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of the
**SANGGUNIANG
BAYAN**



MONCADA, TARLAC

EXCERPT FROM THE MINUTES OF THE 30th REGULAR SESSION OF THE SANGGUNIANG BAYAN OF MONCADA, TARLAC FOR CY 2021 HELD ON THE 26th DAY OF JULY, 2021 AT THE SB SESSION HALL, LEGISLATIVE BUILDING

PRESENT:

HON. JAIME O. DUQUE

.. VICE MAYOR/PRESIDING OFFICER

HON. CLEOFE D. FAVIS

.. MEMBER

HON. ALBERTO C. MARZAN, JR., MD

.. MEMBER

HON. RUBEN V. GAMBOA, JR

.. MEMBER

HON. THELMAFLOR A. ESPEJO

.. 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

ABSENT:

HON. RODOLFO C. ESPEJO, JR.

.. MEMBER (Official Leave)

**MUNICIPAL ORDINANCE NO. 16
Series of 2021**

AN ORDINANCE PRESCRIBING A SCHEDULE OF ENVIRONMENTAL FEES FOR THE SEPTAGE MANAGEMENT PROGRAM IN THE MUNICIPALITY AND AMENDING FOR THIS PURPOSE SECTION 8 OF MUNICIPAL ORDINANCE NO. 03, SERIES OF 2020 OTHERWISE KNOWN AS THE SEWAGE AND SEPTAGE MANAGEMENT ORDINANCE OF THE MUNICIPALITY OF MONCADA

Sponsored by: COUN. ALBERTO C. MARZAN, JR., MD

WHEREAS, RA 9275 otherwise known as the "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 Sangguniang Bayan of Moncada enacted Municipal Ordinance No. 03, Series of 2020 otherwise known as the "Sewage and Septage Ordinance of Moncada" to protect the town's current and future sources of water supply and eventually, the people's health as well;

WHEREAS, the proposed Joint Venture Agreement between the LGU and a private sector proponent mandates the establishment of a collection scheme for Environmental Fees adjunct to the mandatory desludging of septic tanks in accordance with the Septage Management Ordinance of Moncada;

WHEREAS, the LGU enters into a Memorandum of Agreement with Moncada Water District for the latter to act as collection arm for Environmental Fees;

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



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MONCADA, TARLAC

BE IT ENACTED by the Sangguniang Bayan of Moncada in session assembled, that:

SEC. 1. Section 8 of Municipal Ordinance No. 03, Series of 2020 is hereby amended to incorporate the following provisions:

g. Supplementary provisions on mandatory desludging of septic tanks:

1. The Municipal Government of Moncada, through Barangay officials or the designated member/s of their respective Barangay Ecological Solid Waste Management Committee (BESWMC), are advised to accompany and give assistance to the water supplier or private desludging company in the conduct of desludging activities within their territory:
 - i. Assistance should be in the form of, but not limited to, IEC, house to house census/campaign, opening and closing of septic tanks manhole cover, and, if needed, traffic flow regulation.
 - ii. Barangay officials should also set availment rate target to ensure the success of desludging program.
 - iii. Each Barangay is required to maintain a registry of households that availed and did not avail of desludging service.
2. Actual desludging must be done only by the water utility or a private desludging company duly accredited by DOH and/or DENR-EMB with the assistance of a personnel in the Barangay/Homeowners association.

SEC. 2. ENVIRONMENTAL FEES AND MANNER OF PAYMENT

- 1.) The following amounts shall be billed, collected, and remitted to the approved private sector proponent:

Type of Client	ENVIRONMENTAL FEES (PhP) Inclusive of VAT
a. MWD Customers Payments are to be incorporated in monthly water bills. The whole amount of which will be amortized in 60 months. Such fee is for the desludging service of once every 5 years. The SERVICE PROVIDER, if any, shall withhold services to any customer with existing payment defaults as provided by MWD.	Residential: PhP 3,700/ Household for five (5) years or P 62.00 per month for 60 months;
	Semi-Commercial PhP 7,400 / septic tank for five (5) years or P 124.00 per month for 60 months;
	Commercial/ Government: PhP 11,100 / septic tank for five (5) years or P 185.00 per month for 60 months;



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MONCADA, TARLAC

b. Non- MWD Customers (Unmetered, unscheduled, or over-and-above the first round of services for MWD Customers)	Scope of services to be assessed and priced accordingly for approval of and to be paid by septic tank owner directly to the SERVICE PROVIDER, if any, through designated collection agents
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- a) MWD shall bill its customers the abovementioned costs and directly and promptly remit such collections to the approved private sector proponent each month based on its submitted Statement of Account (SOA) and Monthly Collection Report (MCR) less MWD's monthly Administrative Fee of three percent (3%) and the Municipality's Toll Fee of six percent (6%) within fifteen (15) calendar days from the date of collection from MWD customers.
- b) The approved private sector proponent and MWD shall regularly meet monthly to review and reconcile payments so they can be included in the SOA to be submitted by the former. Any discrepancies or disputes will be resolved jointly by both parties with the LGU representative adjudicating and resolving the dispute within 15 calendar days from the date when the meeting was made for such purpose
- c) Should an MWD customer request for desludging beyond the first desludging conducted within the 5-year mandatory desludging requirement, the customer shall pay directly the SERVICE PROVIDER, if any, before services are to be rendered.

Non- MWD Customers:

- a) Non-MWD Customers will be informed through IEC, public consultations, and Barangay meetings, that payment should be made with designated collection agents to be identified and that proof of payment should be presented to the SERVICE PROVIDER representative before actual desludging works. No desludging shall be done without prior proof of payment. THE MUNICIPALITY shall assist in arranging for direct payments to the SERVICE PROVIDER of Non-MWD customers either through the Barangays, Cooperatives, and other private collection mechanisms using banks, digital payment mechanisms (e.g. GCash, ECPay, Paymaya), and other collection agencies, or provide options for Microfinancing (i.e. Card Bank) to ensure payment of ENVIRONMENTAL FEES. A Toll Fee of six percent (6%) shall be paid monthly by the approved private sector proponent to THE MUNICIPALITY for whatever ENVIRONMENTAL FEES collected for service rendered to these customers based on Manifest Forms submitted to THE MUNICIPALITY.

- 2.) The LGU shall institute an acceptable procedure and mechanism for adjustments of ENVIRONMENTAL FEES caused by changes in prices such as fuel and labor costs, with a minimum threshold of fifteen (15%)



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MONCADA, TARLAC

percent (*increase or decrease*) from the defined base price of the preceding month.

SEC. 3. SEPARABILITY CLAUSE. If for any reason, any section of this Ordinance shall be held unconstitutional or invalid, other sections which are not affected thereby shall continue to be in full force and effect.

SEC. 4. REPEALING CLAUSE. All ordinances, rules and regulations or parts thereof in conflict with this ordinance are hereby repealed or modified accordingly.

SEC. 5. EFFECTIVITY. This Ordinance shall take effect fifteen (15) days following its posting in at least three conspicuous places in the municipality and likewise in the official social media platforms and website of the LGU of Moncada.

I HEREBY CERTIFY to the correctness of the foregoing Municipal Ordinance which was enacted on FINAL reading by the Sangguniang Bayan of Moncada, Tarlac during its 30th Regular Session held on the aforementioned date and place.


VICTOR SANDINO S. MOLINA
Secretary to the Sanggunian

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


JAIME O. DUQUE
Vice-Mayor & Presiding Officer

APPROVED by HER HONOR, this 28th day of July, 2021.


ESTELITAM. AQUINO
Municipal Mayor

