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ORDINANCE NO. SP-1418 S-2004

AN ORDINANCE REGULATING, EVALUATING AND MONITORING THE OPERATIONS OF WATER REFILLING STATIONS (WRS), MOBILE WATER TANKER (MWT) AND WATER RETAILERS (WR) WITHIN QUEZON CITY, AND REQUIRING TO SUBMIT FOR INSPECTION AND WATER SAMPLING BY THE LOCAL HEALTH AUTHORITY AND PROVIDING PENALTIES FOR VIOLATION THEREOF

Introduced by Councilors ANTONIO B. INFANTE JR., RESTITUTO B. MALANGEN, DANTE M. DE GUZMAN, JORGE L. PANAL, RONNIE P. ABESAMIS, MARY ANN L. SUSANO, RAMON D. MEDALLA, ERIC Z. MEDINA, MAURICE G. MOFFEDO L. LIBAN III, RICARDO R. DEL ROSARIO, MILO MELLENDEZ, GIORELLA MARIA SOTTA DE LEON, WILMA AMORANTO-SARINO, NYRUEL L. LACAT, JUNIE MARIE L. CASTELO, VINCENT P. CRISOLOGO, JULIAN MIL. COSETENG, JESUS MANUEL C. SULTAN and MAINA MONTILLA.

WHEREAS, under Republic Act 7160, otherwise known as the Local Government Code of 1991, the sangguniang panlungsod, as a legislative body of the city, shall enact ordinances that will ensure and support among other things, promote general welfare, health and safety of their constituents.

WHEREAS, on June 25, 1999, the Supplemental Implementing Rules and Regulations (SIRR) of Chapter II, "Water Supply" of the Code on Sanitation of Philippines (P.D. 856) was promulgated with a primary objective of regulating and monitoring the operations of WRS, MWT and WR. As stipulated on various sections of the SIRR specifically Sections 3.1.3, 3.4.2c, 4.1.3c, 5.1.1, 9.1.5 and 10.2, there is a need to provide an ordinance that will set regulatory fees on different services and certifications.

WHEREAS, with the large growing numbers of water refilling stations, water retailer and mobile water tankers there is a need to monitor such business operation to promote and protect the consumers against waterborne diseases and illegitimate operations.

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WHEREAS, to ensure safe, high quality and potable drinking water being produced/processed and distributed within Quezon City, there is a need to provide an effective water regulatory system.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY IN SESSION ASSEMBLED:

SECTION 1. All WRS, MWT and WR shall submit to the Quezon City Health Department or its duly authorized representative for inspection, water sampling and monitoring.

SECTION 2. All WRS, MWT and WR shall secure the necessary sanitary permit to operate.

SECTION 3. All persons employed in any WRS, MWT and WR shall secure health certificate issued by the City Health Officer.

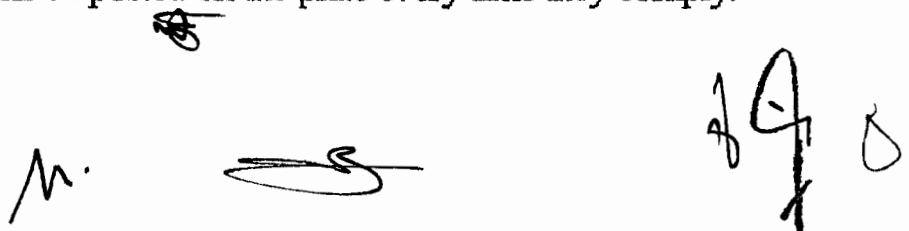
SECTION 4. All WRS are required to submit their product water for analysis by a DOH-accredited water laboratory that will ascertain that water is properly processed. Modes of testing are monthly and bi-annually (every six months) for bacteriological examination and physical and chemical examination respectively.

SECTION 5. It is unlawful for WRS to conduct other businesses/services or to allow to display or store other items (lotto station, laundry, phone/prepaid cards, etc.) in the establishment other than WRS materials.

SECTION 6. All water refilling stations are required to submit an approved plans and specifications (blue printed) duly signed and sealed by a privately practicing Sanitary Engineer to see to it that there are no cross-connection whatsoever and if they religiously comply with their plans and specification.

SECTION 7. All MWT and WR shall be subjected to chlorine residual test and coliform screening.

SECTION 8. All WRS, MWT and WR are mandated to post in their respective establishments the monthly monitoring compliance plate. Sticker bearing their compliance shall be posted on the plate every time they comply.

The bottom of the page features several handwritten signatures and initials. On the left, there is a signature that appears to be 'M.'. In the center, there is a signature that looks like 'S.'. On the right, there is a larger, more complex signature that could be interpreted as 'J.G.' or similar, followed by a small circle.

SECTION 9. Regulatory Fees. To sustain the implementation of this Ordinance, the following regulatory fees shall be promulgated:

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| Drinking Water Site Clearance | P100.00 |
| Certificate of Potability of Drinking Water | P 30.00 |
| Sanitary Permit Application | P 20.00 |
| Sanitary Clearance | P 50.00 |
| Health Certificate | P 50.00 |
| Sanitation and Inspection Fee | P150.00 |
| Monitoring Plate | P300.00 |
| Screening Fee (Chlorine Residual Test and Coliform Screening) | P 50.00 |
| Sticker Fee | P 20.00 |

SECTION 10. Penalty Clause. Any person found guilty of violating any provision of this ordinance or failure or refusal on the part of the WRS, MWT and WR to submit their water for testing and screening required herein or unfavorable analysis result thereon, the following graduated penalties are imposed.

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| A.) | |
| First Offense | One Thousand Pesos (P1,000.00) Plus Temporary Closure |
| Second Offense | Three Thousand Pesos (P3,000.00) Plus Temporary Closure |
| Third Offense | Five Thousand Pesos (P5,000.00) Cancellation of Business/ Mayor's Permit |

B.) If the violation is committed by a firm, corporation, partnership, or other juridical entity, the manager, managing partner or director or person in-charge of such firm, corporation, partnership or juridical entity shall be held liable therefor.

C.) Establishments found guilty shall only resume business operations upon payment of penalty and when subsequent water sampling testing showed favorable results.

D.) The Mobile Water Tanker used for water delivery shall be impounded, until compliance to this ordinance shall have been complied with.

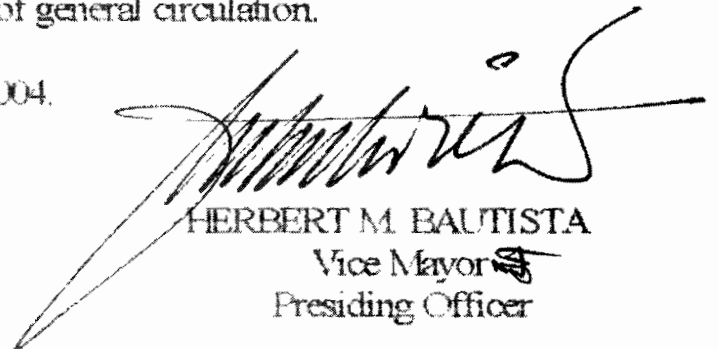
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SECTION 11. The Chief Executive and/or City Mayor shall promulgate the rules and regulations necessary to effectively enforce the provisions of this ordinance.

SECTION 12. Separability Clause - If any portion of this ordinance is declared invalid, the remainder of this ordinance which are not be affected by such declaration shall remain valid and enforceable


SECTION 13. Effectivity. - This ordinance shall take effect thirty (30) days after its publication in a newspaper of general circulation.

ENACTED: February 17, 2004.



HERBERT M. BAUTISTA
Vice Mayor
Presiding Officer

ATTESTED:



EUGENIO V. JURILLA
City Council Secretary


APPROVED: _____



FELICIANO R. BELMONTE, JR.
City Mayor

CERTIFICATION

This is to certify that this Ordinance which was APPROVED on Second Reading on February 17, 2004, was finally PASSED on Third/Final Reading by the City Council on February 24, 2004.



EUGENIO V. JURILLA
City Council Secretary

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