

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City

SIXTEENTH CONGRESS
First Regular Session



House Bill No. 2574

Introduced by REPRESENTATIVE ERIC L. OLIVAREZ

EXPLANATORY NOTE

The necessity of public parks in a city is quite great and even more so in a country like the Philippines. Where majority of our citizens have to live with an uptight budget and cannot in fact afford a very high-end lifestyle, the availability of free recreational facilities are, to say the least, already a big help in ensuring that there people live a simple yet happy life.

Public parks serve as a great place for people, especially the poor, to do their respective leisurely activities. Students may utilize the free space for extracurricular activities like dance or drama practices; our elders will have a reason to wake up early in the morning to do some walking exercises; it can be a place where people meet, socialize, play and have fun; or a good place to rest, ponder, or express their artistic side during their own free time. Public parks may also serve as a venue to gather people for important social, commercial and political events.

Since public parks are meant for all - rich and poor, children and adults, men and women alike - without any distinction or discrimination, it fosters a democratic influence and somehow promotes equality.

Furthermore, when people of the same interests, hobbies or talents converge in one place, a sense of belonging is immediately created and more likely than not, these formed groups will lead to the further betterment of each other's craft. In other words, a public park may encourage the unison of random people sharing the same passion. In effect, public parks afford people a great opportunity to cultivate talents, friendship and harmony in the society.

Ours is a nation with people whose primary objective is to survive each day and ensure that there is food on their plate. In other words, our people barely have enough time and reason to relax, enjoy and do other things that can in fact help them develop their potential.

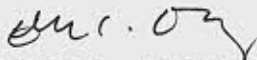
We may not realize it but encouraging our hardworking people to spend some time alone or with their families even for just a couple of hours in a week to do whatever that they enjoy will help them develop a sense of balance in life. Aside from this, allowing them to gather and socialize, or to express and hone their hobbies or talents, undeniably leads to their individual development and well-roundedness.

Having citizens who are well-rested, content, fulfilled, and with a high sense of self-worth inevitably contributes to the nation's development as a whole. And public parks, no matter how indirectly, provides a venue for this ideal goal.

However, this very significant potential role of public parks in the promotion of social and national development will be defeated if these parks are not easily accessible to the public. It is usually a

disincentive for the people to go to, much less frequent these free places, no matter how beautiful and great the parks are, if it would mean that they would have to travel for several minutes or hours and spend so much for transportation costs. Hence, equally vital and important is to have parks which are nearby and easily accessible to residents.

This is where the importance of establishing at least one public park in every city comes into play and it is for this reason that the approval of this bill is strongly recommended.


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**AN ACT PROVIDING AT LEAST ONE PUBLIC PARK
IN EVERY CITY**

SECTION 1. *Short Title.* This Act shall be known as the “City Park Act of 2013.”

SECTION 2. *Declaration of Policy.* It is the policy of the state to provide the public an accessible venue or forum where they can enjoy, gather, socialize and do other recreational activities that will foster individual development, friendship and group harmony amongst one another.

SECTION 3. *Establishment of One Park in Each City.* Every city government is hereby mandated to provide and maintain a secured and safe leisure park accessible to the public for free.

Each city park shall be open to the public for at least eight (8) hours a day, seven days a week, but in no case shall be accessible to the public beyond twelve o'clock (12:00) midnight.

SITE REQUIREMENTS

SECTION 4. *Ocular inspection and Site Visit.* Before selecting or acquiring a site where the public city park shall be erected, the City Mayor and *The Engineering Office* of the city shall conduct an ocular inspection of the site and ensure that as much as practicable, that the potential park site is located on the central part or heart of the city.

SECTION 5. *Site and Plans to be Approved by the DPWH.* A building shall not be acquired or erected for use as a public park until the site is selected and evaluated in accordance with the regulations prescribed by the Department of Public Works and Highways (DPWH) and the plans therefor are approved by the same.

SECTION 6. *Ocular Inspection and Site Visit.* The park site shall be selected and evaluated in accordance with the regulations prescribed by the DPWH and the plans therefor shall be approved by the same.

OFFICIAL PLAN

SECTION 8. *Official Plan Must Be Certified.* For the purposes of this section, "official plan" means a plan that is certified by the Regional Director of the DPWH to be as such.

SECTION 9. *Copies of the Official Plan.* The official plan shall be submitted to the DPWH. One copy thereof shall be deposited in the office of the City Mayor, and another one shall always be kept in the Administration Office of the public city park.

SECTION 10. *Public Inspection.* Copies of official plans must be available for public inspection during regular business hours, and a person may obtain a copy of an official plan on payment of a fee prescribed by the local government unit or the Administration Committee maintaining the public park.

SECTION 11. *Eminent Domain.* For the purpose of erecting, developing, widening or relocating the city park as the case may be, any private lands, properties, highways and/or roads may be acquired by the local government unit concerned for the purpose of doing all work necessary to the functional operation of the city park, provided that due compensation shall be made to the owners thereof.

SECTION 12. *Widening and/or Relocating the City Park.* The local government unit may widen, relocate or otherwise alter the boundaries of the city park upon a reasonable finding that the same is necessary either due to over-crowdedness (for widening) or due to the increasing crime rate in the area (for relocation) or for whatever other ground or basis the local government unit deems reasonable and proper.

UTILITIES

SECTION 13. *Water system.* The *sanggunian* of a city may enter into an agreement with any municipality or person, natural or juridical, owning or operating a waterworks system for the supply of water for the city public park.

SECTION 11. *Sewerage System.* The *sanggunian* of a city may enter into an agreement with a private entity (i.e. corporation) or with any city or municipality for connecting the city public park with the sewerage system of such city or municipality.

SECTION 12. *Electricity.* The *sanggunian* of a city may enter into an agreement with any person for the supply of electricity for light, heat or power purposes at the city public park.

FACILITIES

SECTION 13. *Playground and/or Children-Friendly Facilities.* The city public park must have a portion where a playground or any children-friendly facility is to be erected for the use of toddlers and children. These facilities shall likewise be open to the public free of charge.

SECTION 14. *Environmental-Friendly Facilities.* The city public park must as much as practicable, adopt and/or use environmental-friendly facilities, equipment and/or system in the operation of the said public park.

SECTION 15. *Garbage Disposal.* The respective administration offices of the city parks must adopt and implement a garbage segregation scheme that must be maintained at all times.

STAFFING

SECTION 16. *Administration Committee.* The *City Mayor* shall appoint members of City Park Administration Committee who shall manage the operation of the city public park. A City Park Administration Committee shall consist of five (5) members;

SECTION 17. *Executive Director.* The Administration Committee shall elect from among its members an Executive Director of the City Park who shall act as its Chairman be responsible for the general supervision and management of the city park, and who shall have the power to prescribe regulations to be observed by the public subject to the approval of the Administration Committee.

SECTION 18. *Park Officers.* The Administration Committee may hire as many park officers as it deems necessary to ensure that the rules and policies of the public park are being maintained or followed. These park officers shall assist the public visiting the city park and shall handle their needs, inquiries and/or immediate grievances. These park officers shall be delegated or assigned post in strategic stations within the premises of the park. They shall likewise performs other functions as may be delegated by the Administration Committee.

The number of park officers that may be hired by the administration committee shall depend on the area size of the park and the number of people who regularly visit the same.

SECTION 19. *Administrative Staff.* The Administration Committee may hire as many administrative staff or personnel as it deems necessary for the efficient operation of the public park who shall be responsible for the paper works of the Administration Office. The committee may delegate additional clerical tasks to the

administrative staff which should always be necessary and desirable to the operation of the public park.

SECTION 20. *Maintenance and Utility.* The Administration Committee may hire as many maintenance and utility personnel as it deems necessary for the up-keep of the cleanliness of the public park.

SECTION 21. *Security.* The Administration Committee may hire as many watchmen as it deems necessary for the effective guarding of the public park day and night. Provided, that at least one guard per work shift shall be assigned or posted at the Entrance gate of the public park and at least one guard per work shift shall be designated as a roving guard who shall maintain the peace and order within the premises of the public park and shall ensure the safety of the visiting public.

LEASE PERMITS

SECTION 22. *Grant of Building Lease within the Premises of the Park.* The Executive Director may in his discretion, and with the approval of the *Administration Committee*, grant leases for building purposes for terms not exceeding ten (10) years, of small parcels of ground, at such places in said park as shall require the erection of buildings for the accommodation of the visiting public;

SECTION 23. *Grant of Other Commercial Leases.* The Executive Director may grant a permit authorizing a person or organization to sell merchandise, to advertise, or to otherwise engage in service-type of business within the premises of the public park for a reasonable fee. Provided that the merchandise, advertisement or service to be provided to the public within the

premises of the park are of wholesome nature and are suitable or safe for the visiting children to see or witness.

CHARGES ALLOWED AGAINST THE VISITING PUBLIC

SECTION 24. *Collection of Entrance Fees Prohibited.* No entrance fee shall be charged against or collected from any person before he or she can be allowed access to the park.

SECTION 25. *Fees and Charges Allowed.* With the prior approval of the *Administration Committee*, the Executive Director may make regulations prescribing a fee, rate or charge payable by the visitors of the said park for the following:

- (a) The exclusive use of a portion of the park.
- (b) The holding of a private event in any portion of the park.
- (c) Penalties and fines to be prescribed by the Executive Director, for the violation of any regulation being implemented within the premises of the park, provided that these regulations are made known and available to the public upon entering the public park.

In light of this, the administration committee may post the said rules and regulations in a bulletin board placed in conspicuous places in the park or it may opt to distribute printed handouts to every visitor thereof.

However, an offending visitor must be given warning first by any park officer or security personnel of the public park. A second attempt of disobedience or defiance, whether intentional or not, shall entail the imposition of the respective penalty and/or fine.

PROHIBITIONS

SECTION 26. *Sleeping.* No person shall enter, or be allowed to enter the public park after the operating hours of the same. In addition, sleeping in the premises of the park after its operating hours shall likewise be prohibited.

SECTION 27. *Squatting and/or any Private Construction.* No person shall be allowed to establish a make-shift dwelling within the premises of the public park. A person must not construct, install, erect or place any structure, improvement or work of any nature in the said park except as otherwise authorized under this Act, by virtue of a valid permit issued by the Executive Director.

SECTION 28. *Dumping.* Transporting or depositing any garbage, refuse, domestic and/or industrial waste, through, over, in or on any park is prohibited.

SECTION 29. *Rights and interest vested in government.* As a general rule, every right, title and interest in any structure,

improvement or installation in the public park belongs to the local government unit except as otherwise provided by a park use permit or resource use permit.

SECTION 30. *No private rights except by permit.* A person or party must not be permitted to acquire any property right in the city park except under a valid permit as issued by the Executive Director and as provided for in this Act.

OFFENSES AND PENALTIES

SECTION 31. *General Penalty.* A person who contravenes any provision of this Act is liable to a fine of up to P10,000.00 or a term of imprisonment of not more than one year or both at the discretion of the court.

SECTION 32. *Continuing offense.* When a contravention of the Act or the regulations prescribed by the director continues for more than one day, the person is guilty of a separate offence for each day on which the contravention continues.

SECTION 33. *Implementing Rules and Regulations.* The DPWH in coordination with the DILG and Local Government Units shall promulgate the implementing rules and regulations for the effective and immediate implementation of this Act.

SECTION 34. *Repealing Clause.* All laws, decrees, executive orders, letters of instructions, rules and regulations or parts thereof, which are inconsistent with this Act are hereby repealed, amended or modified accordingly.

SECTION 35. *Separability Clause.* If any provision of this Act is judicially declared invalid or unconstitutional, the remaining provisions of this Act not affected thereby shall be continue to be in full force and effect.

SECTION 36. *Effectivity Clause.* This act shall take effect fifteen (15) days following its publication in two (2) newspapers of general circulation.

APPROVED,