes to the tank;

- g. Private Buildings – refer to structures which are not owned by the government;
- h. Public buildings – refer to structures owned by either the local or national government, including those owned by Government-Owned and Controlled Corporations (GOCCs) with or without original charters;
- i. Rain or rainwater – drops of freshwater that fall as precipitation from the clouds or a type of precipitation as a product of condensation of atmospheric water vapor that is released on the earth's surface;
- j. Rainwater Catchment System (RCS) – comprises the structure and the process to maintain the system. The structure consists of the catchment area (roof, platform, ground, or any surface identified), the conveyance (gutter pipes, etc.) and the cistern (storage or tank). The process for maintaining the system include accessories and procedures for maintaining water quality; process to determine water adequacy and special processes which include but not limited to multi-storey, mix system, multi-use design and processes;
- k. Rainwater Harvesting – is simply defined as proper capture/collection of rain water, storage and use;
- l. Sewerage – refers to the removal of surface water and water matter by sewers, and is a system of sewers that conveys wastewater to a treatment plant or disposal point;
- m. Sewers – refer to a pipe or drain, usually underground, used to carry off water and waste water;
- n. Storage tanks or cistern – the container where the harvested rainwater is stored.

SECTION 4. BASIC COMPONENTS OF RAINWATER CATCHMENT SYSTEM (RCS) – a Rainwater Catchment System (RCS) is composed of five basic components namely: collections system (catchment surface), conveyance system (gutters and downspout), storage system (storage tanks), treatment and disinfection system (leaf screen, first flush diverters, roof washers) and drainage/sewerage system (rainwater and storm water drains).

SECTION 5. CLASSIFICATION – Rainwater harvesting system in Ormoc City is classified based on the size and its storage capacity, as follows:

- a. Small size RCS shall have storage capacity of at least 200 L.
- b. Medium size RCS shall have storage capacity of at least 2,000 L.
- c. Large size RCS shall have storage capacity of at least 10,000 L.
- d. Cluster – type/Communal type RCS shall have a storage capacity of at least 10,000 L.

SECTION 6. GENERAL STATEMENTS ON MULTIPLE UTILIZATION OF HARVESTED RAINWATER.

- a. To conserve water as well as energy, harvested rainwater stored in tanks and cisterns should be used as additional water for non-health purposes such as for toilet flushing, general cleaning, gardening, laundry, car washing, fire fighting, and construction. Use of such stored water for drinking should be with much caution. The Department of Health (DOH) should be the recognized agency for water quality tests needed to warrant the potability of the stored water;

- b. To reduce run off and flooding in sealed ground surfaces, proprietors of such areas must have rainwater drainage/catchment systems that should recycle the run off and not create nuisance in other places;
- c. To increase the holdback capacity of water, reduce run off and soil erosion, contain effluents, as well as augment farm water supply, agricultural areas must have ground basins or structures that should catch rainwater.

SECTION 7. NON-POTABLE USE – The harvested rain primarily in residential, commercial, industrial, institutional establishments and agricultural farms shall be used for flushing of toilets, general cleaning, washing of clothes and landscape irrigation.

SECTION 8. URBAN AND RURAL AGRICULTURE, BACKYARD AND COMMERCIAL ANIMAL RAISING – Significant volume of water harvested from the rain can supply the water requirement for sanitation and general cleaning of urban and rural agriculture, backyard, commercial animal raising and crop production.

SECTION 9. POTABLE USE – Unless adequately treated, filtered or boiled harvested rainwater shall not be used for drinking. The City Health Office or the Department of Health or its accredited laboratories should be recognized entities for water quality tests needed to warrant potability of the stored rainwater.

SECTION 10. RCS AS REQUIREMENT IN THE ISSUANCE OF BUILDING PERMIT FROM THE OFFICE OF THE BUILDING OFFICIAL – The putting up of a RCS shall be a mandatory requirement in the issuance of building permits. All construction of new residential, commercial, industrial, institutional buildings, including major renovations and expansions of existing buildings, shall include an RCS.

Upon application of a building permit, an RCS should already be incorporated in the building plans. The RCS design should be reviewed and approved by the Office of the Building Official.

Owners of existing residential, commercial, institutional and industrial buildings are highly encouraged to set up their own RCS upon the effectivity of this Ordinance.

SECTION 11. OCCUPANCY CLASSIFICATION AND ITS CORRESPONDING RCS REQUIREMENT – Buildings proposed for construction shall be identified according to their use or the character of its occupancy and shall be classified accordingly below. Provided further is the corresponding RCS requirement for the respective occupancy classification.

Occupancy Classification and RCS requirement:

- (a) Group A – Residential Dwellings
 - i. Group A Occupancies shall be dwellings.
 - ii. Group A is required to have a small RCS. However, developers, homeowner's associations, of new residential building units may install a communal or cluster type of RCS; in this instance, RCS is not required of the individual dwellings.
- (b) Group B – Residential, Hotels and Apartments
 - i. Group B Occupancies shall be multiple units including boarding or lodging houses, hotels, apartment buildings, row houses, convents, monasteries and other similar building which accommodates more than 10 persons.
 - ii. Group B Occupancies are required to have a medium RCS.

(c) Group C- Education and Recreation

- i. Group C Occupancies shall be buildings used for school or day-care purposes, involving assemblage for instruction, education, or recreation, and not classified in Group D Division 2 or Group I or Group H Occupancies.
- ii. Group C Occupancies are required to have a medium RCS.

(d) Group D – Institutional

- i. Group D Occupancies shall include:
 - Division 1. Mental hospitals, mental sanitarium, jails, prisons, reformatories and buildings where personal liberties of inmates are similarly restrained.
 - Division 2. Nurseries for full-time care of children under kindergarten age, hospitals, sanitarium, nursing homes with non-ambulatory patients, and similar buildings each accommodating more than ten persons.
 - Division 3. Nursing Homes for ambulatory patient, homes for children of kindergarten age or over, each accommodating more than five persons: Provided, that Group D occupancies shall not include building used only for private or family group dwelling process.
- ii. All Group D occupancies are required to have a large RCS.

(e) Group E – Business and Mercantile

- i. Group E Occupancies shall include:
 - Division 1. Gasoline filling and service station, storage garages and boat storage structures where no work is done except exchange of parts and maintenance requiring no open flame, welding, or the use of highly flammable liquids.
 - Division 2. Wholesale and retail stores, office buildings, drinking and dining establishments having an occupant load of less than one hundred persons, printing plants, police and fire stations, factories and workshops using not highly flammable or combustible materials and paint stores without bulk handlings.
 - Division 3. Aircraft hangars and open parking garages where no repair work is done except exchange of parts and maintenance requiring no open flame, welding or the use of highly flammable liquids.
- ii. All Group E Occupancies are required to have a medium RCS.

(f) Group F – Industrial and Agro-Industrial

- i. Group F Occupancies shall include ice plants, power plants, pumping plants, agricultural buildings, cold storage, and creameries, factories and workshop using incombustible and non-explosive materials and storage and sales room for incombustible and non explosive materials.
- ii. Group F Occupancies are required to have a large RCS.

(g) Group G – Storage and Hazardous

- i. Group G Occupancies include:
 - Division 1. Storage and handling of hazardous and highly flammable material.
 - Division 2. Storage and handling of flammable materials, dry cleaning plants and using flammable liquids, paint stores with bulk handling, paint shops and spray painting rooms.

Division 3. Wood Working establishments, planing mills and box factories, shops, factories where loose combustible fibers or dust are manufactured, processed or generated warehouses where highly combustible material is stored.

Division 4. Repair Garages

ii. Group G Occupancies are required to have a large RCS.

(h) Group H – Assembly other than Group I

i. Occupancies shall include:

Division 1. Any assembly building with a stage and air occupant load of less than 1000 persons in the building.

Division 2. Any assembly building without stage and having an occupant load of 300 or more persons in the building.

Division 3. Stadia, reviewing stands, amusement park structures not including within Group 1 or in Division 1, 2 and 3 of this group.

ii. Group H Occupancies are required to have a large RCS.

(i) Group I – Assembly Occupant Load 1000 persons or More

i. Group I Occupancies shall be an assembly building with a stage and an occupant load of 1000 or more in the building.

ii. Group I Occupancies are required to have a large RCS.

(j) Group J – Accessory

i. Group J Occupancies shall include private garage, carports, and sheds.

ii. Group J Occupancies are required to have a small RCS.

Any other occupancy not mentioned specifically in the foregoing sections shall be considered as included in the Group which it resembles nearest as determined by the Office of the Building Official.

SECTION 12. DESIGN INTEGRATION OF THE PROPER HARVESTING, STORAGE AND UTILIZATION OF RAINWATER – The proper harvesting, storage and utilization of rainwater shall be integrated with the proper design, construction and maintenance of drainage systems that will imitate the natural hydrology of the developed site.

SECTION 13. DESIGN INTEGRATION FOR ROADS, OPEN AIR PARKING AREA, RECREATIONAL AND SPORTS FACILITIES INCLUDING LARGE OPEN AREAS ON ESTABLISHMENTS – Pervious and impervious surfaces in roads, open air parking area, recreational and sports facilities including large open areas on institutions or establishments especially in urbanized areas shall be designed to catch rainwater which will reduce storm water peak flow and surface runoff that will contribute to the reduction or mitigation of local flooding and erosion of canals and enhance the quality of surface water in urban areas.

SECTION 14. IMPLEMENTING OFFICE – The Office of the Building Official shall be the primary implementing Office of this Ordinance.

SECTION 15. IMPLEMENTING RULES AND REGULATIONS – The Office of the Building Official shall formulate and issue the implementing rules and regulations of this Ordinance within two (2) months from the effectivity of this Ordinance.

SECTION 16. PENALTY – Any person, business entity or corporation found to be violating any provision of this Ordinance shall not be granted a Building Permit or Occupancy Permit, whichever is applicable.

SECTION 17. SEPARABILITY. Any portion or provision of this Ordinance that may be declared ultra vires or invalid shall not nullify the rest of the provisions hereof.

SECTION 18. REPEALING CLAUSE. All ordinances, rules and regulations, or parts herein in conflict with or are inconsistent to the provisions of this ordinance are hereby repealed and/or modified accordingly.

SECTION 19. EFFECTIVITY. This ordinance shall take effect fifteen (15) days after the completion of its publication. Let copies of the same be furnished to all persons and offices concerned for their information and guidance.

ENACTED, May 23, 2017.

RESOLVED, FURTHER, to furnish copies of this ordinance each to the City Mayor Richard I. Gomez; the City Administrator; the Acting City Legal Officer; the Planning & Development Office; the Office of the Building Official; the City Engineering Office; the OIC-City Director, DILG; and other offices concerned;

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the above ordinance.


MARIA ANTONIETA G. CO HAT
(OIC - SP Secretary)
Supervising Administrative Officer

ATTESTED:


LEO CARMELO L. LOCSIN, JR.
Vice Mayor & Presiding Officer

APPROVED:


RICHARD I. GOMEZ
City Mayor

05 JUN 2017

(Date)