

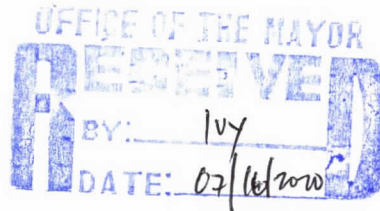


Republic of the Philippines  
**SANGGUNIANG BAYAN**  
Moncada, Tarlac

**OFFICE OF THE SECRETARY**

**ENDORSEMENT**  
July 16, 2020

**HON. ESTELITA M. AQUINO**  
Municipal Mayor  
Moncada, Tarlac



Madam:

Respectfully submitting for your favorable consideration, the herein attached Municipal Ordinance duly enacted by the Sangguniang Bayan of Moncada during its regular session on July 6, 2020, to wit:

**MUNICIPAL ORDINANCE NO. 03**  
Series of 2020

**AN ORDINANCE ESTABLISHING A SEWAGE TREATMENT AND SEPTAGE MANAGEMENT SYSTEM IN THE MUNICIPALITY OF MONCADA AND PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF**

Authored by:  
**COUN. ALBERTO C. MARZAN, JR, MD**  
Chairperson, Committee on Health, Sanitation & Environmental Protection

Thank you.

Very truly yours,

  
**VICTOR SANDINO S. MOLINA**  
Secretary to the Sanggunian



## SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF MONCADA, TARLAC FOR CY 2020 HELD ON THE 6<sup>th</sup> DAY OF JULY 2020 AT THE SB SESSION HALL, LEGISLATIVE BUILDING

**PRESENT:**

HON. JAIME O. DUQUE	.. VICE MAYOR/PRESIDING OFFICER
HON. CLEOFÉ D. FAVIS	.. MEMBER
HON. RODOLFO C. ESPEJO, JR.	.. MEMBER
HON. ALBERTO C. MARZAN, JR., MD	.. MEMBER
HON. RUBEN V. GAMBOA, JR	.. MEMBER
HON. GEORGE MICHAEL P. AGUILAR	.. MEMBER
HON. JANIUS M. YASAY	.. MEMBER
HON. CELESTE A. AYSON	.. MEMBER
HON. GEORGE R. CUCHAPIN, MD	.. LNB PRESIDENT
HON. EZEKIEL C. RIVERA	.. SKF PRESIDENT

**OFFICIAL BUSINESS:**

HON. THELMAFLOR A. ESPEJO	.. MEMBER
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**MUNICIPAL ORDINANCE NO. 03**  
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Authored by:

**COUN. ALBERTO C. MARZAN, JR, MD**

Chairperson, Committee on Health, Sanitation & Environmental Protection

WHEREAS, several Philippine laws provide basis for the establishment of Septage Management Program;

WHEREAS, the Supreme Court Mandamus on the clean-up of Manila Bay has given LGUs and Water Districts until December 31, 2020 to comply with Septage Management Program;

WHEREAS, RA 9275 otherwise known as "Philippine Clean Water Act of 2004" requires Water Utilities to provide sewerage or septage management services for its concessionaires every three (3) to five (5) years;

WHEREAS, the main objectives of Septage Management Program are to protect the current and future sources of water supply such as groundwater, surface water and seawater to prevent water pollution and protect the people's health;

*ASW*





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WHEREAS, the current practice of desludging by service providers for septage disposal in open and deep ravines, creeks as well as drainage channels and manholes is further contributing to water pollution and endangering the health and life of the people;

WHEREAS, the improvement, maintenance, protection and preservation of the ecosystem from pollution and further degradation as well as protection of public health are the primordial concerns of the Municipality;

**NOW, THEREFORE**, on motion by Coun. Alberto C. Marzan, Jr, duly seconded;

Be it **ORDAINED** by the Sangguniang Bayan of Moncada in session duly assembled:

-THAT-

### **SECTION 1. Title**

This Ordinance shall be called the **"Sewage and Septage Ordinance of the Municipality of Moncada."**

### **SECTION 2. Declaration of Policy**

It shall be the policy of the Municipality of Moncada to share in the responsibility of managing and improving water quality within its territorial jurisdiction.

### **SECTION 3. Scope and Application**

The following structures within the Municipality of Moncada, are covered by this Ordinance:

- a. All residential structures including, but not limited to, an apartment, house and/or land on which another's dwelling is located and used for residential purpose and shall include not only buildings parts or units thereof used solely as dwelling places, boarding houses, dormitories, rooms and bedspaces offered for rent by their owners, and also those used for home industries, retail stores or other business purposes if the owner thereof and his or her family actually live therein and use it principally for dwelling purposes;
- b. Commercial establishments, including, but not limited to, restaurants, convenience stores, hard wares, malls, groceries, markets, carwash, condominiums, motels, hotels, hostels, resorts, recreational establishments, auto-repair shops (talyer), poultries and livestock rearing establishments, etc.;
- c. Industrial establishments, including, but not limited to, factories, manufacturing plants, etc.;



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- d. Governmental structures, including, but not limited to, barangay halls, government offices, etc.; and
- e. Institutional structures, including, but not limited to, schools, colleges and universities, hospitals, churches, etc.

### SECTION 4. Definition of Terms

For the purpose of this Ordinance, the following terms shall be defined as follows:

- a. **Combined Drainage System** – this is the conveyance of wastewater from the drainage through the interceptor lines going to the Sewage Treatment Plants;
- b. **Desludging** – a process of cleaning or removing the accumulated domestic septage from septic tanks;
- c. **Drainage** - artificial pipes or conduits provided by the LGU for carrying flood water (no sewage nor wastewater shall pass through drainage systems);
- d. **Effluent** – a general term denoting any wastewater, partially or completely treated or in its natural state, flowing out of a drainage canal, septic tank, building, manufacturing plant, industrial plant, treatment plant, etc.
- e. **EMB** – the Environmental Management Bureau of the DENR;
- f. **Hygienic Septic Tank** – a water-tight septic tank with no opening/s at the bottom slab so as not to allow the leaching of liquid or solid wastes to the surrounding soil or ground water;
- g. **Pre-treatment Facility** - means any apparatus or equipment used to modify the characteristics of effluent prior to a wastewater disposal system, and includes grease traps, oil separators, dilution pits and similar devices.
- h. **Septage** – a combination of scum, sludge, and liquid from household septic tanks, thickened and partially treated sewage that is removed from a septic tank;
- i. **Septage Treatment Plant** – a series of structure purely for the process of treating septage in order to comply with DENR effluent standards;
- j. **Septage Management** – also known as "desludging" this involves the depository of the households sewage to a properly designed septic tank and collected by a desludging truck going to a Septage Treatment Plant (SpTP);
- k. **Septic Tank** – a water-tight receptacle that receives the discharge of a sanitary plumbing system, or part thereof, and is designed and constructed to accomplish the sedimentation and digestion of the organic matter in the sewage within the period of detention or retention, and to allow the liquid to discharge to a leaching field, sewer





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lines, a combined sewerage network, or directly to a secondary wastewater treatment facility, in accordance with the standards set forth by the Revised National Plumbing Code of the Philippines;

- l. **Sewage** – any wastewater containing human, animal, or vegetable waste matter in suspension or solution, including human excreta and urine, and may possibly contain liquids consisting of chemicals in solution;
- m. **Sewer or sewer lines** – artificial pipes or conduits provided by the water utilities for carrying sewage and wastewater;
- n. **Sewerage Disposal System** – is the proper disposal of effluent using either a Sewerage System, Combined Drainage System, or Septage Management whichever is required or accepted by existing environmental laws and policies;
- o. **Sewerage System** – this involves the collection of sewage from households which will be conveyed through the sewer pipelines going to a Sewage treatment Plant or STP.
- p. **Sludge** – a solid particle of domestic sewage which settles at the bottom of the sedimentation tank, and is digested by anaerobic bacteria purely from domestic sources;
- q. **Vacuum Truck** – a heavy equipment vehicle with pump and tank designed to draw liquids, sludge or the like from a septic tank to a septage plant.
- r. **Wastewater Treatment Plant** – a series of structure that processes the treatment of sewage, mostly from domestic origin, but may include pre-treated liquid wastes from industries and similar establishments, and may also accept the treatment of septage, provided there are facilities for accepting and pre-treating it; and
- s. **Water Utilities** – this include water concessionaires, local water utilities, and other accredited water and wastewater services providers.

### SECTION 5. Principles of Sewerage and Septage Management

The Municipality of Moncada shall abide by the following sewerage and septage management principles:

- a. Untreated excreta from residential areas without septic tanks and untreated wastewater from commercial, industrial, institutional and public establishments shall not be allowed to be discharged to open drainage canals or piped drainage systems;
- b. All buildings and structures, whether residential, commercial, industrial, governmental, and institutional, shall be required to have proper sewage treatment or septage management system.



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- i. All residential structures shall have hygienic septic tanks;
  - ii. All commercial and industrial establishments, and hospitals shall have hygienic septic tanks or wastewater treatment facility based on the determination of the DENR and/or DOH;
  - iii. All governmental and institutional structures except hospitals shall have hygienic septic tanks or wastewater treatment facilities based on the number of individuals regularly occupying the structure. If there are 212 occupants or less, these structures should have a hygienic septic tank, otherwise, they are required to have a wastewater treatment facility; and
  - iv. Commercial, industrial, governmental, and institutional structures that are required to have wastewater treatment facilities shall have an operational wastewater treatment facility either on-site or by service off-site.
- c. No wastewater shall be discharged to waterways without any proper treatment;
- d. For sewerred areas, or areas with sewer pipelines, no wastewater other than those from residential structures shall be allowed to discharge on the sewers or sewer pipelines unless such wastewater was serviced by a pre-treatment facility to at least be of domestic wastewater quality;
- e. All food establishments (e.g. restaurants, eatery, food chains, etc.) discharging organic and inorganic wastes shall be required to have an oil and grease trap installed in their respective kitchen areas; and
- f. All septic tanks must be accessible at all times.

### **SECTION 6. Proper Sewage Disposal System Requirements**

All residential, commercial, industrial, institutional, and governmental establishments in the Municipality of Moncada, both old and new, are required to have proper sewage disposal system based on Section 5 hereof.

a. For existing structures:

- i. Residential, commercial, industrial, institutional, and governmental structures with inaccessible and/or non-compliant septic tank shall opt for any of the following: (a) remodeling or restructuring to make the septic tank accessible and compliant with national standards, within one (1) year upon the effectivity of this Ordinance; or (b) connection to existing sewer lines of water utilities, as applicable; or (c) construction of communal or shared septic tank;
- ii. Commercial, industrial, institutional, governmental establishments that are required to have a wastewater treatment facility should comply within one (1) year within the effectivity of this Ordinance; and





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- iii. No business owner shall be issued a renewed business permit unless he/she has obtained the necessary clearances and permits such as discharge permits and environmental sanitation clearances as may be prescribed by existing laws or as maybe required by the DENR and/or DOH and its instrumentalities.

b. New structures:

- i. No building permit shall be issued for residential, commercial, industrial, institutional, and governmental structures unless the design of the hygienic septic tank or wastewater treatment facility in the building plan conforms with existing environmental laws and policies; and
- ii. No business owner shall be issued new business permit unless he/she has obtained the necessary clearances and permits such as discharge permits and environmental sanitation clearances as may be prescribed by existing laws or as maybe required by the DENR and/or DOH and its instrumentalities.

### SECTION 7. Design of Septic Tanks

All septic tanks shall be designed to have **at least 2 chambers** and the House plumbing layout must exclude storm water or flow from downspouts, and such other requirements and specifications as provided by national standards.

### SECTION 8. Mandatory Desludging of Septic Tanks

- a. All owners and users of septic tanks shall be required to desludge once every five (5) years.
- b. The opening of septic tanks, for desludging purposes, shall only be done with the authority of the owner or user.
- c. Actual desludging must be done only by the water utility or a private desludging company duly accredited by the DOH and/or DENR-EMB.
- d. Violation of this provision shall subject the owner and/or user of the septic tank to the penalties as stipulated in this Ordinance.
- e. Non-complying septic tanks shall be given a maximum grace period of 5 years to conform with the required design for septic tanks.
- f. The municipality and barangay officials may consider joint undertaking and provide funding thereof for the construction of common septic tanks to clustered households without any available space.



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### SECTION 9. Regulation on Desludgers

- a. Only the approved private sector proponent that constructs a DENR and DOH approved septage treatment plant within the municipality shall have the exclusive right to provide septage collection and transport services for all residential, government, institutions and commercial establishments during the duration of joint venture agreement.
- b. Liquid and/or solid materials removed from septic tanks shall be transported only by a DOH/DENR accredited septage hauler/pumper to the approved septage treatment facility pursuant to the regulations prescribed by the DOH. Unless, otherwise provided by law, no septage hauler/pumper shall be allowed to collect transport and upload or dispose of septage in other places, including bodies of water, agricultural fields and the drainage system within the Municipality.
- c. All entities engaged in desludging activities are required to secure Permit to Transport from the DENR, Environmental Sanitation Clearance from the DOH, sanitary Permit from the Municipal Health Office, and other pertinent permits as may be deemed necessary as part of the requirements for issuance of annual business permit from the Municipality.

### SECTION 10. Institutional Arrangements

The Municipal Building Official, shall have the following responsibilities in implementing this Ordinance:

- a. **Inspection** – Designate field inspectors that will check on the general design, construction, and maintenance requirements of septic tanks and/or wastewater treatment facilities in residential, commercial, industrial, governmental, and institutional structures;
- b. **Maintenance of Database** – Coordinate with the Municipal Health Office in the formation and maintenance of a robust database of the list of all homeowners with hygienic septic tanks and with the Municipal Business Permits and Licensing Office (BPLO) for the database of all business establishments with adequate wastewater treatment facilities;
- c. **Transporting of Septage** – Coordination with the Municipal Health Office for the implementation of an accreditation system (in consonance with the rules and regulations set forth by DENR-EMB and DOH) and follow existing operational guidelines set forth by the DENR/DOH (for the handling, transportation, treatment, and disposal of septage), for private desludging service providers who intend to operate in the Municipality;
- d. **Issuance of Sanitary Permits** – Coordinate with the Municipal Health Office on the issuance of sanitary permits for all septage treatment and collection facilities, and





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development of a protocol for periodic inspection of such facilities, including but not limited to equipment, training programs, and safety.;

- e. **Enforcement on Sewer Connection** – Assist the water utilities and other appropriate authorities in the enforcement of sewer connection, and penalties for non-connection or disconnection and illegal sewer tapping; and
- f. **Information, Education, Communication** – Coordinate with the Municipal Environment and Natural Resources Office or equivalent for the conduct of massive IEC activities in collaboration with appropriate public or private agencies on proper wastewater management to increase level of awareness and commitment of the public to proper sewage treatment or septage management.

### SECTION 11. Prohibited Acts

The following acts are prohibited:

- a. Refusal to desludge as required by this Ordinance;
- b. Dumping of septage and untreated wastewater to drainages, canals, rivers, and other natural and artificial waterways and other open areas;
- c. Desludging and transporting of septage without the necessary permits and accreditation from the authorized permitting agencies; and
- d. Hiring/availing the services of illegal/non-accredited desludger, transporter by any person or establishment to desludge septic tanks or dispose of their wastewater;

### SECTION 12. Penalties

Any owner or user of residential, commercial, industrial, governmental, and institutional structures that fail to comply with the provisions of this Ordinance shall incur the following fines and penalties for every violation:

- a. For Residential Homeowners
  - i. First Offense – Fine of P1,000.00 and the issuance of a Notice of Violation.
  - ii. Second Offense – Fine of P1,750.00 and mandatory environment-related community service.
  - iii. Third Offense – Fine of P2,500.00 and non-issuance of barangay clearance.
  - iv. Succeeding Offenses – Fine of P2,500.00, environment-related community service, and continued refusal to issue barangay clearance until the owner and/or user complies with the provisions of this Ordinance.
- b. For Business Owners
  - i. First Offense – Fine of P1,500.00 and the issuance of a Notice of Violation.



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- ii. Second Offense – Fine of P2,500.00 and the issuance of a Cease and Desist Order.

Violators shall be assessed annually to monitor their compliance, likewise, continued violation shall merit the imposition of increasing penalties for each assessed violation.

### **SECTION 13. Implementation, Monitoring and Evaluation**

The Municipal Building Official, in coordination with the Municipal Health Officer, the Municipal Environment and Natural Resources Officer, Municipal Business Permits and Licensing Officer (BPLO) or their equivalent, shall be required to evaluate the compliance of the facilities one (1) year after the effectivity of this Ordinance. All these facilities must conform to the standards of DENR-EMB or DOH.

Provided, further, that the same Officers are to come-up with an annual list of violators to be posted in three conspicuous places and in the local government website, if any. The same list shall be submitted to the Municipal Treasurer and BPLO for the imposition of appropriate penalties, copy furnished the Municipal DILG Office.

Provided, furthermore, that the aforementioned officers shall be tasked to formulate the rules and regulations necessary for the efficient and effective implementation of this Ordinance.

### **SECTION 14. Creation of Septage Management Program Operations Office**

There is hereby created a Septage Management Program Operations Office that will implement the program and shall be composed of the following:

- a. The General Manager of the Local Water District as Project Manager.
- b. Authorized representative/s from the accredited-Service Provider as Project Implementer of the Program.
- c. Authorized representative/s from the LGU for administrative and support services.

**SECTION 15. Funding** – The Municipality shall allocate necessary funds to support the implementation of this Ordinance.

### **SECTION 16. Separability Clause**

In the event that any part or provision of this Ordinance is held unconstitutional or invalid, other parts or provisions not otherwise affected shall remain in full force and effect.

### **SECTION 17. Repealing Clause**

All other ordinances, or provisions thereof, inconsistent herewith are hereby repealed or modified accordingly.





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### SECTION 18. Effectivity

This Ordinance shall take effect fifteen (15) days after posting in at least three (3) conspicuous places in the municipality and likewise in the social media platforms of the Local Government Unit of Moncada.


**ENACTED**, this 6<sup>th</sup> day of July, 2020 at Moncada, Tarlac.

X-----X

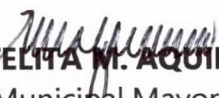
I hereby certify to the correctness of the foregoing Municipal Ordinance which was enacted on Third and Final reading by the Sangguniang Bayan of Moncada on the above-mentioned date and place.

  
**VICTOR SANDINO S. MOLINA**  
Secretary  
Sangguniang Bayan

**ATTESTED AND CERTIFIED  
TO BE DULY ENACTED:**

  
**JAIME O. DUQUE**  
Vice-Mayor & Presiding Officer

**APPROVED AND SIGNED BY HER HONOR,  
THE MAYOR, this JULY 16, 2020**

  
**ESTELITA M. AQUINO**  
Municipal Mayor