



Republic of the Philippines
Province of Ilocos Norte
MUNICIPALITY OF SAN NICOLAS

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE THIRD REGULAR SESSION OF THE 11TH
SANGGUNIANG BAYAN OF THE MUNICIPALITY OF SAN NICOLAS, ILOCOS NORTE HELD
AT THE MUNICIPAL SESSION HALL ON THE 16TH DAY OF MAY, 2022
AT 10:50 O'CLOCK IN THE MORNING.

PRESENT:

Hon. Edistio P. Valdez	Vice-Mayor/Presiding Officer;
Hon. Angel Miguel L. Hernando	Member;
Hon. Moera Joy N. Galing-Luna	Member;
Hon. Joseph Lister B. Butay	Member;
Hon. Norberto D. Dadiz, Sr.	Member;
Hon. Erico R. Ruiz, Jr.	Member;
Hon. Luciano R. Caraang	Member;
Hon. Jessie Julito P. Pumaras, Sr.	Member;
Hon. Juanito P. Ulep, Jr.	Member/Liga ng mga Barangay President;
Hon. Inno Ma. Angelo Paulo O. Hernando	Member/PPSK President.

ABSENT:

None.

“MUNICIPAL ORDINANCE NO. 2022-15

AN ORDINANCE ESTABLISHING A PROPER SEWAGE TREATMENT AND SEPTAGE MANAGEMENT SYSTEM IN THE MUNICIPALITY OF SAN NICOLAS, ILOCOS NORTE AND PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF

Be it ordained by the Sangguniang Bayan of San Nicolas, Ilocos Norte in session duly assembled:

SECTION 1. Title. This Ordinance shall be called the “*Sewage and Septage Ordinance of San Nicolas, Ilocos Norte*”.

SECTION 2. Declaration of Policy. It is the policy of the Municipality of *San Nicolas, Ilocos Norte* to share in the responsibility on the management and improvement of water quality within its territorial jurisdiction. To meet these objectives, the Municipality shall implement measures to prevent and control water pollution to promote health and ensure a balanced ecology.

SECTION 3. Scope and Application. The following structures within the Municipality of *San Nicolas, Ilocos Norte* are covered by this Ordinance:

- 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 bedspaces 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.;

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- 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.

SECTION 4. Definition of Terms. For the purpose of this Ordinance, the following terms shall be defined as follows:

- a. **Combined Drainage System** – this is the conveyance of wastewater from the drainage through the interceptor lines going to the Sewage 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 provided 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 plant, industrial plant, treatment plant, etc.
- h. **Food Establishment** – any structure used to engage 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 wastes to the surrounding soil or ground water;
- k. **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.
- l. **Septage** – a combination of scum, sludge, and liquid from household septic tanks, thickened and partially treated sewage that is removed from a septic tank;
- m. **Septage Treatment Plant** – a series of structure purely for the process of treating septage in order to comply with DENR effluent standards;
- n. **Septage Management** – also known as “desludging” 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 Plant (SpTP);
- o. **Septic Tank** – a water-tight receptacle 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;

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- p. **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;
- q. **Sewer or sewer lines** – artificial pipes or conduits provided by the water utilities for carrying sewage and wastewater;
- r. **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;
- s. **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.
- t. **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;
- u. **Wastewater Treatment Plant** – a series of structure that processes the treatment of sewage, mostly from domestic origin, but may include pre-treated 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
- v. **Water Utilities** – this include water concessionaires, local water utilities, and other accredited water and wastewater services providers.

SECTION 5. Principles of Sewerage and Septage Management. The Municipality of San Nicolas, shall abide by the following sewerage and septage management principles:

- a. Untreated excreta and waste water from residential, 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 structures 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 and/or DOH*;
 - iii. All governmental and institutional structures shall have hygienic septic tanks or wastewater treatment facilities based on the number of individuals regularly occupying the structure to be determined by the MENRO, MEO, MHO. If there are 212 occupants or less, these structures should have a hygienic septic tank, otherwise, they are required to have a wastewater treatment facility; and
 - iv. Commercial, industrial, governmental, and institutional structures 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 be discharged to waterways without any proper treatment;
- d. For sewered areas, or areas with sewer pipelines, no wastewater other than those from residential structures 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;

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- 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 areas; and
- f. All septic tanks must be accessible at all times.

SECTION 6. Proper Sewage Disposal System Requirements

All residential, commercial, industrial, institutional, and governmental establishments in LGU San Nicolas, Ilocos Norte 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 five (5) 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 from the effectivity of this Ordinance; and
 - iii. No business owner shall be issued a renewed business permit unless he/she has complied with the aforementioned conditions.
- 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

SECTION 7. Design of Septic Tanks

All septic tanks shall be designed to exclude storm water or flow from 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 National Building Code of the Philippines, is mandated to ensure that appropriate standard designs of septic tanks shall be enforced in the plan approvals and inspection procedures.

Strict compliance on the design of the septic tank shall be focused on new structures for the first five (5) years of this ordinance.

SECTION 8. Mandatory Desludging of Septic Tanks

- a. All owners and users of septic tanks shall be required to desludge once every five (5) years or as the need arises.
- b. The opening of septic tanks, for desludging purposes, shall only be done with the consent of the owner or user.
- c. Actual desludging must be done only by a desludging company duly accredited by the DOH and/or DENR-EMB.
- d. Violation of this provision shall subject the owner and/or user of the septic tank to the penalties as stipulated in Section 14 of this Ordinance.

SECTION 9. Regulation on Desludgers

- a. Only DENR and/or DOH accredited 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 facility with pertinent permits.
- b. Liquid and/or solid materials 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 fields and the drainage system within the Municipality of San Nicolas, Ilocos Norte.
- c. All entities engaged in desludging activities are required to secure Permit from the DENR, Environmental Sanitation Clearance from the DOH, sanitary Permit from the Municipal Health Department, and other pertinent permits as may be deemed necessary as part of the requirements for issuance of annual business permit from the Municipality.

SECTION 10. Institutional Arrangements

The 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 structures.;
- b. **Maintenance of Database** – Coordinate with the Municipal Health Office in the formation and maintenance of a robust database of the list of all homeowners with hygienic septic tanks and with the Municipal Business Permit and Licensing Office for the database of all business establishments with adequate wastewater treatment facilities.;
- 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 providers 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 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.;
- f. **Information, Education, Communication** – Coordinate with the Municipal Environment and Natural Resources Office, Engineering and Municipal Health Office 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. Assessment of desludging fees must be based on the volume of waste collected.





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- b. Fees for desludging and septage treatment for all residential, commercial, industrial, governmental, and institutional structures serviced by water utilities may be incorporated in the water billing statements at the option of the owner.

Fees increase or additional charges to be imposed by the SNWD will be evaluated and approved by LWUA and the LGU.

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

- a. The LGU San Nicolas, Ilocos Norte shall provide assistance in securing necessary permits, right of way, IEC, land acquisition to the water utilities in laying down sewer lines within the City/Municipality.
- b. Only domestic wastewater sources shall connect to existing sewer lines.
- c. Commercial buildings and structures 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 of 2004 (RA 9275), before the same is discharged.
- d. Said connection to existing sewer lines shall be subject to sewerage service charges/fees(*if any*) in accordance with existing laws, rules, or regulations as identified by the water utilities.

SECTION 13. *Prohibited Acts.*

The following acts are prohibited:

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

SECTION 14. *Agency incharge in the implementation and monitoring of this ordinance.*

The San Nicolas Water district as mandated by PD No. 198 otherwise known as Provincial Water Utilities Act shall be in charge in the operation and management of wastewater treatment facility and/or desludging services in coordination with the Municipal Building Official, the Municipal Health Officer, the Municipal Environment and Natural Resources Officer, Municipal Business Permit and Licensing Officer (BPLO) or their equivalent.

SECTION 15. *Penalties.* Any owner or user of residential, commercial, industrial, governmental, and institutional structures that fail to comply with the provisions of this Ordinance shall incur the following fines and penalties for every violation:

- a. For Residential Homeowners
 - i. First Offense – Fine of P1,000.00 and the Issuance of a Notice of Violation
 - ii. Second Offense – Fine of P1,750.00 and Mandatory Environment Related Community Service
 - iii. Third Offense – Fine of P2,500.00 and Non-Issuance of Barangay Clearance

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- iv. Succeeding Offenses – Fine of 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
 - 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

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 parts or provisions not otherwise affected shall remain in full force and effect.

SECTION 17. Repealing Clause. All other ordinances, or provisions thereof, inconsistent herewith are hereby repealed.

SECTION 18. Effectivity. This Ordinance shall take effect after completion of this facilities.

UNANIMOUSLY APPROVED.”

Voting on the foregoing ordinance was as follows:

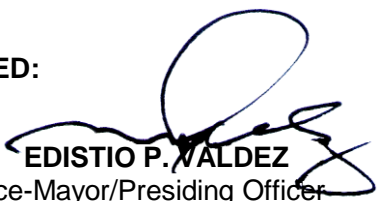
- AYES : Members Hernando, A., Galing-Luna, Butay, Dadiz, Sr., Ruiz, Jr., Caraang, Pumaras, Sr., Ulep, Jr. and Hernando, I.
- NAYS : None.
- ABSTAINED : None.

I hereby certify to the correctness of the foregoing ordinance.



ENRIQUE P. ULEP, JR.
Secretary to the Sangguniang Bayan I

ATTESTED:



EDISTIO P. VALDEZ
Vice-Mayor/Presiding Officer

APPROVED:



ALFREDO P. VALDEZ, JR., M.D.
Municipal Mayor

Approved on: May 27, 2022