

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4111



Introduced by **Representatives Manuel Luis T. Lopez and Allan Benedict S. Reyes**

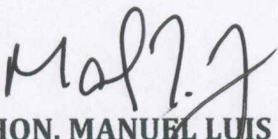
EXPLANATORY NOTE


Water is one of the most important substances on earth. All living things need water to survive. It is also essential for the healthy growth of crops and farm stock and is used in the manufacture of many products. Thus, access to water and sanitation are recognized by the United Nations as human rights, which reflects the fundamental nature of these basics in every person's life. The lack of access to water equates to health issues, a disrespect to one's dignity, hindrance to people's prosperity and eventually, has significant consequences to the realization of human rights.

With the water crisis in Metro Manila, finding solutions is imperative to us, government officials/public servants, and one of which is to find alternative sources of water. Although there are many ways in which we can collect water, the one which is considered environmentally friendly is rainwater harvesting.

Thus, these representations seek to mandate the establishment and maintenance of a rainwater harvesting facility in all new institutional, commercial, and residential development projects in Metro Manila. This legislative measure on rainwater harvesting was previously filed in the 17th Congress by Representative Winston Castelo and was sponsored in the plenary by this representation, Rep. Manuel Luis T. Lopez. House Bill 4340 was approved on 3rd and final reading on May 20, 2019, and was transmitted to the Senate the following day but was not acted upon due to the limited time to be deliberated in the Senate.

With Section 48 of the House Rules and in view of the foregoing, the passage of this bill is earnestly sought.


HON. MANUEL LUIS T. LOPEZ
Representative
1st District, City of Manila


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Representative
3rd District, Quezon City

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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 IN METRO MANILA

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

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

3
4 **SEC. 2. Declaration of Policy.** - It is declared a policy of the State to protect and
5 advance the right of the people to a balanced and healthful ecology in accord with the
6 rhythm and harmony of nature. Pursuant thereto, the State shall mandate the
7 establishment of rainwater harvesting facilities to reduce flooding and relieve the
8 metropolis of the devastating effects of typhoons and other weather disturbances, shall
9 urge the conservation of potable water, and shall engage the active participation of the
10 public and private, and shall engage active participation of the public and private sector
11 in the flood mitigating efforts and initiatives of the government.

12
13 The State recognizes Metro Manila as one of the densest areas in the country. To
14 mitigate the adverse effects of a continuing growth in population and widening
15 community developments, the State shall ensure that Metro Manila local governments
16 are capacitated to respond to threats wrought by natural calamities and disasters such as
17 massive flooding. Towards this end, the State shall mandate the construction of rainwater
18 harvesting facilities in all new public and private institutional, commercial, and
19 residential development projects in Metro Manila.

20
21 Pursuant thereto, Metro Manila shall pilot this undertaking for other similar
22 metropolitan areas by mandating owners and developers of all new public and private
23 institutional, commercial, and residential development projects to design and construct
24 a rainwater harvesting facility to prevent or delay the release of rainwater and runoff
25 water into the public drainage systems, creeks, and natural waterways prior to the
26 issuance of building permit.

1
2 **SEC. 3. Definition of Terms.** – As used in this Act:

- 3 a. *Rainwater harvesting facility* refers to a flood control structure such as a
4 vertical detention tank, horizontal water tank, open retarding basin, and
5 multiuse water catchment area, or an on-site regulation pond used to
6 prevent or delay the release of rainwater into the public drainage system;
7 and
8 b. *Return period* refers to the average length of time in years a rain-related
9 natural disaster of given magnitude to be equaled or exceeded by the length
10 of time that a rainwater-related disaster may probably recur.
11

12 **SEC. 4. Rainwater Harvesting Facility Requirement.** – An owner or developer of
13 a new institutional, commercial, and residential development project in Metro Manila,
14 with an area of at least one thousand five hundred (1,500) square meters and requiring
15 the issuance of building permit, shall reserve, develop, and maintain at least three percent
16 (3%) of the total area, exclusive of roads, service streets and alleys, as a rainwater
17 harvesting facility.
18

19 The owner or developer of an ongoing institutional, commercial, and residential
20 development project in Metro Manila that has no existing provision for a rainwater
21 facility shall build the facility within a period of three (30 years from the effectivity of this
22 Act, or suffer the penalty imposed in Section 8 hereof.
23

24 To conserve potable water, rainwater collected by a harvesting facility may be
25 used for non-potable and suitable purposes, such as gardening and air-cooling processes.
26

27 **SEC. 5. Design Approval.** – The provision for a rainwater harvesting facility shall
28 be required by the Housing and Land Use Regulatory Board (HLURB) and local
29 government units (LGUs) to be incorporated in the design of all new institutional,
30 commercial, and residential development projects in Metro Manila and no project design
31 shall be approved for construction unless it includes such facility. The HLURB and the
32 LGUs shall ensure that these facilities are built during the construction phase of the
33 projects.
34

35 **SEC. 6. Design Requirements.** – The rainwater harvesting facility must be
36 designed to cope a storage capacity prescribed by the Department of public Works and
37 Highways (DPWH). The design of the rainwater harvesting facility shall include the
38 following:

- 39 a) Size, shape, and physical characteristics of available space;
40 b) Construction plans with specified material type including lining and
41 coating requirements; and
42 c) Detailed drawing on how the installation will drain into an outfall structure
43 such as drywell or percolation chamber, storm drain system, drainage
44 channel, or natural wash;
45

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

1 project.

2
3 **SEC. 8. Penalties.** – The owner or developer of all new institutional, commercial,
4 and residential development projects in Metro Manila who fails to construct a rainwater
5 harvesting facility in violation of Section 4 of this Act shall suffer the penalty of a fine of
6 not less than five hundred thousand pesos (P500,000.00), but not more than two million
7 pesos (P2,000,000.00) for every year of noncompliance.

8 In case of a partnership, association, corporation or any juridical person, the fine
9 shall be imposed upon the president, treasurer or any other officer or person responsible
10 for the violation.

11
12 If the offender is a foreigner, the foreigner shall be deported immediately without
13 further proceedings after payment of fine.

14
15 The head of the government institution who violates Section 4 of this Act, or
16 government officials, employees, and agents who issue licenses or permits in violation of
17 this Act, shall suffer the penalty of suspension of not less than ten (10) days, but not more
18 than one hundred eighty (180) days after due notice and hearing in an appropriate
19 administrative proceeding.

20
21 **SEC. 9. Implementing Rules and Regulations.** – Within sixty (60) days from the
22 effectivity of this Act, the Secretary of Public Works and Highways shall, in coordination
23 with the Secretary of the Interior and Local Government, the Chief Executive Officer of
24 the HLURB, and the Administrator of the Philippine Atmospheric, Geophysical and
25 Astronomical Services Administration, promulgate the rules and regulations for the
26 effective implementation of this Act. The implementing rules and regulations shall
27 include the standards and guidelines for the design, construction, installation, materials,
28 site selection and planning, site-specific considerations, and maintenance of the
29 rainwater harvesting facility.

30
31 **SEC. 10. Separability Clause.** – If any provision or part of this Act is declared
32 invalid or unconstitutional, the remaining parts or provisions not affected shall remain in
33 full force and effect.

34
35 **SEC. 11. Repealing Clause.** – All other laws, rules and regulations, orders,
36 circulars, and other issuances or parts thereof which are inconsistent with the provisions
37 of this Act are hereby repealed or amended accordingly.

38
39 **SEC. 12. Effectivity.** – This Act shall take effect fifteen (15) days after its
40 publication in the Official Gazette or in a national newspaper of general circulation.

41
42 Approved,