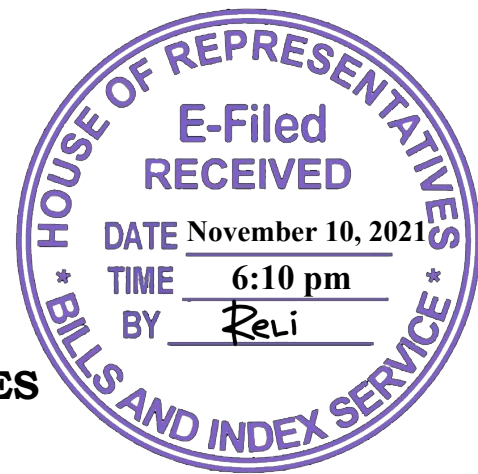




Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila



EIGHTEENTH CONGRESS

Third Regular Session

HOUSE BILL NO. 10472

Introduced by Representative Shirlyn L. Bañas-Nogralles

EXPLANATORY NOTE

This bill seeks to establish evacuation centers in every barangay of the country and appropriate funds therefor.

Section 5, Article II (*Declaration of Principles and State Policies*) of the 1987 Philippine Constitution states, among others, that “*the maintenance of peace and order, the protection of life, liberty, and property, and promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy.*”

Section 2 of Republic Act No. 10121, also known as the “*Philippine Disaster Risk Reduction and Management Act of 2010*,” provides that it shall be the policy of the State to uphold the people's constitutional rights to life and property by addressing the root causes of vulnerabilities to disasters, strengthening the country's institutional capacity for disaster risk reduction and management and building the resilience of local communities to disasters including climate change impacts.

This proposed measure therefore seeks to address the importance of an *evacuation center* to the most vulnerable political unit in our society and actually our first responder, the barangay. Many barangays in the country are susceptible to disasters such as fires, rampant flooding, typhoons, heavy rains, tsunamis or sudden rise of water level, earthquakes, volcanic eruptions and other natural disasters.

In fact, we already learned from previous disasters all over the Philippines, especially the earthquakes in Mindanao, the flooding in different areas of the country especially in the Metro Manila areas, volcanic eruptions, fires in different locations that engulfed houses and business establishments, that an evacuation center in every barangay is not only useful and important, but can also save lives.

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



SHIRLYN L. BAÑAS-NOGRALES

Representative

First District of South Cotabato
& General Santos City



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

EIGHTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 10472

Introduced by Representative Shirlyn L. Bañas-Nograles

AN ACT
ESTABLISHING EVACUATION CENTERS IN EVERY
BARANGAY AND APPROPRIATING FUNDS THEREFOR

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

SECTION 1. Declaration of Policy. – It is the policy of the State to protect the life and property of the people, and promote their general welfare. Towards this end, the State, shall establish and maintain fully equipped and fully-operational evacuation centers, responsive to the environment or climatic events, in recognition of the vulnerability of the Philippines to climate change, severe floods, earthquakes, typhoons, occurrences of fires, and

other natural or human-induced disasters, illnesses, diseases and other factors that affect the environment.

SEC. 2. *Establishment of Evacuation Centers.* –

An evacuation center shall be established in every barangay in the country which shall provide immediate and temporary shelter or accommodation to people who have been evacuated or displaced from their homes due to emergency events such as fires, typhoons, earthquakes, floods, storm surges, drought and other severe climate disturbances or outbreak of illnesses and diseases that present imminent danger to life and property.

Existing government structure that is compliant with the requirements provided under this Act may be designated as evacuation center. Other government structures may be upgraded to serve as evacuation centers after complying with the requirements provided under this Act and other laws relevant thereto.

The evacuation center must be compliant with Republic Act No. 9710, also known as “The Magna Carta of Women” and mindful of the needs of the senior citizens as well as the persons with disability (PWDs).

SEC. 3. *Determination of Location.* – The location for an evacuation center shall be determined by the Department of Environment and Natural Resources, in close coordination with the local government units (LGUs) concerned.

The criteria for the determination of the location are as follows:

- a. It must be centrally located in the community;
- b. It must be of a safe distance from large trees, high-voltage power lines, or structures where hazardous materials are used and stored;
- c. It must be near a health facility;
- d. It must be located on geotechnically stable land to avoid risk of landslides or exposure to potential landslide;
and
- e. It must not be located near military base camps, power plants, factories, and other areas where the occurrence of human-induced disasters are very high.

SEC. 4. *Structural and Building Capacity.* – The evacuation centers shall be constructed and designed to withstand super typhoons or wind speeds of at least three hundred kilometers per hour (300 Kph) and seismic activity

of at least 8.0 magnitude. The structure must be calamity resilient, built with sturdy materials and in accordance with the specifications of Presidential Decree No. 1096, Series of 1977, also known as the “National Building Code of the Philippines.” It must also be at par with the standards set by the International Building Code.

The Department of Public Works and Highways (DPWH) shall supervise the construction of evacuation centers. The DPWH shall formulate the building specifications and shall ensure that the construction and completion of the evacuation center is in accordance with the National Building Code and its standards, issuances, and other guidelines, as well as gender sensitive, and attentive to the needs of the senior citizens and the PWDs.

The DPWH shall review the specifications of the evacuation centers every three (3) years.

SEC. 5. *Building Parameters.* – The building of evacuation center must meet the following parameters:

a. The structure must be elevated, in such a manner that is safely above the reach of a high tide storm surge level of at least ten (10) meters;

b. The location must be strategic and away from possible source of fire or in a distant location within the barangay that may not be affected by a raging fire;

c. The structure must be built with a minimum of one (1) meter above the average flood level in the area; and

d. The structure must not be less than nine (9) meters in height and must be designed in accordance with earthquake load standards.

SEC. 6. Amenities and Accessibility. – The evacuation center must be well ventilated and must be able to accommodate a large number of evacuees. It must also have the following minimum amenities:

a. Sleeping quarters for the evacuees;

b. Adequate water supply to serve the evacuees and a fire water hydrant system;

c. Separate shower and toilet facilities designated for males and females with a ratio of one (1) facility for every twenty (20) persons;

d. Barrier-free facilities to enable access by persons with disabilities;

e. Emergency exit doors with LED illuminating

emergency lights in case of sudden brownouts for the evacuees to safely navigate the area;

f. Food preparation areas with adequate ventilation;

g. Trash and waste segregation and collection areas;

h. Health-care areas which include an isolation or quarantine area for potentially infectious persons;

i. Rainwater harvesting and collection facilities;
and

j. Other amenities as may be prescribed by the appropriate authorities.

SEC. 7. Operation and Management. – The barangay and the city or municipality concerned shall be primarily responsible for the operation, supervision, and management of evacuation centers established under this Act. The city or municipality shall issue rules and regulations for the proper use and maintenance of evacuation centers.

The rules and regulation shall likewise prescribe the guidelines on the utilization of the evacuation center when it is not used as such. *Provided*, that the evacuation center may only be used for such other activities or purposes which may

not compromise its serviceability or impede the use thereof in case a disaster occurs.

The barangay, city or municipality shall undertake the necessary legal action against any person against the organizers of any authorized activity in case the evacuation center suffers any damage, defacement, or loss during or as a result of such activity.

The mandatory audit of infrastructure used as evacuation centers shall be conducted by the barangay, city or municipality at least once every year and immediately after the occurrence of a hazard or disaster.

SEC. 8. *Role of the National Disaster Risk Reduction and Management Council (NDRRMC).* – The NDRRMC shall be the lead implementing agency of this Act. It shall give utmost priority to those barangays that (a) are identified as disaster prone; (b) are financially incapable to establish their own evacuation centers; and (c) do not have existing evacuation centers of their own.

The NDRRMC shall enter into a memorandum of agreement (MOA) with the concerned barangay, cities or municipalities for the maintenance, operation, and management of a permanent evacuation center in their

respective areas of jurisdiction. It shall provide technical assistance and support services to these barangay, cities and municipalities in the management of the facility.

Local chief executives of the cities and municipalities concerned shall evaluate and provide suitable sites for evacuation centers to determine their geographical stability, and public accessibility in times of disasters. They shall provide for the maintenance, operation, and management of the facility taking into consideration the goal of life preservation and meeting the basic subsistence needs of affected population based on acceptable standards during or immediately after a disaster.

SEC. 9. *Coordination Among Agencies.* – The NDRRMC shall coordinate with the DPWH, the Department of Science and Technology (DOST) and the barangay concerned regarding the design, specifications, cost estimates, and construction details of the evacuation centers that may be constructed pursuant to this Act.

Other government agencies and instrumentalities, when necessary, shall assist the NDRRMC to ensure the effective and efficient implementation of this Act.

SEC. 10. *Implementing Rules and Regulations* –

Within sixty (60) days from the effectivity of this Act, the NDRRMC shall, in consultation with the DPWH, DOST, League of Cities of the Philippines, League of Municipalities of the Philippines, and other concerned government and private agencies, promulgate the necessary rules and regulations to carry out the provisions of this Act.

SEC. 11. *Appropriations.* – The amount necessary for the initial implementation to fund the construction and maintenance of evacuation centers shall be charged against the budget provided for the purpose under the DPWH. Thereafter, such amounts necessary for the construction of evacuation centers shall be included in the annual General Appropriations Act. The LGU concerned shall provide the continued maintenance, operation and management of the facility.

SEC. 12. *Separability Clause.* – If any provision or part thereof, is held invalid or unconstitutional, the remainder of the law or the provisions not otherwise affected shall remain valid and subsisting.

SEC. 13. *Repealing Clause.* – Any law, presidential decree or issuance, executive order, letter of instruction,

administrative order, rule or regulation contrary to, or inconsistent with the provisions of this Act is hereby repealed or amended accordingly.

SEC. 14. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,