



Sixteenth Congress
Second Regular Session

HOUSE BILL NO. 5038

Introduced by Honorable Rosenda Ann Ocampo

EXPLANATORY NOTE

This bill seeks to require subdivision and condominium owners and developers to provide rainwater wells and collectors in their subdivision or condominium projects as part of flood mitigation measure.

Being a tropical country, the Philippines frequently experiences typhoons and monsoon rains that bring heavy rainfalls. These heavy rainfalls, coupled with the devastating effects of climate change, result to loss of lives and damage to properties.

Natural calamities and freak weather phenomenon cannot be prevented. But there are creative and effective ways to minimize the effects caused by typhoons and monsoon rains. One way is to provide for a rainwater wells and collectors that will harvest, collect and store rainwater to prevent its direct discharge to drainages or sewers to mitigate, if not prevent, flooding in low-lying areas.

The government encourages the participation of the private sector in its effort to implement and find new ways to control floods. This bill therefore requires subdivision and condominium owners and developers to provide rainwater wells and collectors in their subdivision or condominium projects.

In view of the foregoing, approval of this bill is earnestly recommended.


ROSENDA ANN OCAMPO

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AN ACT
REQUIRING SUBDIVISION AND CONDOMINIUM OWNERS AND
DEVELOPERS TO PROVIDE RAINWATER WELLS AND COLLECTORS
IN THEIR SUBDIVISION OR CONDOMINIUM PROJECTS AS PART OF
FLOOD MITIGATION MEASURE

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

SECTION 1. All subdivision and condominium owners and developers are hereby required to provide rainwater wells and collectors in their subdivision or condominium projects as part of flood mitigation measure.

For purposes of this Act, *rainwater wells and collectors* refer to structures or receptacles that will harvest, collect and store rainwater and prevent the direct discharge of rainwater to drainages or sewers which causes flooding in low-lying areas.

SEC. 2. Subdivision and condominium owners and developers shall not be issued licenses, permits, clearances and other documents by government offices or government regulatory agencies if their subdivision or condominium plans have no provision for rainwater wells and collectors. The same license or permit shall

1 not be renewed if the subdivision or condominium owners and developers fail to
2 construct the rainwater wells and collectors in violation of this Act.

3 SEC. 3. Failure on the part of the owner or developer of subdivision or
4 condominium project to construct the rainwater wells and collectors shall be
5 punishable with a fine of five hundred thousand pesos (P500,000.00) but not more
6 than two million pesos (P2,000,000.00) or imprisonment of not less than six (6)
7 months but not more than one (1) year, or both, at the discretion of the court.

8 In the case of a partnership, association, corporation or any juridical person,
9 the fine shall be imposed upon the president, treasurer or any other officer or
10 person responsible for the violation.

11 If the offender is a foreigner, the offender shall be deported immediately
12 without further proceedings in the Bureau of Immigration after the service of
13 sentence.

14 Government officials, employees and agents who shall approve the issuance
15 of licenses or permits in violation of this Act shall suffer the penalty of suspension
16 of not less than ten (10) days but not more than thirty (30) days after due notice
17 and hearing in the appropriate administrative proceedings.

18 SEC. 4. Within sixty (60) days from the effectivity of this Act, the
19 Secretary of Public Works and Highways shall, in coordination with the Secretary
20 of the Interior and Local Government and the Chief Executive Officer of the
21 Housing and Land Use Regulatory Board, promulgate the necessary rules and

1 regulations for the effective implementation of this Act.

2 SEC. 5. All laws, orders, rules and regulations, and other issuances
3 inconsistent with the provisions of this Act are repealed, amended or modified
4 accordingly.

5 SEC. 6. This Act shall take effect fifteen (15) days after its publication in
6 the *Official Gazette* or in a newspaper of general circulation.

7 Approved,