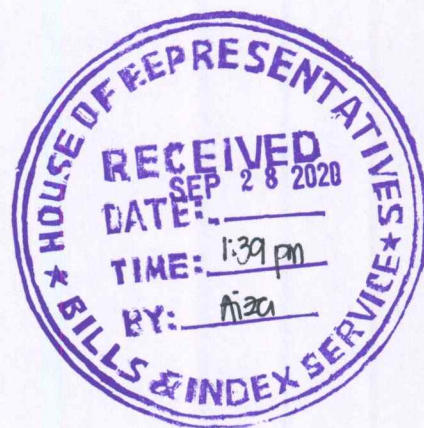




Republic of the Philippines
House of Representatives
Quezon City



EIGHTEENTH CONGRESS
Second Regular Session

House Bill No. 7782

Introduced by REPRESENTATIVE ERIC L. OLIVAREZ

EXPLANATORY NOTE

Public parks in a city is of unparalleled necessity and even more so in a country like the Philippines. Where majority of our citizens have to live with an uptight budget and inability to afford a very high-end lifestyle, the availability of free recreational facilities is, to say the least, paramount for people to live a simple yet happy life.

Public parks serve as a favorable venue for people, especially the indigents, to enjoy recreational activities. Students may utilize available free spaces for their 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. These parks can serve as a place where all individuals from different walks of life to meet, socialize, play, or just to have fun. It can also be the a favorable place to rest, ponder, or express one's artistic side. Public parks may also serve as a venue to assemble 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.

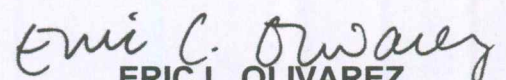
Ours is a nation with people whose primary objective is to survive each day and ensure that there is food on their plate. Therefore, our people barely have enough time and reason to relax, enjoy, and do other things that can in fact help them develop their full potential.

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 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. Public parks, no matter how indirectly, provides a venue for this ideal goal.

Nonetheless, 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 parks are, if it would mean that they would have to travel for several minutes or hours and spend so much for entrance fees or transportation costs. Hence, equally vital and important is the presence of nearby and easily accessible public parks.

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.


ERIC L. OLIVAREZ



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1
2 **AN ACT PROVIDING AT LEAST ONE PUBLIC PARK IN EVERY CITY**

3 **SECTION 1. *Short Title.*** This Act shall be known as the "City Park Act of 2020."

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

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

11 Each city park shall be open to the public for at least eight (8) hours a day, seven
12 days a week, but in no case shall be accessible to the public beyond twelve o'clock
13 (12:00) midnight.

14 **SITE REQUIREMENTS**

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

1 The park site shall be selected and evaluated in accordance with the regulations
2 prescribed by the DPWH and plans therefor shall be approved by the same.

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

7 OFFICIAL PLAN

8 **SECTION 6. *Official Plan Must Be Certified.*** For the purposes of this Section,
9 "official plan" means a plan that is certified by the Regional Director of the DPWH to be
10 as such.

11 **SECTION 7. *Copies of the Official Plan.*** The official plan shall be submitted to
12 the DPWH. One (1) copy thereof shall be deposited in the Office of the City Mayor, and
13 another shall always be kept in the Administration Office of the public city park.

14 **SECTION 8. *Public Inspection.*** Copies of official plans must be available for
15 public inspection during regular business hours and any person may obtain a copy of an
16 official plan on payment of a fee prescribed by the local government unit or the
17 administration committee maintaining the public park.

18 **SECTION 9. *Eminent Domain.*** For the purpose of erecting, developing, widening
19 or relocating the city park as the case may be, any private lands, properties, highways
20 and/or roads may be acquired by the local government unit concerned for the purpose of
21 doing all work necessary to the functional operation of the city park, provided that due
22 compensation shall be made to the owners thereof.

23 **SECTION 10. *Widening and/or Relocating the City Park.*** The local government
24 unit may widen, relocate, or otherwise alter the boundaries of the city park upon a
25 reasonable finding that the same is necessary either due to over-crowdedness (for
26 widening) or due to the increasing crime rate in the area (for relocation) or for whatever
27 ground or basis the local government unit deems reasonable and proper.

28 UTILITIES

29 **SECTION 11. *Water system.*** The *Sanggunian* of a city may enter into an
30 agreement with any municipality or person, natural or juridical, owning or operating a
31 waterworks system for the supply of water for the city public park.

SECTION 12. 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 13. *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 14. *Playground and/or Children-Friendly Facilities.* The city public park must have a portion where a playground or any child-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 15. *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 16. *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 17. Administration Committee. The city mayor shall appoint members of the City Park Administration Committee who shall manage the operation of the city public park. The City Park Administration Committee shall consist of five (5) members;

SECTION 18. *Executive Director.* The Administration Committee shall elect from among its members an Executive Director of the city park who shall act as its chairman who shall be responsible for the general supervision and management of the city park, and shall have the power to prescribe regulations for observance by the public subject to the approval of the Administration Committee.

SECTION 19. *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.

SECTION 26. *Allowed Fees and Charges.* 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 violation of any regulation being implemented within the premises of the park, provided that these regulations are made available and known 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 a first warning 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 27. *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 28. *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 29. *Dumping.* Transporting or depositing any garbage, refuse, domestic and/or industrial waste in any park is prohibited.

RIGHTS

SECTION 30. *Rights and Interest Vested in the Government.* As a general rule, every right, title, and interest in any structure, improvement or installation in the

1 public park belongs to the local government unit except as otherwise provided by a park
2 use permit or resource use permit.

3 **SECTION 31. *No Private Rights Except by Permit.*** A person or party must not
4 be permitted to acquire any property right in the city park except under a valid permit as
5 issued by the Executive Director and as provided for in this Act.

6 OFFENSES AND PENALTIES

7 **SECTION 32. *General Penalty.*** A person who contravenes any provision of this
8 Act is liable to a fine of up to P10,000.00 or a term of imprisonment of not more than one
9 (1) year or both at the discretion of the court.

10 **SECTION 33. *Continuing offense.*** When a contravention of this Act or the
11 regulations prescribed by the Executive Director continues for more than one (1) day, the
12 person is guilty of a separate offence for each day on which the contravention continues.

13 FINAL PROVISIONS

14
15 **SECTION 34. *Implementing Rules and Regulations.*** The DPWH, in coordination
16 with the DILG and local government units, shall promulgate the implementing rules and
17 regulations for the effective and immediate implementation of this Act.

18 **SECTION 35. *Repealing Clause.*** All laws, decrees, executive orders, letters of
19 instructions, rules and regulations or parts thereof, which are inconsistent with this Act
20 are hereby repealed, amended or modified accordingly.

21 **SECTION 36. *Separability Clause.*** If any provision of this Act is judicially declared
22 invalid or unconstitutional, the remaining provisions of this Act not affected thereby shall
23 be continue to be in full force and effect.

24 **SECTION 37. *Effectivity Clause.*** This Act shall take effect fifteen (15) days
25 following its publication in two (2) newspapers of general circulation.

26 **APPROVED.**