



Republic of the Philippines
PROVINCE OF LEYTE
City of Baybay
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OFFICE OF THE SANGGUNIANG PANLUNGSOD

Excerpt from the
Minutes of the 1st Regular Session of the Sangguniang Panlungsod, this city, held on
January 8, 2018

CITY ORDINANCE NO. 01, S. 2018

"THE BARANGAY WATER WORKS ORDINANCE OF THE CITY OF BAYBAY"

(Sponsored by Honorable Mandy G. Muñez, President of the LIGA ng mga Barangay, &
Ex-Officio SP Member.)

ARTICLE 1. Title

This Ordinance shall be known as **"The Barangay Water Works Ordinance of the City of Baybay."**

ARTICLE 2. Declaration of Policy

It is the declared policy of the City of Baybay to provide each resident an adequate supply of potable water, especially in areas not served by the Baybay Water District. In order for this to be realized in a sustainable manner, the exploitation of water sources and its distribution to consumers need to be rationalized. This policy can best be achieved by defining the right practices and regulations at the barangay level as well as the formulation of the appropriate water rates, fees and charges necessary to the efficient and sustainable operation of the barangay water system.

ARTICLE 3. Policy Mandates

The following policies and practices must be mandated for the effective implementation of this ordinance:

1. For barangays with an existing or developed water system or contiguous barangays sharing a developed water system, pass an ordinance establishing the water works at the barangay or inter barangay level.
2. For barangays contemplating on creating a new water works, pass an ordinance creating the barangay water works adopting the applicable provisions provided herein; Requests from barangays desiring to create a new water works funded by the city must be accompanied by technical drawings and program of works reviewed and approved by the CPDO.
3. The creation of a water services unit as defined in this ordinance and the employment of the core personnel;
4. The creation of a trust account for each barangay water works as a depository of water billing collections and as funding source for the maintenance and improvements of the water works; and
5. Henceforth, all barangay water works shall be managed as a sustainable entity in terms of operational and financial viability.

ARTICLE 4. Definition of Terms

As used in this Ordinance, these terms shall have the following meaning:

1. **Potable water system** n. refers to the assembly of water supply sources, impounding facilities, pipes and regulatory mechanisms that enable the delivery and distribution of sufficient potable water.
2. **Install** v. means to establish in an indicated place, condition or status, to put or set up.
3. **Regulate** v. is to govern or direct according to rule, to bring under the control of constituted authority.
4. **Water services unit** n. refers to an office or entity created by the barangay to manage, maintain, care and operate the water works system.

ARTICLE 5. General Provisions

Section 1. Water Services Unit. There shall be created a water services unit for each barangay water works under the supervision of a competent person to be appointed or designated by the Punong Barangay and confirmed by the barangay council. This unit shall be responsible for the management, maintenance, care, and operation of the water supply system.

The barangay water services unit, an office responsible for the operation and management of the barangay water system, shall be headed by a utilities supervisor. The core personnel shall include a billing and account clerk, plumbers and competent staff for infrastructure and maintenance work and a meter reading unit. The barangay treasurer shall be responsible for the collection and safe-keeping of water revenues. A trust fund shall be created for this account.

As a guide, water revenues shall be expended in the following manner:

- a. Personal services – no more than 50%
- b. MOOE – 30%
- c. Improvements and future expansion – 20%

Government accounting and auditing procedures shall be followed at all times in all aspects of the financial and the administrative operations of the water services unit.

The barangay council shall act as the policy making body of the water services unit. It should, after the enactment of this ordinance, prepare the organizational complement of the water services unit and the corresponding salary, wage and honoraria structure.

Section 2. Restrictions. No person shall be allowed or make use of any water service installation connected to the barangay water system without the approved application and permit as provided in this ordinance nor shall any person be allowed the use of any such installation contrary to the regulatory provisions provided herein.

Section 3. Application for Service. The application for a water installation shall be secured in the following manner:

1. The prospective consumer shall apply for a water service connection to the person in charge, on forms prescribed by the barangay council; such forms shall be prepared beforehand by the barangay and shall be available free-of-charge. It is understood that the applicant shall conform to the terms and conditions set forth in this ordinance for the use of water.

2. The applicant must pay to the barangay treasurer a service installation fee of *(the amount to be determined as per ordinance of the concerned barangay)* for every water service connection. The applicant shall then present the official receipt to the water service unit before a survey of the location can be initiated and the subsequent installation of water service connection. The applicant shall pay in cash or on instalment basis the cost of the meter. In the case of instalment, the cost of the meter shall be included in the water billing in 12 equal monthly instalments only.
3. All costs after the water meter shall be to the account of the applicant, including labour. The barangay may, on a later date, and after a thorough feasibility study, introduce a program of extending some type of financial assistance related to this matter.

Section 4. General Water Regulations and Other Related Matters.

1. Discontinuance of Service – The barangay may discontinue water service to any consumer without notice in the event of emergency repairs; but in cases of non-payment of charges and fees or for violations of the provisions of this ordinance, the consumer shall be informed one (1) week in advance on a non-extendable basis.
2. One House, One Water Service Connection – No more than one house shall be supplied from one service connection except in exceptional cases given special permission by the barangay council. In case more than one party are supplied with water from a single pipe connected to a service main, each party shall have a separate stop box and an individual meter.
3. Tapping of Mains and Turning on Water – Only personnel from the water services unit are authorized to tap on any distribution mains or turn on water service to any customer.
4. Repair of Leaks – The consumer shall be responsible for the repairs and maintenance of all connections after the meter. Should a leak occur after the meter where the waste of water is great, the barangay reserves the right to turn off the water connection to the consumer, until the leak is repaired. The barangay is responsible for the maintenance of all connections before the meter. The consumers are enjoined to report any leak observed as this can affect water service all throughout the barangay.
5. Water Meter and Metering Services – No water shall be withdrawn from the water system without passing through a meter, except in cases of emergency or by the personnel of the water services unit for purposes of maintenance, repairs and improvement of the service. No person, other than an authorized personnel of the water services unit, is allowed to connect or disconnect, take apart or in any manner change or interfere with a water meter or its use. It is the sole responsibility of the water services unit to maintain and repair defective meters or replace them if necessary unless the meter defect is caused by the neglect or by an act of the owner of the connection. In this case, the cost of the repairs or replacement shall be borne by him. When there is a complaint of excessive water billing, the affected meter shall be reread or have it retested. Should the retesting prove an error, the bill should be adjusted and the meter replaced.

Only authorized meter readers shall have free access to water meters for purpose of inspection, maintenance and reading.

6. Water Rates, Fees and Charges – The appropriate fees and charges, including the water rates, shall be prepared and enacted by the

barangay council, after a public hearing has been conducted for this purpose.

In formulating the correct water rates, the barangay may request the help of the Baybay Water District in determining water rates that are reasonable to its consumers and helpful to the sustainable operation of the barangay water works.

Article 6. Penalties.

Any violation of the provisions of this ordinance shall be penalized, thus:

1. First Offense - P 500
2. Second Offense - 1,000
3. Third offense - 2,000 and discontinuance of the water service.

Article 7. Repealing Clause

All ordinances which are inconsistent with any part of this Ordinance are hereby deemed repealed or modified accordingly.

Article 8. Separability Clause

If any part of this Ordinance is deemed unconstitutional, this does not affect the legality of the other parts.

Article 9. Transitory Provisions

Any barangay wishing to adopt this ordinance shall ask permission from the city government or shall pass a barangay ordinance adopting this ordinance.

Article 10. Effectivity

This Ordinance shall take effect upon its approval and after due compliance with all the requirements provided for under R.A. 7160.

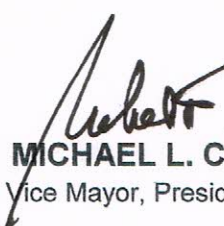
Enacted: January 8, 2018
Baybay City, Leyte, Philippines

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I HEREBY CERTIFY to the correctness of the foregoing ordinance which was duly adopted during the 1st Regular Session of the Sangguniang Panlungsod, this city, held on January 8, 2018.


ATTY. VIVIAN E. VIDALLON
SP Secretary

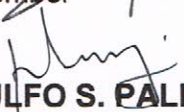
ATTESTED & CERTIFIED
TO BE DULY ADOPTED:


MICHAEL L. CARI
City Vice Mayor, Presiding Officer

With our concurrence:


ATTY. ERNESTO M. BUTAWAN
SP Member


ARTURO ELISA O. ASTORGA
SP Member


RODULFO S. PALMA, JR.
SP Member


ALAN D. FERNANDEZ
SP Member


FILEMON F. AVILA
SP Member

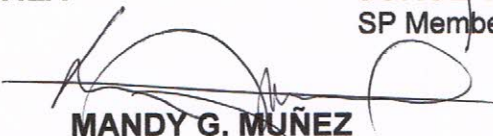

EDGARDO R. OMPOY
SP Member


LEONCIO P. ASILOM, JR.
SP Member



VICENTE VICTOR G. VELOSO
SP Member


DOMINADOR K. MURILLO, DM
SP Member


JORGE V. REBUCAS
SP Member


MANDY G. MUÑOZ
President, LIGA Ng Mga Barangay
Ex-Officio, SP Member

APPROVED BY HER HONOR:


CARMEN L. CARI
City Mayor