



Republic of the Philippines  
CITY OF CAGAYAN DE ORO  
OFFICE OF THE CITY COUNCIL

(08822) 724854; (088) 857-4029; 857-4035; 857-2258



ORDINANCE NO. 10113-2006

**AN ORDINANCE REGULATING THE ESTABLISHMENT AND OPERATION OF WATER REFILLING STATIONS AND WATER SYSTEMS IN SUBDIVISIONS AND COMMUNITIES RUN BY SUBDIVISION OWNERS, DEVELOPERS, HOMEOWNERS AND/OR COMMUNITY ORGANIZATIONS; REQUIRING THE PERIODIC SAMPLE TESTING THEREOF INCLUDING THE WATER SYSTEM OF THE CAGAYAN DE ORO CITY WATER DISTRICT AT ACCREDITED DEPARTMENT OF HEALTH (DOH) LABORATORIES; PROVIDING PENALTIES FOR VIOLATION THEREOF; AND FOR OTHER PURPOSES**

*Whereas*, drinking water business, both big and small, have sprouted like mushrooms in the City. These businesses including water system operated independently by subdivision developers and other communities or homeowners associations are deemed not properly monitored and regulated by the government in terms of compliance with the required health standards;

*Whereas*, such apparent lack of government supervision has led to fears of possible proliferation of unsafe drinking water that poses great risks to the health and safety of the people;

*Whereas*, there is a need to ensure that potable, safe and affordable drinking water is made available to the public;

*Now, therefore:*

**BE IT ORDAINED** by the City Council (*Sangguniang Panlungsod*) of the City of Cagayan de Oro in session assembled that:

**SECTION 1. - Permit requirement.** - No person, whether natural or juridical, shall produce and sell mineral, pure or distilled water or establish and operate water refilling stations, and no subdivision owners, developers, homeowners and/or community organizations shall establish and operate water systems in subdivisions and communities, without a sanitary and business permit.

**SECTION 2. - Drinking water standards.** - Standards for drinking water shall conform to the criteria set by the Philippine National Standards for Drinking Water. The treatment of water to render it safe for drinking, and the disinfections of contaminated water sources together with their distribution systems shall be in accordance with procedures prescribed by the Department of Health.

**SECTION 3. - Types of Water Examinations Required.** - In accordance to Presidential Decree 856, all water refilling stations operating in the city or establishments engaged in the production and selling of mineral, pure or distilled water, and the water systems of the Cagayan de Oro City Water District and of subdivisions and communities run by subdivision owners, developers, homeowners and/or community organizations shall be subjected to microbiological/bacteriological and biological examinations. Other water examinations such as chemical, radioactive, and physical qualities shall be required when available.

a. Initial Examination - The following examinations of water from newly constructed systems are required before they are operated and opened for public use:

a.1 Bacteriological examinations:

- i. Heterofrophic Plate Count - not more than 300 colony
- ii. Standard Plate Count - any number of colonies is considered positive in lieu of Heterofrophic Plate Count, if not available
- iii. Coliform Count - 0 (No positive tubes) or corresponding MPN value
- iv. E. Coli Enumeration - 0 (No positive tubes or corresponding MPN value.

a.2 Ph test (acidity of the water) - 6.5-8.5

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- b. Periodic Examination – water from existing sources shall be subjected to bacteriological/microbiological and PH examinations as follows:
  - i. Refilling Stations ..... – once a month
  - ii. water systems of the COWD and in subdivisions and communities run by subdivision owners, developers, homeowners and/or community organizations ... - once every two months

**SECTION 4. - Examining Laboratories and Submission of Water Sample and Container -** The examination of drinking water as well as the container thereof, in the case of water refilling stations, shall be performed only in private or government laboratories duly accredited by the Department of Health. It shall be the responsibility of the City Health Officer to get the samples directly from refilling stations and water systems of the COWD and in subdivisions and communities run by subdivision owners, developers, homeowners and/or community organizations in accordance with the schedule in the preceding section.

**SECTION 5. - Posting of examination results. -** The original copy of the latest results of the examination shall be posted in a conspicuous place in the establishments. Moreover, results of the examination for the current year (conducted every two months) shall be a pre-requisite in renewing the license for the succeeding year.

**SECTION 6. - Penalties. -** Non-compliance of the above-mentioned requirements for operating a water refilling station shall be subjected to the foregoing penalties/actions:

<u>Violation</u>	<u>Penalty</u>
Non compliance in meeting the standards (Section 3a) to operate a water refilling station	a. 1st offense – an investigation by the City Health Officer to verify non-compliance after which a written warning is issued. b. 2 <sup>nd</sup> offense- written warning and fine of ₱1,000.00 c. 3 <sup>rd</sup> and 4 <sup>th</sup> offenses – suspension of business permit for six (6) months and one (1) year, respectively. d. 5 <sup>th</sup> offense – non-renewal of business permit.
Non submission of water samples and containers for testing	a. 1st offense- an investigation by the City Health Officer to verify non-compliance after which a written warning is issued requiring water station to submit samples for testing as soon as possible b. 2 <sup>nd</sup> offense – second written warning and requiring establishment to submit samples for testing within 24 hours and fine of ₱1,000.00 c. 3 <sup>rd</sup> offense – suspension of business permit for one (1) year. d. 4 <sup>th</sup> offense – non-renewal of business permit
Non-posting of the original copy of latest result water examination at a conspicuous place of the establishment.	a. 1st offense – a written warning is issued requiring water station to post latest result (original copy) of water examination at a conspicuous place of the establishment. b. 2 <sup>nd</sup> offense – second written warning and fine of ₱500.00 c. 3 <sup>rd</sup> and succeeding offenses - suspension of business permit for six (6) months.

**SECTION 7. -** The City Health Officer shall be responsible in the implementation of this Ordinance.

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**SECTION 8.** - This ordinance shall take effect after 15 days following its publication in a local newspaper or general circulation.

**UNANIMOUSLY APPROVED.**

Present:

- Councilor Juan Y. Sia
- Councilor Edgar S. Cabanlas
- Councilor Alfonso C. Goking
- Councilor Caesar Ian E. Acenas, **Author**
- Councilor Simeon V. Licayan, **Author**
- Councilor Jerico Goldmar P. Ebabacol
- Councilor Annie Y. Daba, **Author**
- Councilor Ian Mark Q. Nacaya, **Author**
- Councilor Reynaldo N. Advincula, **Author**
- Councilor Maryanne C. Enteria
- Councilor Alexander S. Dacer

Out of the Session Hall:

- Councilor Alvin R. Calingin

On Official Business:

- Councilor Jose Benjamin A. Benaldo

Absent:

- Councilor Zaldy O. Ocon

**DONE** in the City of Cagayan de Oro this 3<sup>RD</sup> day of April 2006.


I hereby certify to the correctness of the aforesated Ordinance.

Attested as duly enacted:

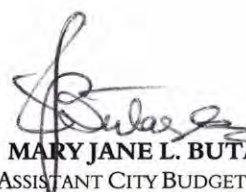
  
**MICHELLE T. SPIERS**  
 CITY VICE MAYOR  
 PRESIDING OFFICER

  
**ARTURO S DE SAN MIGUEL**  
 CITY COUNCIL SECRETARY

Approved:

  
**VICENTE Y. EMANO**  
 CITY MAYOR

Attested:

  
**MARY JANE L. BUTASLAC**  
 ASSISTANT CITY BUDGET OFFICER