

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3970



Introduced by Representative Florida P. Robes

EXPLANATORY NOTE

One of the seventeen goals which form part of a new sustainable development agenda geared towards ending poverty, protecting the planet and ensuring prosperity for all is addressing the needs of the population living in urban areas. This is pivotal since sustainable development cannot be achieved without transforming how we make and govern our urban spaces.

The rapid growth of cities in the developing world, as evidenced by the increasing rural to urban migration has caused extreme poverty in urban areas. As a matter of fact, both local and national governments are grappling to accommodate such population growth. As cities are hubs for ideas, commerce, culture, science, productivity, they should be empowered to advance socially and economically. Although there are obstacles in achieving this, these can be overcome by allowing them to thrive and grow while improving resource use and reducing pollution and poverty.

Thus, Goal No. 11 aims to make cities and human settlements inclusive, safe, resilient and sustainable by specifically targeting access to safe, adequate, affordable, accessible and sustainable housing and transport systems; enhanced inclusive and sustainable urbanization and capacity for participatory, integrated and sustainable human settlement planning and management; protection and safeguard of cultural and natural heritage; reduction of mortality rate; decrease direct economic losses caused by disasters, with a focus on protecting the poor and people in vulnerable situations, etc.

On this note, the ultimate aim of this proposed legislation to improve access to basic services, energy, housing, transportation, etc. for the residents of the City of San Jose Del Monte, a first class suburb city in the province of Bulacan and the 19th most populated city in the Philippines based on the 2015 census. After becoming a component city by virtue of the passage of its charter, major economic changes have begun to emerge. Today, major malls, commercial banks, fast food chain outlets, real estates, and wide coverage of service utilities have spawned its development. Soon, many other business enterprises will rise. Furthermore, the city is the preferred site of at least forty (40) relocation sites of the national government. Its economic growth will continue in the coming years. Therefore, a proper institutional mechanism must be established to sustain the progress and development it has thus far achieved. Declaring the City a Sustainable City manifests the desire of the people to protect the environment and live sustainably.

Moreover, this proposal embarks on the current, environmental, economic, political and social needs of the residents, without compromising the ability of the future generations to do the same. Through the installation and implementation of the Sustainable City Plan Structure, the City can work as a community that would think, plan and act more sustainably. The goals, rights, principles and strategies indicated therein will help address the root causes of the problem rather than the symptoms confronting the residents and natural communities while conserving and enhancing local resources, safeguarding human health and the environment, maintaining a healthy and diverse economy, and improve the livability and quality of life for all San Joseños. This is corollary to the local government's new tagline, "The Rising City."

Through this proposal, the City would be able to build on its initial success and to better address the challenges to sustainability. While it is making progress in the right direction nowadays, the economy and the activities of its residents, businesses, institutions and visitors continue will continue to have an impact on human health and the environment. Though many challenges are still be hurdled, the City is on its way to becoming sustainable. The passage of this Bill will push forward the call to action for all stakeholders to work together as a community and create change that will realize a SUSTAINABLE SAN JOSE DEL MONTE CITY.


FLORIDA P. ROBES

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**AN ACT DECLARING THE CITY OF SAN JOSE DEL MONTE, PROVINCE
OF BULACAN A SUSTAINABLE CITY AND FOR OTHER PURPOSES**

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

SECTION 1. Short Title. – This Act shall be known as the "San Jose Del Monte Sustainable City Act".

SEC. 2. Declaration of Policy. – It is hereby declared the policy of the State to utilize the power of communities to enhance and conserve resources, avert and prevent impending harm to the natural environment and human health, and promote the social and economic well-being of the community for the sake of current and future generations.

Further, the State recognizes the inherent rights of its people and of natural communities and ecosystems to sustainable water, food, energy, air, soil, waste treatment, economic, political and climate systems and that certain legal rights and powers can be employed to secure and protect the rights of people to sustainable future.

Specifically, the overall policy objectives are to change the current economic, political, and legal structures to structures that advance self-sufficiency and to address the increasingly serious threats to the health, welfare and safety of the City residents, and to the natural communities and ecosystems within the City, posed by unsustainable local, national and global use of the natural world.

SEC. 3. Scope. This Act is in pursuant to the inherent rights of the residents of the City of San Jose Del Monte to govern their own community through an Authority that precedes government and is secured, without limitation, by its Charter and the Constitution, as well as all other relevant laws in the country.

SEC. 4. Declaration. In accordance with the foregoing policy, the City of San Jose Del Monte is hereby declared as a Sustainable City, hereinafter referred to as the City. Its specific mete and bounds shall be more particularly defined in the San Jose Del Monte Sustainable City Plan and the rights of the residents are properly designated.

SEC. 5. Sustainability Bill of Rights. The following shall be considered the inherent and fundamental rights of the residents of the City:

- a. Right to Sustainable Water Sources – The residents of the City possess a fundamental and inalienable right to sufficient clean, affordable, and accessible water from sustainable water sources for human consumption, cooking, and sanitary purposes necessary for the health and well-being of the individual and family.

Hence, the local government shall seek to adopt a policy on self-sufficiency in local water supply by enhancing the use of appropriate water pricing as well as facilitate as appropriate the use of recycled water or captured rain water consistent with national water quality laws.

Also, the local government shall support and advance, through local or national legislations or other means, the ban on “waste and unreasonable use” of water allocations.

- b. Right to Sustainable Energy – The residents of the City possess a right to a sustainable energy future, which includes but not limited to the right to the development, production, and use of energy from sustainable renewable sources and the right to easy access to affordable public transportation.

To protect these rights, the local government shall take action to adopt and ensure the implementation of a 100% sustainable renewable energy from local, sustainable renewable sources and to incentivize as appropriate the use of locally-based, renewable energy sources and investigate the use of appropriate energy pricing to advance sustainable energy use leading to self-sufficiency.

- c. Right to Clean Air, Water and Soil – The residents of the City possess the right to clean indoor and outdoor air, clean water, and clean soil that pose a negligible health risk to the public and a negligible ecological and toxicological risk to the ecosystems.

To secure and protect this right, the local government shall ensure that all significant sources toxic air contaminant and other air emissions that pose a threat to human health and the environment within the City of San Jose Del Monte are identified and parties to emission sources are legally sanctioned.

- d. Right to Sustainable Food Systems – The residents of the City possess the right to a sustainable system of nourishment which include the right to access, buy, produce, and process food using sustainable food systems.

To secure and protect these rights, the local government shall ensure self-sufficiency from sustainable food systems by 2030 by implementing the use of economic and other incentivizes to advance organic gardening in the City.

- e. Right to Sustainable Waste Disposal Systems – The residents of the City possess a right to sustainable, comprehensive waste disposal systems that do not degrade the environment locally, regionally or globally.

To secure and protect these rights, the local government shall take action to eliminate waste through sensible management and practical recycling and in accordance with Republic Act No. 9003 or the “Waste Management Law.” It shall ensure that the City has “zero waste” landfill.

- f. Right to Sustainable Economy - The residents of the City possess a right to a sustainable economy, including "green" businesses, jobs and job training opportunities.

To secure and protect these rights, the local government shall provide economic and/or other incentives to promote local businesses that help the City of San Jose Del Monte to meet the goals of the SJDM Sustainable City Plan and the achievement of the Sustainability Bill of Rights for the residents. It shall also take action to ensure that all commercial and municipal buildings greater than 10,000 square feet shall have achieved Leadership in Energy and Environmental Design (LEED) certification.

- g. Right to Sustainable Climate - The residents of the City, as well as the natural communities and ecosystems, possess the right to a sustainable, natural climate unaltered by fossil fuel emissions.

To further secure and protect these rights, the local government shall take action to adopt and implement a goal of complete self-sufficiency in preventing and addressing the impacts of climate change in the City, which shall include, but not be limited to prohibiting new development or re-development in environmentally-protected areas, with consideration of extreme weather events; incentivizing climate adaption strategies that enhance the natural adaptive capacity of ecosystems; providing accessible, affordable, low-carbon emission, mass transportation options for residents and workers; and additional actions needed to achieve the greenhouse gas reduction targets in the San Jose Del Monte Sustainable City Plan.

- h. Rights of Natural Communities and Ecosystems within the City - The residents of the City possess inalienable and fundamental rights to exist, persist, maintain themselves, and regenerate their own vital cycles, structure, functions, and evolutionary processes and the legal standing to enforce against violations of these rights on behalf of natural communities and ecosystems within the City.

To further secure and protect these rights, and to promote broad-based recognition of the significance of natural communities and ecosystems, the local government shall take action to increase awareness of the City's natural heritage through such initiatives as restoring historic ecosystems and ecosystem connections, using signage and art to illustrate the history of developed ecosystems, requiring the use of native plants on all City property being re-landscaped, and incentivizing and/or requiring the use of native landscaping on private property.

- i. Rights to Political Stability and Governance - The residents of the City possess the inalienable right to be governed by an Authority which is favored by them and does not experience strong indicators of social unrest. A political system is said to be stable if it can endure societal upheavals and its leaders have the ability to respond to crises without jeopardizing the rights and welfare of the governed, while giving the people the right to participate in its governance mechanisms.

To further secure and protect these rights, it is important that a machinery must be in place to keep the economy going amidst political bickering and civil unrest. As every aspect of life is affected due to political instability,

the City must institute sustainable programs that will prevent economic stagnation, maintain the functions of the City's legislative council to enact relevant laws or ordinances, and discourage political apathy.

SEC. 6. Sustainable City Plan Structure - The San Jose Del Monte Sustainable City Plan shall be organized into nine (9) goals which comprise the core of the vision and represent what San Jose Del Monte must achieve in order to become a sustainable city, viz:

- a. **Resource Conservation** - Significantly decrease overall community consumption, specifically the consumption of non-local, non-renewable, non-recyclable and non-recycled materials, water, and energy and fuels. The City should take a leadership role in encouraging sustainable procurement, extended producer responsibility and should model innovative strategies to become a zero waste city. Within renewable limits, encourage the use of local, non-polluting, renewable and recycled resources (water, energy, and material resources).
- b. **Environmental and Public Health** - Protect and enhance environmental health and public health by minimizing and where possible eliminating the use of hazardous or toxic materials by residents, businesses and city operations; the levels of pollutants entering the air, soil and water; and the risks that environmental problems pose to human and ecological health; ensure that no one geographic or socioeconomic group in the city is being unfairly impacted by environmental pollution; increase consumption of fresh, locally produced, organic produce to promote public health and to minimize resource consumption and negative environmental impacts.
- c. **Transportation** - Create a multi-modal transportation system that minimizes and, where possible, eliminates pollution and motor vehicle congestion while ensuring safe mobility and access for all without compromising our ability to protect public health and safety; and facilitate a reduction in automobile dependency in favor of affordable alternative, sustainable modes of travel.
- d. **Sustainable Local Economy** - Nurture a diverse, stable, local economy that supports basic needs of all segments of the community; businesses, organizations and local government agencies within San Jose Del Monte City continue to increase the efficiency of their use of resources through the adoption of sustainable business practices.
- e. **Open Space and Land Use** - Develop and maintain a sufficient open space system so that it is diverse in uses and opportunities and includes natural function/wildlife habitat as well as passive and active recreation with an equitable distribution of parks, trees and pathways throughout the community; implement land use and transportation planning and policies to create compact, mixed-use projects, forming urban villages designed to maximize affordable housing and encourage walking, bicycling and the use of existing and future public transit systems; and residents recognize that they share the local ecosystem with other living things that warrant respect and responsible stewardship.
- e. **Housing** - Achieve and maintain a mix of affordable, livable and green housing types throughout the city for people of all socioeconomic, cultural,

household groups (including senior citizens, families , singles, and persons with disabilities).

- f. Community Education and Civic Participation - Community members of all ages participate actively and effectively in civic affairs and community improvement efforts and understand the basic principles of sustainability and use them to guide their decisions and actions - both personal and collective.
- g. Human Dignity - Community members are able to meet their basic needs and are empowered to enhance the quality of their lives; there is access among community members to housing, health services, education, economic opportunity, and cultural and recreational resources; and There is respect for and appreciation of the value added to the community by differences among its members in race, religion, gender, age, economic status, sexual orientation, disabilities, immigration status and other special needs.
- h. Arts and Culture – Retain and nurture San Jose Del Monte’s arts community and resources, increase cultural participation and provide greater access to a diversity of cultural programs for all ages, and enhance the long-term sustainability of the San Jose Del Monte creative sector.

SEC. 7. Governing Principles. – The San Jose Del Monte Sustainable City Plan is hereby founded on eleven Guiding Principles that aim to provide the basis from which effective and sustainable decisions can be made, to wit:

a. Sustainability – Policy formulations and decision-making shall be guided by the concept of sustainability in meeting its needs without compromising the ability of the future generations to satisfy their own needs as the long-term impacts of policy choices must ensure a sustainable legacy.

b. Environmental Protection, Preservation, and Restoration - As a high priority, San Jose Del Monte City shall maximize environmental benefits and reduce or eliminate negative environmental impacts in its decision-making. The City will lead by example and encourage other community stakeholders to make a similar commitment to the environment.

c. Economic Health and Social Equity - A healthy environment shall be integral to the city's long-term economic and societal interests and ensure that inequitable burdens are not placed on any one geographic or socioeconomic sector of the population and that the benefits of a sustainable community are accessible to all members of the community.

d. Long-term Sustainability - The City shall ensure that each of its policy decisions and programs are interconnected through the common bond of sustainability as expressed in these guiding principles and shall reflect the sustainability objectives. The City will lead by example and encourage other community stakeholders to use sustainability principles to guide their decisions and actions.

e. Community Awareness, Responsibility, Participation and Education - All community members, including individual citizens, community-based groups, businesses, schools and other institutions must be aware of their impacts on the environmental, economic and social health of San Jose Del Monte, must take

responsibility for reducing or eliminating those impacts, and must take an active part in community efforts to address sustainability concerns. The City will therefore be a leader in the creation and sponsorship of education opportunities to support community awareness, responsibility and participation in cooperation with schools, colleges and other organizations in the community.

f. Linkage with the Regional, National, and Global Community - Local environmental, economic and social issues cannot be separated from their broader context. This relationship between local issues and regional, national and global issues will be recognized and acted upon in the City's programs and policies. The City's programs and policies should therefore be developed as models that can be emulated by other communities. The City will also act as a strong advocate for the development and implementation of model programs and innovative approaches by the national government that embody the goals of sustainability.

g. Addressing Sustainability Issues - The financial and human resources which are available to the City may be limited. The City and the community will re-evaluate its priorities and its programs and policies annually to ensure that the best possible investments in the future are being made. The evaluation of a program's cost-effectiveness will be based on a complete analysis of the associated costs and benefits, including environmental and social costs and benefits.

h. Minimizing Negative Environmental and Social Impacts - The procurement of products and services by the local government as well as by residents, businesses and institutions results in environmental, social and economic impacts affecting the country. The City will develop and abide by an environmentally and socially responsible procurement policy that emphasizes long-term values and will become a model for other public as well as private organizations. The City will advocate for and assist other local agencies, businesses and residents in adopting sustainable purchasing practices.

i. Multi-Sector Partnerships - Threats to the long-term sustainability of the City are multi-sector in their causes and require multi-sector solutions. Partnerships among the City government, businesses, residents and all community stakeholders are necessary to achieve the goals.

j. Decision-Making in the Pursuit of Sustainability - The precautionary principle requires a thorough exploration and careful analysis of a wide range of alternatives, and a full cost accounting beyond short-term and monetary transaction costs. Based on the best available science, the threats of serious or irreversible damage to people or nature exist and the lack of full scientific certainty about cause and effect shall not be viewed as sufficient reason for the city government not to adopt mitigating measures to prevent the degradation of the environment or protect the health of its citizens. Public participation and an open and transparent decision making process are critical to finding and selecting alternatives.

k. Commitment to Sustainable Rights - The Sustainability Bill of Rights herein enumerated asserts the fundamental rights of all City residents regarding sustainability. It establishes the rights of the residents and the natural communities and ecosystems to exist and flourish in the City and to enforce those rights on behalf of the environment.

SEC. 8. Measuring Sustainability - To further secure and protect the rights enumerated in this Act, the city government shall investigate and report to the public on the extent to which the financial, purchasing and accounting practices

encourage and discourage self-sufficiency and sustainability, and which practices violate or potentially violate the rights of natural communities and ecosystems to exist, persist, maintain themselves, and regenerate their own vital cycles, structure, functions, and evolutionary processes.

Two reporting tools are to be developed: The Sustainable City Progress Report and the Sustainable City Progress Card. These will be the basis for decision-making about policies and actions that influence the City's ability to meet the goals and targets. The Sustainable City Progress Report is a web based tool that provides current, detailed analysis of the data for each indicator in the San Jose Del Monte Sustainable City Plan while the Sustainable City Report Card is a summary document that provides an overview of our progress toward, and challenges to, becoming a sustainable community and presents goal area summaries and grades based on the specific indicator data. Together, these two tools are the definitive resource for community decision makers that will educate and empower them to achieve the sustainability goals.

SEC. 9. Government Agency Support and Coordination. – The city government is hereby authorized to call upon any department, bureau, agency or instrumentality of the government for such assistance as may be necessary to effectively implement this Act.

SEC. 10. Implementing Rules and Regulation – The City Government headed by the Mayor and the District Representative, the Department of the Interior and Local Government, the Department of Environment and Natural Resources, the Department of Trade and Industry, the Department of Tourism, the Department of Energy, the Department of Agriculture, the Department of Education, Department of Social Welfare and Development and the Department of Labor and Employment, through their Regional Directors and all other concerned government agencies within the City shall promulgate within sixty (60) days the Implementing Rules and Regulations that shall be necessary to implement the provisions of this Act.

SEC. 11. Separability Clause – If any provision of this Act shall be held unconstitutional or invalid, the other provisions not otherwise affected shall remain in full force and effect.

SEC. 12. Repealing Clause. – All laws, executive orders or issuance, any parts thereof which are inconsistent herewith, are hereby repealed or amended accordingly.

SEC. 13. Effectivity Clause.– This Act shall take effect upon its approval.

Approved,