

SIXTEENTH CONGRESS
Third Regular Session



Introduced by Honorable Kimi S. Cojuangco

"Storms carrying winds of at least 300 kph, like Super-typhoon Yolanda (international name: Haiyan), are likely to be the norm for the Philippines as a result of climate change."^[1]

This was the findings of a panel of climate experts which was submitted to the United Nations. Thus, the experience the country had under Super-typhoon "Yolanda" would be a recurring event and not a once-in-a-lifetime experience. Such could be the norm for our country in the future. ^[1]

According to the World Meteorological Organization (WMO), a specialized UN agency, Yolanda was not an act of nature but a result of “human-induced climate change.” [1]

In a 2013 statement, the WMO reported that it saw heavier precipitation, more intense heat and more damage from storm surges and coastal flooding as a result of sea level rise—as Typhoon Haiyan so tragically demonstrated in the Philippines. ^[1]

The report further stressed that developing countries, like the Philippines, that are exposed to extreme weather events face a “grim” future unless they are equipped with the tools needed to deal with climate change’s disastrous effects. [1]

Our country endures more than twenty (20) major storms a year ^[1]. Super-typhoon “Yolanda” was the most destructive on record ^[1]. With its 275-kilometer-per-hour winds, it was the strongest typhoon ever to hit the country ^[2], turning all towns and cities in its path into an utter wasteland.

Our experience with "Yolanda" has shown that equally, if not more dangerous than wind and flying debris, is the water element. Typhoon Yolanda sent solid walls of water, two stories high, that swept thousands of victims out to the sea. The intense rain, on the one hand, caused massive

flooding as water came from all directions. Shelters, even in traditional safer grounds, were inadequate because of the high water. Basements, which supposedly keep people safe from the extreme winds, were submerged with water, forcing residents to evacuate. Those affected had to make a difficult choice between being drowned and being battered by debris. As a result, 6,300 of our countrymen had perished, 1,061 remained missing or unaccounted for, 28,689 suffered injuries and 1,473, 251 families were adversely affected.

It seems that no nation today has more to fear from its climate than the Philippines.^[4] We are an archipelago of more than 7,000 islands scattered at the end of the Pacific Ocean. By its length, its many islands, and its moving ocean currents, the weather can change considerably from island to island, even from the exposed windward side to the more protected leeward side of any island.^[3]

Our country also sits astride shifting tectonic plates that have spawned 13 magnitude-6.0 or higher earthquakes since 2001. The magnitude-7.2 quake that struck the provinces of Bohol and Cebu just a few weeks before "Yolanda" caused buildings and massive churches to crumble, killing 222 people.^[4]

Since 2002, the Philippines has recorded more than 200 natural disasters. The storms are becoming more frequent and more intense. "Yolanda" came 10 days after the traditional end of the typhoon season and it was the second Category 5 (winds in excess of 150 miles an hour) to hit the Philippines in the last 11 months^[4] since Typhoon "Pablo" (international name: Bopha) cut a swath through Central Mindanao. Typhoon "Ruby" (international name: Hagupit), the most intense tropical cyclone of 2014, started as a tropical storm on December 1 and then became a typhoon the next day. It explosively intensified into a Category 5 super typhoon on December 4 and, then, subsequently began to weaken before making landfall in Dolores, Eastern Samar as a Category 3 typhoon.^[10] Typhoon "Lando" (international name: Koppu) was the worst typhoon to hit the country this year, in terms of sheer strength and scope of destruction. It approached the Philippines as a Category 5-comparable in strength to Yolanda-but weakened into a Category 3 upon landfall. Although it continued to weaken as it marched across Luzon, it lingered on land for almost a week, pouring intense rain and wreaking havoc across Luzon for days on end.^[11] At least 35 people have been killed and nearly a million people have been affected by the onslaught of Typhoon "Lando." The damage to agriculture and infrastructure was estimated at P6.57 billion, with agriculture suffering the biggest loss.^[12]

Our experience with all the typhoons that have ravaged this country, most especially with super-typhoon "Yolanda", is a wake up call to sound the clarion for more effective damage mitigating measures. More than the improved typhoon warning capability of PAGASA, we must further strengthen and enhance the country's system readiness for disasters,

further build the capacity and resilience of local communities, and foster community preparedness and engagement. One way to achieve this is to institutionalize and establish engineering designs and techniques, and hazard-resistant construction as well as sound engineering policies aimed at protecting the people against unnecessary sufferings and loss caused by recurring disasters.

This bill therefore proposes the establishment of "community shelter" (also known as storm shelter in other countries) in every city and municipality, or cluster of municipalities nationwide, identified by the National Disaster and Risk Reduction Management Council (NDRRMC) to be vulnerable or exposed to intensive risk or other intense hazard events. These community shelters will serve as the primary evacuation or relocation centers of people during storms and other forms of hazard events, providing them with near-absolute protection.

The duty to provide our people with safe refuge in times of disaster is the primordial duty of the Government. We cannot and should not leave our countrymen's lives at the mercy of nature's wrath.

It is for these reasons that the immediate approval of this measure is earnestly sought.


HON. KIMI S. COJUANGCO

References

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- [12] Rappler, Oct. 21, 2015
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Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

SIXTEENTH CONGRESS
Third Regular Session

HOUSE BILL NO. 6292

Introduced by Honorable Kimi S. Cojuangco

AN ACT

ESTABLISHING COMMUNITY SHELTERS IN EVERY CITY AND MUNICIPALITY OR CLUSTER OF MUNICIPALITIES IDENTIFIED BY THE NATIONAL DISASTER RISK REDUCTION AND MANAGEMENT COUNCIL AS AREAS EXPOSED TO INTENSIVE RISK OR OTHER INTENSE HAZARD EVENTS, AND APPROPRIATING FUNDS THEREFOR

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

SECTION 1. *Short Title.* – This Act shall be known as the “Community Shelter for Protection from Intense Hazard Event Act.”

SEC. 2. *Declaration of Policy.*– It is hereby declared the policy of the State to strengthen and enhance the country’s system readiness for disasters, further build the capacity and resilience of local communities, and foster community preparedness and engagement.

Towards this end, the State shall institute and establish engineering designs and techniques, and hazard-resistant construction as well as sound engineering policies aimed at protecting the people against unnecessary sufferings and loss caused by recurring disasters.

SEC. 3. *Statement of Objectives.* - It is the objective of this Act to:

a. Provide the people with a place where they could seek temporary refuge during storms, calamities and other related disasters that assure them of near-absolute protection, and;

b. Develop and establish the different types of shelter design guidance, code requirements, and other criteria pertaining to the designs and construction of shelters for storms and other hazard events.

34 **SEC. 4. Community Shelter.** – To realize and implement the policy
35 declared in this Act, there is hereby established, under the supervision of
36 the National Disaster Risk Reduction and Management Council (NDRRMC),
37 a community shelter, hereinafter referred to as the "shelters," in every city
38 and municipality, or cluster of municipalities nationwide, identified by the
39 NDRRMC to be vulnerable or exposed to intensive risk or other intense
40 hazard event as defined within the concept of United Nation International
41 Strategy for Disaster Reduction (UNISDR) Terminology on Disaster Risk
42 Reduction. These shelters shall serve as the primary evacuation or
43 relocation center of people during storms and other forms of hazard
44 events.

45
46 As used in this Act, a community shelter refers to a large interior
47 room, space within a building or an entirely separate building, specially
48 designed and constructed to protect a large number of occupants from
49 storms and other intense hazard events, providing them with near-absolute
50 protection

51
52 **SEC. 5. Designs & Standards.** - Every shelter to be established in
53 cities and municipalities, or cluster of municipalities shall follow the
54 minimum standard for the design and construction requirements of
55 shelters, with the ICC/NSSA Standard for the Design and Construction of
56 Storm Shelters, also known as ICC 500-2008, including subsequent
57 revisions thereof, if there be any, as the preferred baseline model.

58
59 ICC 500-2008 was developed by the International Code Council
60 (ICC)/National Storm Shelter Association (NSSA) Consensus Committee on
61 Storm Shelters of the United States as a standard that provide minimum
62 design and construction requirements for storm shelters that offer safe
63 refuge from storms with high winds that generate wind pressures on
64 buildings and structures at levels and intensities that are higher than those
65 for which most commercial building and residences are designed. This
66 standard is also incorporated and mandated by the Alabama Building
67 Commission in Chapter 170-X-2-.01 (j) of the Alabama State Building Code,
68 USA, and expected to be incorporated (by reference) into the 2009
69 International Building Code (IBC) and International Residential Code (IRC).

70
71 **SEC.6.Critical Support Systems.** - All shelters shall be provided with
72 structures, systems and components that ensure the health, safety and
73 well-being of the occupants. Such support systems include potable and
74 waste water system, electrical power system, life safety systems and
75 ventilation systems.

76
77 **SEC. 7. Conversion and Upgrading of Public Buildings into Community**
78 *Shelter.* - Existing buildings, structures, offices, workplace, gymnasium,
79 stadium, coliseum, houses, residences, quarters and others of similar
80 nature, or a section, space or part thereof, whether owned by the national or
81 local government, may be converted into shelters: *Provided,* That these
82 buildings and structures, or a section, room or part thereof are upgraded to

83 meet the standard design and construction requirements as mandated
84 under Section 5 hereof.

85
86 **SEC. 8. Operation and Maintenance.** - In addition to its functions
87 under Section 12 of Republic Act No. 10121, otherwise known as the
88 Philippine Disaster and Risk Reduction Management Act of 2010, the Local
89 Disaster Risk Reduction and Management Office (LDRRMO) shall be
90 responsible for the operation and maintenance of the shelter within their
91 territorial jurisdiction. In the case of shelter established for cluster of
92 municipalities, it shall be the Provincial LDRRMO which is primarily
93 responsible for their operation and maintenance with the assistance of the
94 respective Municipal LDRRMOs of the clustered municipalities.

95
96 **SEC. 9. Promotion of In-Residence and Stand-Alone Shelter.** - Given the
97 need for safe refuge during hazard events, the NDRRMC shall adopt a
98 program for the promotion of In-Residence and Stand-Alone Shelter, also
99 known as "safe room." Through the various LDRRMOs, it shall disseminate
100 to and acquaint home and building owners as well as renters and lessees of
101 tenements or apartment buildings, in areas susceptible to extensive and
102 intensive risk, about the concept of "safe room". They shall make available
103 the design guidance and construction requirements thereof to any
104 interested party free of charge except for the cost of materials and printing.

105
106 The FEMA P-320 applicable design standards for safe room of the
107 Federal Emergency Management Agency of the United States shall be the
108 preferred baseline model for the design and construction requirements for
109 In-Residence and Stand-Alone Shelter.

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111 **SEC. 10. Implementing Rules & Regulations.**- Within ninety (90) days
112 from the approval of this Act, the NDRRMC shall promulgate the necessary
113 rules and regulation for the effective implementation of this Act. The
114 implementing rules and regulations issued pursuant to this section shall
115 take effect thirty (30)days after its publication in a newspaper of general
116 circulation.

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118 **SEC. 11. Annual Report.** - The NDRRMC, through the Office of Civil
119 Defense, shall include in its annual report to the Office of the President, the
120 Senate and the House of Representatives, as required under Section 24 of R.
121 A. 10121, the progress of Community Shelter Development as well as the
122 impact it generates within the context of disaster preparedness and relief
123 recovery. The NDRRMC may also submit such recommendation as may
124 necessary to further enhance the development of shelters in other
125 vulnerable areas of the country.

126
127 **SEC. 12. Congressional Oversight Committee.** - The Congressional
128 Oversight Committee created under Republic Act No.10121 shall monitor
129 and oversee the implementation of this Act.

130

131 **SEC. 13. Appropriations** - The amount necessary for the initial
132 implementation of this Act shall be charged against the National Disaster
133 Risk Reduction and Management Fund established under Section 22 of R.A.
134 10121. Thereafter such sum as may be necessary for the continued
135 operation and maintenance of shelters shall be included in the annual
136 budget of the city or municipality where the shelter is located, in the case
137 of cities and first, second and third class municipalities. For fourth, fifth and
138 sixth class municipalities, the same shall be subsidized in part by the
139 national government and in part by the local government concerned. For
140 shelters established for cluster of municipalities, the amount necessary for
141 their continued operation and maintenance shall be included in the annual
142 budget of the province having jurisdiction over these municipalities.

143
144 **SEC.14. Repealing Clause.** - All laws, presidential decrees or
145 issuances, executive orders, letters of instruction, administrative orders,
146 rules and regulations contrary to or are inconsistent with the provisions of
147 this Act are hereby repealed or modified accordingly.

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149 **SEC.15. Separability Clause.** - If any provision or part hereof is
150 declared invalid or unconstitutional, the remainder of this Act or the
151 provisions not affected thereby shall remain valid and subsisting.

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153 **SEC.16. Effectivity.** - This Act shall take effect fifteen (15) days after
154 its publication in the Official Gazette or in a newspaper of general
155 circulation.

156
157 *Approved,*