



**cagayan
de Oro**
city of golden friendship

Republic of the Philippines
CITY OF CAGAYAN DE ORO
OFFICE OF THE CITY COUNCIL
(088) 857-2258; 857-4029; 857-4032; 857-4035
www.cdeo-sanggunian.online



ORDINANCE NO. 13827-2020

AN ORDINANCE ESTABLISHING THE SEPTAGE AND SEWERAGE MANAGEMENT SYSTEM OF CAGAYAN DE ORO CITY, AND FOR OTHER PURPOSES

Whereas, Section 15, Article II of the 1987 Philippine Constitution provides that the "State shall protect and promote the right to health of the people and instill health consciousness among them";

Whereas, Section 16 of Republic Act 7160, otherwise known as the Local Government Code of 1991, provides that the local government units shall ensure and promote health and safety of the people;

Whereas, Republic Act 9275, otherwise known as the "Philippine Clean Water Act of 2004" mandates local government units to prepare a program on septage management and to share the responsibility in the management and improvement of water quality within their respective territorial jurisdictions;

Whereas, the "Philippine Clean Water Act of 2004" mandates local government units to appropriate the necessary land, including the required rights-of-way/road access to the land, for the construction of the sewage and/or septage treatment facilities;

Whereas, Section 8 of Republic Act 9275 provides that agency vested to provide water supply and sewerage facilities and/or concessionaires in highly urbanized cities (HUCs) as defined in Republic Act No. 7160, in coordination with LGUs, shall be required to connect the existing sewage line found in all subdivisions, condominiums, commercial centers, hotels, sports and recreational facilities, hospitals, market places, public buildings, industrial complex and other similar establishments including households to available sewerage system: Provided, That the said connection shall be subject to sewerage services charge/fees in accordance with existing laws, rules or regulations unless the sources had already utilized their own sewerage system.

Whereas, Section 20 of the Clean Water Act (R.A. 9275) provides that Local Government Units share the responsibility in the management and improvement of water quality within their territorial jurisdictions

Whereas, Presidential Decree No. 856 or the "Code on Sanitation of the Philippines" requires that all houses covered by the system shall be connected to the sewer in areas where a sewerage system is available.

Whereas, Presidential Decree No. 198 or the "Provincial Water Utilities Act of 1973" provides that water districts may declare the further maintenance or use of cesspools, septic tanks, or other local means of sewerage disposal in such areas to be a public nuisance.

Whereas, the Revised National Plumbing Code of the Philippines of 1999, pursuant to Section 4 of Republic Act No. 1378 or the "Plumbing Law", imposes jurisdiction on the Office of the City Building Official and other concerned departments under the City Mayor to regulate any plumbing or drainage work.

Whereas, DILG Memorandum Circular No. 2019-62 or the "Policy and Guidelines on Sewage Treatment and Sewage Management System" reiterates, for emphasis, the roles of LGU's in the delivery of basic services relative to the implementation of sewage and septage management system within their respective territorial jurisdiction.



~~Whereas~~, there is an urgent need to enact legislation to ensure proper septage and sewerage treatment that will protect and promote the interest and welfare of the city and its constituents, in accordance with the provisions of the Local Government Code of 1991;

NOW, THEREFORE:

BE IT ORDAINED by the Sangguniang Panlungsod of Cagayan de Oro City that:

SECTION 1. TITLE – This Ordinance shall be known as the “**Septage and Sewerage Management System of Cagayan de Oro City**”.

SECTION 2. DECLARATION OF POLICY – It is the policy of the City Government of Cagayan de Oro to adopt measures to protect the health of the people and the environment by controlling and managing the storage, collection, transport, treatment and disposal of sewerage and septage from various sources.

SECTION 3. DEFINITION OF TERMS – As used in this Ordinance, the following terms are defined as follows:

- a) CEO – refers to the City Engineer’s Office;
- b) CHO – refers to the City Health Office;
- c) CLENRO – refers to the City Local Environment and Natural Resources Office
- d) COWD – refers to the Cagayan de Oro Water District;
- e) CSMB – refers to the City Septage Management Board;
- f) Communal Excreta Disposal System – an excreta disposal system serving a group of dwelling units;
- g) Desludger – a person or company duly accredited by the CSWB duly issued permit by DOH to engage in the desludging and transport of septage to the septage treatment facility;
- h) Desludging – the process of removing accumulated sludge or septage from the septic tank by pumping or any other mechanized means;
- i) Domestic wastewater quality – refers to the characteristics of wastewater that adhere to the requirements prescribed by DAO 2016-08 or the “Water Quality Guidelines and General Effluent Standards of 2016” and the Clean Water Act of 2004.
- j) DOH – refers to the Department of Health;
- k) EMB – refers to the Environmental Management Bureau of the Department of Environment and Natural Resources;
- l) Effluent – refers to the discharge from known sources which is passed into a body of water or land, or wastewater flowing out of a manufacturing and/or industrial plant including domestic, commercial and recreational facilities;
- m) Excreta – human waste composed of urine and feces;
- n) Hygienic Septic Tank – refers to a type of water-tight, multi-chambered septic tank with no holes or openings at the bottom slab to prevent the leaching of its contents into the soil and groundwater;
- o) OBO – refers to the Office of the City Building Officials;



- p) Public Toilet – a toilet facility located at public places like markets, bus stations and buildings intended for public use;
- q) Public Sanitary Sewer – is a common sewer to which all abutters have equal rights of connections;
- r) Septage – the combination of scum, sludge and liquid that accumulates in septic tanks;
- s) Septage Treatment Facility – refers to the facility for the treatment of septage and its proper disposal managed by the COWD and other service providers;
- t) Septic tank – refers to a receptacle that receives sewage and wastewater from houses or other buildings and is designed to separate and store solids, and partially digest organic matter which then may be used as soils conditioner;
- u) Service Providers – refers to any individual, partnership or corporation public or private that is authorized to engage in the collection, desludging, handling, transporting, treating and disposing of septage or sludge from septic tanks, cesspools, portalets and sewage treatment plants;
- v) Sewage – refers to any wastewater containing human, animal, or vegetable waste matter in suspension or solution, including human excreta, urine, and synthetic and organic chemical mixtures;
- w) Sewerage Treatment Plant – or STP refers to a facility designed to receive and process wastewater from domestic sources by removing materials that damage water quality and threaten public health and safety when directly discharged into natural streams or bodies of water;
- x) Sewer or sewer lines – refers to artificial pipes or conduits provided by water utilities for carrying sewage and wastewater;
- y) Sewerage – refers to the sewage and wastewater accumulated in the sewer pipelines and serve as influent to a STP.
- z) Sewerage Management System – refers to the management system which involves the collection of sewage from households which shall then be conveyed through the sewer pipelines going to a STP.
- aa) Sludge – refers to any solid, semi-solid or liquid waste or residue generated from wastewater treatment;
- bb) SIMS – refers to the Septage Information Management System;
- cc) Treated Sludge – refers to a sludge that has undergone treatment using acceptable methods and standards; said treated sludge can be reintroduced to the environment as material for compost and others;
- dd) Treatment – any method, technique or process designed to alter the physical, chemical or biological and radiological character or composition of any waste or wastewater to reduce or prevent pollution;
- ee) Waste – refers to any solid, liquid, semi-solid, contained gas or other forms resulting industrial, commercial, mining or agricultural operations or from community and household activities that is devoid of usage and discarded;
- ff) Wastewater – refers to pent or used water, discharged from homes, commercial establishments, farms, industries and the like.



- gg) Wastewater Treatment Facility – refers to the series of structures, either on-site or off-site that treat wastewater, including sewage from commercial, industrial and similar establishments in order to achieve the desired domestic wastewater quality.

SECTION 4. AUTHORITY – This Ordinance shall compliment the provision of the following laws:

- a) The Clean Water Act, Ra 9275;
- b) The National Building Code of the Philippines;
- c) The Revised National Plumbing Code of the Philippines;
- d) The Sanitation Code of the Philippines, PD 856;
- e) Local Government Code of the Philippines, RA 7160;
- f) Provincial Water Utilities Act of 1973, PD 198;
- g) Water Quality Guidelines and Effluent Standards of 2016, DAO 2016-08;
- h) DILG Memorandum Circular No. 2019-62

SECTION 5. SCOPE & COVERAGE – This Ordinance shall apply to all buildings and structures whether public or private, residential, commercial, or institutional proposed/planned or existing, to wit:

- 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 bed spaces 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.;
- 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.

The Philippine Ports Authority in Cagayan de Oro City shall develop a proper septic system to accommodate the sewage and septage from all kinds of sea vessels whether foreign and local, private or government-owned found within the municipal waters of the city generating domestic sewage.

All properties and businesses having on site wastewater and septage treatment facility duly compliant with the DOH guidelines and with discharge permit issued by DENR/EMB to have treated sludge suitably shall be exempted from the requirements of this Ordinance.

SECTION 6. PROPER SEWAGE DISPOSAL SYSTEM REQUIREMENTS – All residential, commercial, industrial, institutional, and governmental establishments in City of



Cagayan de Oro, both old and new, are required to have proper sewage and septage disposal system.

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 three (3) years 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
- 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.

- c) All residential, commercial and institutional buildings that have their own water system shall desludge their septic tanks with an accredited desludger and shall dispose to the septage treatment facility.

SECTION 7. RIGHT OF ENTRANCE AND INSPECTION – No person after being fully notified shall interfere with or obstruct the entrance to any premises, establishment, dwelling unit or vessel of the duly authorized personnel in the discharge of their official functions under this Ordinance. Owners may deny entry of the authorized personnel if found under the influence of alcohol, drugs and any intoxicated substance and/or have no proper identification and job order.

SECTION 8. PRE-TREATMENT – Septage from commercial and other non-residential facilities is acceptable if the septic tanks only receive wastewater from toilets and sinks. If the wastewater contains substances of commercial or industrial nature such as, but not limited to, oil, fuel, residue, metals or high volume of oil and grease, an appropriate treatment program duly approved by DENR/EMB and City Government shall be required.



SECTION 9. MANDATORY DESLUDGING OF SEPTIC TANKS – There shall be a mandatory desludging of septic tanks once every five (5) years.

SECTION 10. SERVICE AREA – The city shall be divided into service areas per Route Plan prepared by the COWD and other service providers duly conformed by the CSMB. The desludging schedule shall be posted by the Barangays in their respective barangay hall.

SECTION 11. DESLUDGING NOTICE – The COWD and other accredited service providers shall issue a 20-day Desludging Notice duly conformed by CLENRO to the owner or his/her representative before the proper desludging activity. However, any party can request for desludging of his/her septic tank at the COWD.

SECTION 12. DESLUDGING FEE – The other desludging service providers shall collect a service fee for the desludging of septicage. Only service providers accredited by CSMB shall be allowed to provide desludging services to households, commercial, institutional, governmental and industrial establishments. Five percent (5%) of the desludging fee shall be set aside as Environmental Fund deposited as Trust Fund in the City Government of Cagayan de Oro City.

SECTION 13. ACCREDITATION OF DESLUDGERS – All service providers shall be accredited by the City through the CSMB upon compliance of accreditation guidelines to be provided in the Implementing Rules and Regulations of this Ordinance.

SECTION 14. TRANSPORT OF SEPTAGE/SLUDGE – A Manifest Form shall be required for the transport of septage and domestic sludge to the Septage Treatment Facility. The service provider must complete the Manifest Form by providing the required information specified in the IRR of this Ordinance.

SECTION 15. SEPTAGE TREATMENT FACILITY – The Septage Treatment Facility shall be established and operated by COWD and shall conform to the standards of DENR DAO 2016-08 and the City Government of Cagayan de Oro laws, policies and guidelines.

SECTION 16. SEWERAGE MANAGEMENT SYSTEM – The City Government and/or COWD shall operate, maintain and if necessary, modify an effective Sewerage Management System that shall collect, receive and direct all sewage from residential, commercial, and similar establishments into the sewer line to the Sewerage Treatment Facility.

SECTION 17. SEWER LINE CONNECTION – No residential, commercial and institutional buildings and facilities shall be allowed to tap into the sewer line until its effluents comply with permits issued by CLENRO. Existing building structures may connect to the sewer line upon compliance with the standards set by OBO.

SECTION 18. CREATION AND COMPOSITION OF THE CITY SEPTAGE MANAGEMENT BOARD (CSMB) – A City Septage Management Board of Cagayan de Oro City shall be responsible for administering and coordinating the implementation of the City Septage Management Plan is hereby created with the following members

Chairperson	-	City Mayor
Vice Chairperson	-	Manager, COWD
Members	-	City Council, Committee on Environment Representative Department of Environment and Natural Resources – 10



Department of Health-10
Chairperson, Liga ng mga Barangay
City Administrators Office
Cagayan de Oro Oro Chamber of Commerce
Accredited Civil Society Organization on Environment

SECTION 19. FUNCTIONS AND RESPONSIBILITIES OF THE CITY SEPTAGE MANAGEMENT BOARD (CSMB) – The City Septage Management Board of Cagayan de Oro City shall have following powers, functions and duties:

- a. To serve as the consultative body for the Cagayan de Oro City Sewerage and Septage Management Program;
- b. To approve the work and financial plan utilizing the Environmental Fund;
- c. To formulate guidelines for the accreditation of service providers to desludge, treat and dispose of septage and sludge;
- d. To evaluate and recommend accreditation from service providers to desludge, treat and dispose of septage and sludge;
- e. To approve notices of non-conformity to households, establishments and other facilities covered in this Ordinance;
- f. To evaluate and endorse the notarized applications for Environmental Sanitation Clearance to DOH upon compliance of the required documents;
- g. To authorize project site inspections;
- h. To exercise such other functions necessary for the effective and efficient implementation of this Ordinance.
- i. To manage the Environmental Fund derived from the collection of the operations of the septage management system

SECTION 20. ROLE OF CLENRO – The City Local Environment and Natural Resources Office (CLENRO) shall have the following duties and responsibilities:

- a. The CLENRO shall be primarily responsible for the implementation of this Ordinance, which includes, but not limited to, administration, enforcement, coordination and monitoring activities;
- b. The CLENRO in coordination with the City Planning and Development Office (CPDO) shall initiate the development of the City Sewerage and Septage Management Program. The City Sewerage and Septage Management Program shall be reviewed by the CSMB and submitted to the City Mayor for approval;
- c. Issue one of the two permits mentioned in Section 18 that would allow establishments to tap into the Sewerage Management System upon compliance of their effluents with the "domestic water quality" standards and other standards as required.
- d. The CLENRO shall be responsible for the management of the Sewerage and Septage Information Management System
- e. Perform such other functions which shall allow effective and efficient implementation of this Ordinance.



SECTION 21. ROLE OF THE CITY HEALTH OFFICE (CHO) – The City Health Office shall have the following duties and responsibilities:

- a. Coordinate with CLENRO in the conduct inspection and monitoring on desludging service providers, establishments operating septage treatment facility;
- b. Conduct periodic inspection and verification of septic tanks, in coordination with the Office of Building Official (OBO) and CLENRO, to ensure conformity with existing ordinances and regulations;
- c. Provide data for the establishment of a Septage Information Management System (SIMS);
- d. Serve as liaison for the CSMB to the Department of Health (DOH);
- e. Perform other functions as may be required.

SECTION 22. ROLE OF THE OFFICE OF BUILDING OFFICIAL (OBO) – The Office of Building Official (OBO) shall have the following duties and responsibilities:

- a. Coordinate with CHO in the periodic inspection and verification of septic tanks to ensure conformity with existing ordinances and regulations;
- b. Evaluate and qualify the compliance with the requirements of hygienic septic tank design prior to issuance of permits for new and existing applications;
- c. Issue one of the two permits mentioned in Section 18 that would allow establishments to tap into the Sewerage Management System upon compliance with the requirements of hygienic septic tank design and other standards as required;
- d. Provide data for the establishment of a Septage Information Management System (SIMS).
- e. Perform other functions as may be required.

SECTION 23. ROLE OF THE BARANGAY – The Barangay shall have the following duties and responsibilities:

- a. Submit baseline data regarding septic tank usage in the barangay that shall include the number of households using standard septic tanks and those without septic tank;
- b. Conduct regular information and education campaign to promote the septage management program of the city;
- c. Require and conform the service provider's Manifest Form for every desludging conducted in the barangay;
- d. Coordinate efforts with City Government to effectively implement the septage management program; and
- e. Perform such other function for the effective and efficient implementation of this Ordinance.

SECTION 24. PROHIBITED ACTS – The following shall be prohibited acts:

1. Transportation of septage by service provider without Manifest Form;
2. Connection into the sewerage system without a permit from OBO;



3. Issuance of unregistered Manifest Form by the service providers;
4. Failure of desludging service providers to secure accreditation;
5. Improper disposal of septage by the service provider;
6. Failure to de-sludge septage when required;
7. Absence of septic tanks and toilet facilities;
8. Non-conformity to septic tank standards;
9. Failure of accredited service provider to submit regular reports to CLENRO;
10. Operation of septage treatment facility without permit.

SECTION 25. PENALTIES – Any violation of the prohibited acts shall be penalized with a fine of Five Thousand Pesos (₱5,000.00) for every violation.

SECTION 26. IMPLEMENTING RULES AND REGULATIONS – The City Septage Management Board shall promulgate the Implementing Rules and Regulations of this Ordinance congruent with the provisions of this Ordinance and national laws. The draft of the IRR shall be published and be the subject of public consultations with affected sectors.

SECTION 27. MANDATORY REVIEW – The Sangguniang Panglungsod shall undertake a mandatory review of this Ordinance at least every five (5) years and as often as it may deem necessary, to ensure that policies and guidelines remain responsive to the changing circumstances.

SECTION 28. APPROPRIATION – There shall be appropriated in the annual budget of the City so much amount equivalent to fifty percent (50%) of the total cost of Sewerage Facility System.

SECTION 29. AUTHORITY – The City Mayor may apply for grant from the national government or the Department of Public Works and Highways to fund the fifty percent (50%) of the total cost of Sewerage Facility System

SECTION 30. REPEALING CAUSE – All other ordinances, local issuances, rules and regulations, or parts thereof inconsistent with the provisions of this ordinance are hereby repealed or modified accordingly.

SECTION 31. SEVERABILITY – If for any reason or reasons, any part or provision of this Ordinance shall be held unconstitutional or invalid, other parts or provision hereof which are not affected thereby shall continue to be in full force and effect.

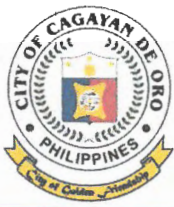
SECTION 32. EFFECTIVITY – This Ordinance shall take effect after fifteen (15) days following its official publication in a local newspaper of general circulation.

UNANIMOUSLY APPROVED.

Present:

1st District: - Councilor Jay R. Pascual
- Councilor Reuben R. Daba
- Councilor Roger G. Abaday
2nd District: - Councilor Joyleen Mercedes L. Balaba
- Councilor Ian Mark Q. Nacaya
- Councilor Edgar S. Cabanlas
- Councilor Enrico D. Salcedo
Ex-Officio: - Councilor Yan Lam S. Lim

- Councilor Zaldy O. Ocon
- Councilor George S. Goking
- Councilor Romeo V. Calizo
- Councilor Maria Lourdes S. Gaane
- Councilor Suzette G. Magtajas-Daba
- Councilor Teodulfo E. Lao, Jr.
- Councilor Jocelyn B. Rodriguez
- Councilor John Michael L. Seno



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On Leave:

- Councilor Edna M. Dahino

Out during voting:

- Councilor Lordan G. Suan

ENACTED this 24th day of February 2020 in the City of Cagayan de Oro.

I hereby certify to the correctness of the foregoing Ordinance.

Attested as duly enacted:

RAINEIR JOAQUIN V. Uy
CITY VICE-MAYOR
PRESIDING OFFICER

ARTURO S. DE SAN MIGUEL
CITY COUNCIL SECRETARY

Approved:

OSCAR S. MORENO
CITY MAYOR

Attested:

TEODORO A. SABUGA-A, JR.
ACTING CITY ADMINISTRATOR