

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4818



Introduced by Rep. Romeo S. Momo, Sr.
CWS Partylist

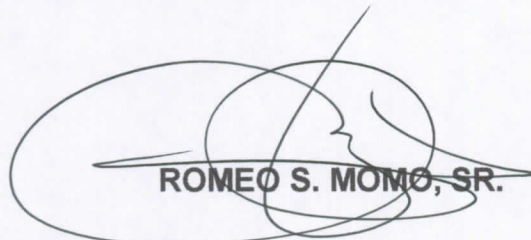
EXPLANATORY NOTE

The serious impact of Climate Change is imminent and dangerous, including, but not limited to super-typhoons and severe flooding together with other rain-related disasters. This is further aggravated by the country's natural vulnerability to disasters.

It is a State policy to provide protection for the safety of life and limb of the Filipino people against natural and man-made calamities.

Thus, it is the intent of this measure to require all new subdivisions, condominium communities, malls, government institutions, central business districts, information technology parks, and other vital public establishments to construct rain harvesting facility to pre-empt floods caused by incessant and continuous heavy rains and storms on one hand, and to provide adequate source of household water on the other. With similar intent, spirit and purpose to the existing proposed measures, albeit limited to some areas only, this proposed measure intends to cover the entire Philippines so as to achieve maximum nationwide awareness and benefit.

The immediate passage of this bill is therefore most earnestly sought.


ROMEO S. MOMO, SR.

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AN ACT
REQUIRING ALL NEW SUBDIVISIONS, CONDOMINIUM COMMUNITIES, MALLS,
GOVERNMENT INSTITUTIONS, CENTRAL BUSINESS DISTRICTS AND
INFORMATION TECHNOLOGY PARKS IN THE PHILIPPINES TO CONSTRUCT
RAIN HARVESTING FACILITY AND FOR OTHER PURPOSES

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

SECTION 1. Title. This Act shall be known as the 'Rain Water Harvesting Facility Act.'

SEC. 2. Declaration of Policy. It is the policy of the State to protect lives and property in the event of floods. Pursuant thereto the State shall take necessary measures to capture rain-water to control flooding and provide safe and adequate supply of clean and unpolluted water for domestic purposes and for sanitation.

SEC. 3. Definition of Terms.

As used in this Act:

a. *Rainwater harvesting facility* refers to a flood control structure such as a 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 in to the public system; and

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

SEC. 4. Rain-water Harvesting Facility Requirement. It is hereby prescribed that all new Subdivisions, Condominium Communities, Malls, Government Institutions, Central Business Districts and Information Technology Parks in the Philippines shall incorporate in their design rain-water harvesting facility and facility for storage for flood mitigation and supply of clean water.

SEC. 5. 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 harvesting facility shall include the following:

- a. Size, shape, and physical characteristic 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.

SEC. 6. Issuance of Building Permits. Local Government Units shall not issue building permits pursuant to PD 1096 or the National Building Code of the Philippines of the Philippines to construction projects that do not incorporate rain-water harvesting and storage facilities in accordance with this Act.

SEC. 7. Penalties. Approval of designs without incorporating the rain-water harvesting and storage facilities shall incur penalty of a fine of Five Hundred Thousand Pesos (P500,000.00) or imprisonment of 6 months or both depending upon the discretion of the court. Likewise the non-construction of rain-harvesting and storage facilities that are actually incorporated in the design of the building shall incur the same penalty as the above.

The issuance of a building permit and/or occupancy permit for the construction without the incorporation of rain-harvesting and storage facilities shall incur the penalty, to the signatory of the permit, of Five Hundred Thousand Pesos (P500,000) or imprisonment of 6 months depending upon the discretion of the Court.

SEC. 8. Implementing Rules and Regulations. The Department of Public Works and Highways, the Housing Land Use Regulatory Board and the Department of Environment and Natural Resources in consultation with Local Government Units shall issue within 90 days from the date of approval of this Act, the implementing rules and regulations for this Act.

SEC. 9. Separability Clause. Any portion or provision of this Act which may be declared unconstitutional or invalid shall not have the effect of nullifying other portions or provisions hereof.

SEC. 10. Repealing Clause. All other laws, ordinances, rules, regulations, and other issuances or parts thereof, which are inconsistent with this Act, are hereby repealed or modified accordingly.

SEC. 11. Effectivity. This Act shall take effect 15 days after its publication in two (2) Newspapers of general circulation.

Approved,