



REPUBLIKA NG PILIPINAS
PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

Sangguniang Panglungsod

ORDINANCE NO. 05-037

AN ORDINANCE ESTABLISHING THE MONITORING, EVALUATING AND REGULATING THE OPERATIONS OF ALL WATER REFILLING STATIONS (WRS), WATER SELLERS (WS), BULK WATER DELIVERY TANKERS (BWDT) AND OTHER ESTABLISHMENTS, CORPORATIONS OR ASSOCIATIONS PROVIDING DRINKING WATER FOR PUBLIC CONSUMPTION, WHETHER FOR FREE OR FOR A FEE WITHIN THE TERRITORIAL JURISDICTION OF THE CITY OF MUNTINLUPA AND PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF.

Sponsored by : Hon. Ma. Luisa Babaran-Echavez, M.D.

Co-Sponsored by : Hon. Marissa Cole-Rongavilla

Hon. Allan Rey A. Camilon

Hon. Mario E. Bulay, Jr.

Hon. Lucio B. Constantino

Hon. Bal Niefes

Hon. Melchor R. Teves

Hon. Allen F. Ampaya

Hon. Kevin B. Delgado

Hon. Elmer S. Espeleta

Hon. Francis Ian T. Bagatsing

Hon. Engr. Mamerto T. Sevilla, Jr.

Hon. Joselito V. Arevalo

Hon. Artemio A. Simundac

Hon. Christian Glenn D. Loric

WHEREAS, the Supplemental Implementing Rules and Regulations of Chapter II, "Water Supply" of the Code on Sanitation of the Philippines was promulgated on June 25, 1999, the objective of which is to monitor, evaluate and regulate Water Refilling Stations, Water Sellers and Bulk Water Delivery Tankers. With the fast growing numbers of WRS, WS, BWDT, there is a need to regulate such business operations with the end in view of protecting consumers against:

- a) Waterborne disease
- b) Misleading claims
- c) Illegitimate operators (fly-by-night)
- d) Unsanitary Water Refilling Station and to promote fair trade practice

WHEREAS, under RA 7160, otherwise known as the Local Government Code of 1991, local government units are empowered to enact regulatory ordinances with the end in view of promoting the health and welfare of their constituents;



REPUBLIKA NG PILIPINAS
PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

Sangguniang Panglungsod

Page 2

Ordinance No. 05-037

WHEREAS, water is liable to contamination at all stages in the process of supply, hence, there is a need for constant vigilance and assurance that quality water is maintained throughout the whole system;

WHEREAS, it is imperative that the City Government of Muntinlupa through the City Health Office establish a surveillance program considering that the sources of drinking water come from different sources;

WHEREAS, there is a need to have a water quality surveillance program for water suppliers, refilling operators and private wells and delivery tankers;

WHEREAS, in pursuant to the Sanitation Code of the Philippines (PD 856) and its Implementing Rules and Regulation, the local government has the responsibility to ensure safe drinking water supply for the residents;

WHEREAS, based on the Philippine National Standards for Drinking Water (PNSDW), there should be a regular monitoring for bacteriological, physical and chemical qualities of drinking water;

WHEREAS, there are documented reports of high incidences of water borne disease from taking in contaminated bottled waters, sold and distributed in the community by refilling operators and water delivery tanks;

WHEREAS, there is a need to adopt necessary legislative measures that will ensure that the bottled water refillers including water delivery tanks in Muntinlupa City are providing safe, clean and potable water and conform with International standard, particularly as to its physical chemical content.

BE IT ORDAINED, by the Sangguniang Panglungsod of Muntinlupa in session assembled that:

SECTION 1. Declaration of Policy. It is hereby declared that the policy of the City Government of Muntinlupa, to promote and protect the health of the people, to maintain an effective Water Regulatory System, and to provide the city population with safe, clean, potable and high quality drinking water.

SECTION 2. Sanitary Permit to Operate. All WRS, WS, BWDT and other establishments, corporations or associations providing drinking water for public consumption, whether for free or for a fee operating within the jurisdiction of Muntinlupa City shall secure the necessary Sanitary Permit to operate, and health certificate of workers.



REPUBLIKA NG PILIPINAS
PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

Sangguniang Panglungsod

Page 3
Ordinance No. 05-037

SECTION 3. Certificate of potability of Drinking Water. All WRS are required to submit product water for testing and analysis to a DOH-accredited water analysis laboratory or its equivalent in the City of Muntinlupa until such time Muntinlupa City has its own laboratory as the sole testing laboratory to ascertain that as such water is properly processed. The frequency of testing are as started:

Bacteriological Examination & Coliform Screening	- monthly
Physical & Chemical Examination & Chlorine Residual Test	- every six months

SECTION 4. All WRS, WS, BWDT and other establishments, corporations or associations providing drinking water for public consumption, whether for free or for a fee are required to submit to the City Health Office (CHO) or its duly authorized representative (Water Sanitation Inspector) for inspection, monitoring and on-site water specimen extraction to see to it that they religiously comply to the mandate of this ordinance.

SECTION 5. Regulatory Fee. To sustain the implementation of this ordinance, the following regulatory fee shall be promulgated:

For Water Refilling Stations ----- Php 50.00
Composed of the following:
- Certificate of Potability of Drinking Water (monthly)
and sticker (monthly)

For Bulk Water Delivery Tanker & Water Seller ----- Php 100.00
Composed of the following:
- Certificate of Potability of Drinking Water (monthly)
and sticker (monthly)

Other establishments, corporations or associations providing drinking water for public consumption, whether for free or for a fee:

NGOs and other civic organizations -----	Php 50.00
Commercial establishments and corporations -----	Php 100.00

SECTION 6. Upon the approval of this Ordinance, all existing refilling stations, waters sellers and bulk delivery tankers and commercial water sellers shall be given a period of fifteen (15) days to comply. Failure to comply within the prescribed period shall be issued a cease and desist order which shall be lifted only upon compliance.

SECTION 7. Penalties.

a. Any person found guilty of violating any provision of this ordinance shall upon conviction be punished as follows:



REPUBLIKA NG PILIPINAS
PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

Sangguniang Panglungsod

Page 4

Ordinance No. 05-037

1. First Offense – A fine of P1,000.00 but not more than P5,000.00 or an imprisonment of two (2) months, but not more than six (6) months, or both fine and imprisonment at the discretion of the court;
 2. Second Offense – A fine of P3,000.00 but not more than P5,000.00 or an imprisonment of three (3) months, or both such fine and imprisonment at the discretion of the court;
 3. Third Offense – Closure and revocation of business permit, a fine of P5,000.00 or an imprisonment of six (6) months, or both such fine and imprisonment at the discretion of the court.
- b. If a firm, corporation, partnership or other juridical entity, the manager, managing partner or director or person charged of such firm commits the violation, corporation, partnership or juridical entity shall be held liable thereof.
 - c. Failure to conform with the standards of the test shall be subject to a cease and desist order which shall be lifted only after it has complied in all the test.
 - d. In addition to the penalties enumerated above, the delivery truck used for BWDT shall be impounded, until compliance to this ordinance shall have been complied with.

SECTION 8. Any person, company, corporation, partnership, or association providing drinking water for public consumptions whether for free or for a fee, shall be covered by this Ordinance.

SECTION 9. Implementing Guidelines. The Local Chief Executive is hereby authorized to promulgate rules and regulations necessary to effectively enforce the provisions of this Ordinance.

SECTION 10. Separability Clause. If any portion of this ordinance is declared invalid, the remainder of this ordinance shall not be affected by such declaration and shall remain valid and enforceable.

SECTION 11. Effectivity. This ordinance shall be effective within thirty(30)days after its publication in a newspaper of local or general circulation.

ENACTED, by the **Fourth (4th) Sangguniang Panlungsod of Muntinlupa** this **3rd** day of **March 2005**, on its **28th** Regular Session.



REPUBLIKA NG PILIPINAS
PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

Sangguniang Panglungsod

Page 5
Ordinance No. 05-037

CONCURRED:

BAL NIEFES
Councilor

ELMER S. ESPELETA
Councilor


ALLAN REY A. CAMILON
Councilor

FRANCIS IAN T. BAGATSING
Councilor


MA LUISA BABARAN-ECHAVEZ, M.D.
Councilor


MARISSA COLE-RONGAVILLA
Councilor



MELCHOR R. TEVES
Councilor


LUCIO B. CONSTANTINO
Councilor



ALLEN F. AMPAYA
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CHRISTIAN GLENN D. LORICA
Sectoral Representative
President, Federation of
Sangguniang Kabataan


ARTEMIO A. SIMUNDAC
Sectoral Representative
President, Association of
Barangay Captains

ABSENT:

ATTY. ICASIANO M. DELA REA
Councilor

RENE CARL S. CAYETANO
Councilor

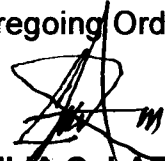


REPUBLIKA NG PILIPINAS
PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

Sangguniang Panglungsod

Page 6
Ordinance No. 05-037

I HEREBY CERTIFY, as to the correctness of the foregoing Ordinance.


CECILIA C. LAZARTE
Secretary
Sangguniang Panlungsod

ATTESTED:


ATTY. RAUL R. CORRO
Acting City Vice Mayor/Presiding Officer

APPROVED:


ATTY. JAIME R. FRESNEDI
City Mayor
Date: _____

PBS, JR.