Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 6777

Introduced by **Rep. ANGELO MARCOS BARBA**
2nd District, Ilocos Norte

EXPLANATORY NOTE

This bill seeks to mandate the establishment and maintenance of a rainwater harvesting facility in all new institutional, commercial, and residential development projects nationwide to reduce flooding, urge the conservation of potable water, and encourage active participation of the public and private sector in the flood mitigating efforts and initiatives of government.

Rainwater harvesting has many benefits. It is considered an important element to augment water supply in both urban and rural areas, prevent flooding and alleviate the impact of climate change.[1]

Rainwater can be used for non-drinking purposes, such as washing clothes, dishes, and vehicles, flushing toilets, and gardening[2]. In addition, rainwater harvesting reduces the demand on ground water, which may cause the collapse of the soil where water used to be[3], thereby helping to curb escalating flooding problems, especially in low-lying and flood-prone areas in the country.

Finally, rainwater harvesting proves to be important in addressing climate change. It can reduce demands on public water network and subsidize irrigation at critical stages when deficit between water requirement for agriculture and rainfall occurs.[4]

In view of the foregoing, the immediate passage of this bill is earnestly sought.

ANGELO MARCOS BARBA

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[1] Al-Batsh, N., Al-Khatib, I.A., et. Al. (March 21, 2019). Assessment of Rainwater Harvesting Systems in Poor Rural Communities, A Case Study from Yatta Area, Palestine. Retrieved on May 20, 2020 from https://www.mdpi.com/2073-4441/11/3/585/pdf

[2] 5 Advantages of Rainwater Harvesting. Retrieved on May 20,2020 from https://www.accurateleak.com/rainwater-harvesting/5-advantages-of-rainwater-harvesting/

[3] 5 Advantages of Rainwater Harvesting. Retrieved on May 20,2020 from https://www.accurateleak.com/rainwater-harvesting/5-advantages-of-rainwater-harvesting/

[4] Al-Batsh, N., Al-Khatib, I.A., et. Al. (March 21, 2019). Assessment of Rainwater Harvesting Systems in Poor Rural Communities, A Case Study from Yatta Area, Palestine. Retrieved on May 20, 2020 from https://www.mdpi.com/2073-4441/11/3/585/pdf

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AN ACT MANDATING THE ESTABLISHMENT AND MAINTENANCE OF A RAINWATER HARVESTING FACILITY IN ALL NEW INSTITUTIONAL, COMMERCIAL, AND RESIDENTIAL DEVELOPMENT PROJECTS NATIONWIDE

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

SECTION 1. *Short Title.* – This Act shall be known as "Rainwater Harvesting Facility Act".

SECTION 2. *Declaration of Policy.* – It is a declared policy of the State to protect and advance the rights of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature. Pursuant thereto, the State shall mandate the establishment of rainwater harvesting facilities to reduce flooding and devastating effects of typhoons and other weather disturbances. It shall urge the conservation of potable water and shall encourage active participation of the public and private sector in the flood mitigating efforts and initiatives of government.

To this end, the State shall mandate the construction of rainwater harvesting facilities in all new public and private institutional, commercial, and residential development projects nationwide. Owners and developers of these development projects requiring the issuance of building permits are likewise mandated to design and construct a rainwater harvesting facility to prevent or delay the release of rainwater and runoff water into the drainage systems, creeks, and natural waterways.

SECTION 3. Definition of terms. – As used in this Act:

a. *Rainwater harvesting facility refers* to a flood control structure such as vertical detention tank, horizontal water tank, open retarding basin, and multi-use water catchment area, or an on-site regulation pond used to prevent or delay the release of rainwater into the public drainage system; and

b. *Return period* refers to the average length of time in years for a rain-related natural disaster of given magnitude to be equaled or

exceeded by the length of time that a rainwater-related disaster may probably recur.

SECTION 4. *Rainwater Harvesting Facility Requirement.* – An owner or developer of a new commercial, institutional, and residential development project, with an area of at least one thousand five hundred (1,500) square meters and requiring the issuance of building permit, shall reserve, develop, and maintain at least three percent (3%) of the total area, exclusive of roads, services, streets and alleys, as rainwater harvesting facility.

The owner or developer of an ongoing commercial, institutional, and residential development project that has no existing provision for rainwater harvesting facility shall build the facility within a period of three (3) years from the effectivity of this Act or suffer the penalty imposed on Section 8 hereof.

To conserve potable water, rainwater collected by a harvesting facility may be used for non-potable and suitable purposes, such as gardening, irrigation, and air-cooling processes.

SECTION 5. *Design Approval.* – The provision for a rainwater harvesting facility shall be required by the Housing and Land Use Regulatory Board (HLURB) and local government units (LGUs) to be incorporated in the design of all new commercial, institutional, and residential development projects nationwide and no project design shall be approved for construction unless it includes such facility. The HLURB and the LGUs shall ensure that these facilities are built during the construction phase of the projects.

SECTION 6. *Design Requirements.* – The rainwater harvesting facility must be designed to cope with a pre-determined flood and rain return period and must have a storage capacity prescribed by the Department of Public Works and Highways (DPWH). The design of the rainwater facility shall include the following:

a. Size, shape, and physical characteristics of available space;

b. Construction plans with specified material type including lining and coating requirements; and

c. Detailed drawing on how the installation will drain into an outfall structure such as drywell or percolation chamber, storm drain system, drainage, channel, or natural wash.

SECTION 7. *Building Permits.* – If the design of a new commercial, institutional, and residential project with an area of at least one thousand five hundred (1,500) square meters does not provide for a rainwater harvesting facility, the LGU concerned shall deny the request for issuance of a building permit for such project.

SECTION 8. *Penalties.* – The owner or developer of all new commercial, institutional, and residential development projects who fails to construct a

rainwater harvesting facility in violation of Section 4 of this Act shall suffer the penalty of a fine of not less than Five hundred thousand pesos (PhP500,000.00), but not more than Two million pesos (PhP2,000,000.00) for every year of non-compliance.

In the case of a partnership, association, corporation, or any juridical person, the fine shall be imposed upon the President, Treasurer, or any other officer or person responsible for the violation.

If the offender is a foreigner, the foreigner shall be deported immediately without further proceedings after payment of fine.

The head of the government institution who violates Section 4 of this Act, or government officials, employees, and agents who issue licenses or permits in violation of this Act shall suffer the penalty of suspension of not less than ten (10) days, but not more than one hundred eighty (180) days after due notice and hearing in an appropriate administrative proceeding.

SECTION 9. *Implementing Rules and Regulations.* – Within sixty (60) days from the effectivity of this Act, the Secretary of Public Works and Highways shall, in coordination with the Secretary of Interior and Local Government, the Chief Executive Officer of the Housing and Land Use Regulatory Board, and the Administrator of the Philippine Atmospheric, Geophysical and Astronomical Services Administration, promulgate the rules and regulations for the effective implementation of this Act. The implementing rules and regulations shall include the standards and guidelines for the design, construction, installation, materials, site selection and planning, site-specific considerations, and maintenance of the rainwater harvesting facility,

SECTION 10. – *Separability Clause.* – If any provision or part of this Act is declared invalid or unconstitutional, the remaining parts or provisions not affected shall remain in force and effect.

SECTION 11. – *Repealing Clause.* – All other laws, rules and regulations, orders, circulars, and other issuances or parts thereof, which are inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

SECTION 12. – *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or a newspaper of general circulation.

Approved,