



Republic of the Philippines  
MUNICIPALITY OF CAINTA  
Province of Rizal

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OFFICE OF THE SANGGUNIANG BAYAN

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EXCERPT FROM THE MINUTES OF THE 45<sup>TH</sup> REGULAR SESSION OF THE  
SANGGUNIANG BAYAN HELD AT THE SANGGUNIANG BAYAN SESSION HALL,  
CAINTA, RIZAL ON JUNE 19, 2017 AT 10:00 IN THE MORNING

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Present:

Hon. SOFIA SCHUCK-VELASCO	-----	Vice Mayor/SB Presiding Officer
Hon. LINCOLN M. FELIX	-----	SB Member
Hon. ALLAN G. TAJUNA	-----	SB Member
Hon. SITTI RUAINA K. FERRIOLS	-----	SB Member
Hon. MARIA CHARIS KAY S. ILAGAN	----	SB Member
Hon. BUTCH G. TOLENTINO	-----	SB Member
Hon. GILBERT L. IGTIBEN	-----	SB Member
Hon. ACE B. SERVILLON	-----	SB Member/Pro Tempore
Hon. EDWIN F. CRUZ	-----	SB Member
Hon. JESUS J. SANTOS	-----	SB Member/ABC President

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ORDINANCE NO. 2017-015

AN ORDINANCE ESTABLISHING A PROPER SEWAGE TREATMENT AND  
SEPTAGE MANAGEMENT SYSTEM IN CAINTA, AND PRESCRIBING PENALTIES FOR  
VIOLATIONS THEREOF

Sponsored by: COUNCILOR SITTI RUAINA K. FERRIOLS

*Be it ordained by the Sangguniang Bayan of the Cainta in session duly assembled:*

**SECTION 1. Title**

This Ordinance shall be called the "Sewage and Septage Ordinance of Cainta".

**SECTION 2. Declaration of Policy**

It is the mandate of the State to safeguard the constitutional right to life, health, and balanced ecology and to provide the resources to implement this policy for the benefit of all citizens. The Supreme Court (SC), in its decision dated December 18, 2008 and Resolution dated February 15, 2011, the DILG was mandated to monitor local government performance in terms of SC determined Local Government Units (LGUs) Key Performance Indicators (KPIs). One of the LGUs KPI focuses on the compliance of private homes, establishments and factories on having hygienic septic tanks and wastewater treatment facilities.

It shall be the policy of Cainta to share in the responsibility on the management and improvement of water quality within its territorial jurisdiction. To meet these objectives, the Municipality of Cainta shall implement measures to prevent and control water pollution to promote health and ensure a balanced ecology.

**SECTION 3. Scope and Coverage**

The following structure within the Cainta, are covered by this Ordinance:

- a. All residential structure 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, room 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 family actually live therein and use it principally for dwelling purposes;

- b. Commercial establishments, including, but not limited to, restaurants, convenience stores, hardwares, malls, groceries, markets, carwash, condominiums, motel, 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. Government 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 shall be defined as follows:

- a. **Combined Sewer System** - this is the conveyance of wastewater from the drainage through the interceptor lines going to the Sewerage Treatment Plants;
- b. **DENR** - the Department of Environment and Natural Resources;
- c. **Desludging** - a process of cleaning or removing the accumulated domestic septage from septic tanks;
- d. **DILG** - the Department of the Interior and Local Government;
- e. **DOH** - the Department of Health;
- f. **Drainage** - artificial pipes or conduits provide by the LGU for carrying flood water (no sewage nor wastewater shall pass through drainage systems);
- g. **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 plants, industrial plant, treatment plant, etc.
- h. **Food Establishment** - any structure used to engaged in food business
- i. **EMB** - the Environmental Management Bureau of the DENR;
- j. **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 waste to the surrounding soil or ground water;
- k. **LWAC** - Laguna Water Corporation;
- l. **LLDA** - the Laguna Lake Development Authority;
- m. **LWUA** - Local Water Utilities Administration;
- n. **MWSS** - the Metropolitan Waterworks and Sewerage System (with the two (2) water concessionaire: Manila Water Company Inc. (MWCI) and Mayniland Water Services Inc. (MWSI);
- o. **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
- p. **Septage** - a combination of scum, sludge, and liquid from household septic tanks, thickened and partially treated sewage that is removed from a septic tank;
- q. **Septage Treatment Plant** - a series of structure purely for the process of treating septage in order to comply with DENR effluent standards;

- r. **Septage Management** - 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 Plants (SpTP);
- s. **Septic Tank** - a water-tight receptable 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 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;
- t. **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;
- u. **Sewer or sewer line** - artificial pipes or conduits provided by the water utilities for carrying sewage and wastewater;
- v. **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;
- w. **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;
- x. **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;
- y. **Wastewater Treat Plant** - a series of structure that process the treatment of sewage, mostly from domestic origin, but may include pre-treatment 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
- z. **Water Utilities** - this include MWSS and its water concessionaires, local water district utilities, and other accredited water and wastewater service providers.

## SECTION 5. Principles of Sewerage and Septage Management

The Municipality of Cainta 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.
  - i. All residential structure 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;
  - iii. All governmental and institutional structure 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 structure should have a hygienic septic tank, otherwise, they are required to have a wastewater treatment facility; and
  - iv. Commercial, industrial, governmental, and institutional structure 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 discharged to waterways without any proper treatment;

- d. For sewerred areas, or areas with sewer pipelines, no wastewater other than those from residential structure 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 area; and
- f. All septic tanks must be accessible all times.

**SECTION 6. Proper Sewerage Disposal System Requirements**

All residential, commercial, industrial, institutional and governmental establishments in Cainta 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 establishment that are required to have an operational wastewater treatment facility should comply within one (1) year within the affectivity 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 clearance as may be prescribed by existing laws or as maybe required by the DENR, LLDA, and/or DOH and its instrumentalities.
- b. New structures:
  - i. No building permit shall be issued for residential, commercial, industrial, institutional and governmental structure unless the design of the hygienic septic tank or wastewater treatment facility in the building plan conforms with eixting environmental laws and policies; and
  - ii. No business owner shall be issued new business permit unless he/she has obtained the necessary clearance and permits such as discharge permits and environmental sanitation clearance as may be prescribed by existing laws or as maybe required by the DENR, LLDA, and/or DOH and its instrumentalities.

**SECTION 7. Design of Septic Tanks**

All septic tanks shall be designed to exclude storm water or flow downspouts, and such other requirements and specifications as provided by national standards. The Building official, pursuant to Republic Act No. 6541 otherwise known as the Revised National Plumbing Code, is mandated to ensure that appropriate standard designs of septic tanks shall be enforced in the plan approvals and inspection procedures.

**SECTION 8. Mandatory Desludging of Septic Tanks**

- a. All owners and user of septic tanks shall be required to desludge at least once every five (5) years.
- b. The opening and closing of septic tanks, for desludging purpose, shall only be done with the authority of owner or user and with the assistance of Brgy. Officials/homeowners.
- c. Violation of this provision shall subject the owner and/or user of the septic tanks to the penalties as stipulated in Section 16 of this Ordinance.

**SECTION 9. Regulation on Desludgers**

- a. Only DENR and/or DOH accredited private entities complete with permits shall be allowed to provide septage collection and transport services. Collected septage shall only be disposed and treated in a DENR and/or DOH accredited disposal/treatment facilities with pertinent permits.
- b. Liquid and/or solid material 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 field and the drainage system within the Cainta Municipality.
- c. All entities engaged in dislodging activities are required to secure Permits to Transport from the DENR, Environmental Sanitation Clearance from the DOH, Sanitary Permit from the Cainta Health Department, and other pertinent permits as may be deemed necessary as part of the requirements for issuance of annual business permit from the Cainta.
- d. If there is already an existing water utility in the Municipality, the water utility should also provide wastewater services to its customers.

#### SECTION 10. Institutional Arrangements

The Cainta 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 structure;
- b. **Issuance of Sanitary Permits** - Coordinate with the Municipal Health Office on the issuance of sanitary permits for all septage treatment and collection facilities, and development of a protocol for periodic inspection of such facilities, including but not limited to limited to equipment, training programs, and safety;
- 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 provider 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 development of a protocol for periodic inspection of such facilities, including but not limited to 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- 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. User Fees and Other Funding Options

- a. Fees for desludging and septage treatment for all residential, commercial, industrial, governmental, and institutional structures serviced by water utilities shall be incorporated in the water billing statements;
- b. A user fee for treatment and desludging shall be collected by the private or government operator as provider by the Clean Water Act of 2004, Section 8 and as duly authorized by LWUA or any appropriate government agency after a public hearing for said purpose. This fee shall be paid monthly and shall cover expenses for the desludging of

septic tanks once every five years and operation of the Septage Treatment Facility or any other scheme as provided by law;

- c. For requests of unscheduled treatment and desludging, a special fee will be collected by the private or government operator from the requesting concessionaire;
- d. For households or establishments which are not connected to the water district or private water utility, they shall also be required to desludge their septic tanks and pay the corresponding user fee;
- e. The households or establishments which are not connected to the water district or private water utility, they shall also be required to desludge their septic tanks and pay the corresponding user fee;
- f. Further, the Cainta may pursue funding assistance from both local and foreign sources, either public or private, through mutual agreements subject to existing accounting and auditing rules and regulations.

#### **SECTION 12. Sewer Line Connection/Sewerage Projects**

- a. The Cainta shall provide assistance in securing necessary permit, right of way, EIC, land acquisition to the water utilities in laying down sewer lines within the Municipality;
- b. Only domestic wastewater sources shall connect to existing sewer lines;
- c. Industrial, governmental, institutional, commercial buildings and structure are required to pre-treat all wastewater from their structures to “domestic wastewater quality” in accordance with the requirements set forth in the Philippine Clean Water Act 2004 (RA 9275) and the DAO 2016-08 “Water Quality Guidelines and General Effluent Standards of 2016), before the same is discharged;
- d. Said connection to existing sewer lines shall be subject the sewerage service charges/fees (*if any*) in accordance with existing laws, rules, or egulations as identified by the water utilities.

#### **SECTION 13. Prohibited Acts**

The following acts are prohibited:

- a. Non-compliance with the mandate to build their own septic tanks;
- b. Refusal to desludge as required by this Ordinance;
- c. Refusal of new and existing residential, commercial, industrial, governmental, and institutional facilities to connect to available sewer lines. However, commercial, industrial, governmental, and institutional have their option to construct their own treatment facility;
- d. Dumping septage and untreated wastewater to drainages, canal, rivers, and other natural and artificial waterways and other open areas;
- e. Desludging and transporting of septage without the necessary permits and accreditation from the authorized permitting agencies; and
- f. Hiring/ availing the services of illegal/ non-accredited desludge, transporter by any person or establishment to desludge septic tanks or dispose of their wastewater.

#### **SECTION 14. Monitoring and Evaluation**

The Municipal Building Official, in coordination with the Municipal Health Officer, the Municipal Environment and Natural Resources Officer, Municipal Business Processing 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, LLDA and/or DOH.

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 and the Barangay. Once a resident is included in the list of violator, this could be a ground for the barangay's refusal to issue a barangay clearance.

#### **SECTION 15. Penalties**

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

- a. For Residential Homeowners (*Municipalities*)
  - i. First Offense - Fine of 1,000.00 and the Issuance of a Notice of Violation
  - ii. Second Offense - Fine of 1,750.00 and Mandatory Environment Related Community Service
  - iii. Third Offense - Fine 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 (*Municipalities*)
  - i. First Offense - Fine of P1,500.00 and the Issuance of a Notice of Violation
  - ii. Second Offense - Fine of P2,500.00 and the Issuance of a Cease and Desist Order
  - iii. Revocation of business permits
- c. For Residential Homeowners (Cities)
  - i. First Offense - Fine of P1,500.00 and the Issuance of a Notice of Violation
  - ii. Second Offense - Fine of P2,500.00 and Mandatory Environmental Related Community Service
  - iii. Third Offense - Fine of P5,000.00 and Non-Issuance of Barangay Clearance
  - iv. Succeeding Offense - Fine of P5,000.00, Environmental Related Community Service, and continued refusal to issue Barangay Clearance until the owner and/or user complies with the provision of this Ordinance
- d. For Business Owners (Cities)
  - i. First Offense - Fine of P2,500.00 and the Issuance of a Notice of Violation
  - ii. Second Offense - Fine of P5,000.00 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 16. Separability Clause**

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

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

Previous ordinances or provisions thereof, inconsistent or contrary to the provisions of this ordinance are hereby repealed, amended or modified accordingly.

#### **SECTION 18. Effectivity**

This Ordinance shall take effect upon approval and proper publication.

Let copies of this Ordinance be furnished all concerned offices for their information, guidance and implementation.

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I HEREBY CERTIFY to the correctness of the foregoing Ordinance which was duly enacted by the Sangguniang Bayan during its Regular Session held on June 19, 2017.

**BLARDONI C. MALLARI**  
*Secretary to the Sanggunian*

APPROVED BY THE SB MEMBERS:

**Hon. LINCOLN M. FELIX**

**Hon. ALLAN G. TAJUNA**

**Hon. SITTI RUAINA K. FERRIOLS**

**Hon. MARIA CHARIS KAY S. ILAGAN**

**Hon. BUTCH G. TOLENTINO**

**Hon. ACE B. SERVILLON**

**Hon. GILBERT L. IGTIBEN**

**Hon. EDWIN F. CRUZ**

**Hon. JESUS J. SANTOS**

ATTESTED:

**Hon. SOFIA SCHUCK-VELASCO**  
Vice Mayor and SB Presiding Officer

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APPROVED:

**J. KEITH P. NIETO**  
*Mayor*