

FIFTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)



11 SEP -6 P5:57

SENATE

Eny S.B. No. 2956

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INTRODUCED BY SENATOR VILLAR

EXPLANATORY NOTE

In November of 1991, heavy rainfall roared down the surrounding hills of Ormoc, Leyte. Heavy floods carrying logs and uprooted trees engulfed Isla Verde, a crowded community of about 2,500, as well as the rest of Ormoc. According to reports, only about 200 people in Isla Verde survived¹. The local government of Ormoc reported that 4,875 died in this tragedy although remains were still recovered after the release of the official count. Another similar tragedy happened in September of 2009 where typhoon "Ondoy" struck Metro Manila claiming at least 140 lives². Taking the case of Ormoc, it is located on the delta where the Anilao and Malbasag rivers meet, and is surrounded by hills that had been cleared of all its vegetation to make way for sugar cane. Manila on the other hand, which like most of the country, lies on the Pacific typhoon belt and is bisected by the Pasig and Marikina rivers whose waters connect Manila Bay to the west and Laguna de Bay to the east.

The government sites that a major factor which caused the death of thousands during heavy flooding is the housing settlement of people in riverbanks, coastal and other hazardous areas. Authorities say that people live where they should not have, and that obstruction, caused by informal settlers putting up illegal structures or rich landowners encroaching on land such as riverbanks that allow natural drainage, should be removed to avoid such tragedies. Among the country's worst natural disasters, the tragedies in Ormoc and that caused by "Ondoy" have been invoked across the nation as a warning to other similarly situated areas.

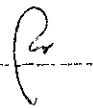
This Bill aims to ban the construction of houses along riverbanks, waterways, and banks of inland waters in order to prevent the loss of lives and property during heavy storms and floods. As such, its immediate passage is earnestly sought.

[Signature]
MANNY VILLAR

¹ <http://pcij.org/stories/1992/ormoc.html>

² <http://www.mb.com.ph/node/222493/philippine>

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RECORDED BY 

Introduced by SENATOR MANNY VILLAR

AN ACT
TO BAN THE CONSTRUCTION OF HOUSES ALONG RIVER BANKS, WATERWAYS
AND BANKS OF INLAND WATERS AND FOR OTHER PURPOSES

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

1 **SECTION 1. Title** - This Act shall be known as "The Housing Ban Along Riverbanks
2 Act of 2011".
3

4 **SECTION 2. Declaration of Policy** - It is the policy of the State to protect the people
5 from natural and man-made disasters and to implement laws to achieve such purpose. One
6 way to do this is to take the potential victims from harms way by preventing them from
7 subjecting themselves to probable risks such as building their houses along the path of
8 floodwaters.
9

10 **SECTION 3. Ban on the construction of houses along riverbanks, waterways**
11 **and bodies of inland waters**— The construction of houses within 10 meters from the edge
12 of rivers and bodies of inland waters is hereby prohibited.
13

14 **SECTION 4. Penalties** – Barangay Chairmen, Municipal Mayors and Provincial
15 Governors shall be jointly liable to penalties if in their jurisdictions there are houses that are
16 built within 10 meters along riverbanks, banks of waterways and banks of inland waters
17 whether or not they issued construction permits or not. They shall be jointly liable to a fine of
18 Fifty Thousand Pesos (Php 50,000) each or an imprisonment of 6 months of both.
19 Repeated violation of this Act shall be ground for their removal from office.
20

21 **SECTION 5. Operation of this Act** – This Act shall cover only constructions that are
22 made after the approval of this Act.
23

24 **SECTION 6. Implementing rules and regulations** – The Department of Interior and
25 Local Government shall issue within 180 days from the date of approval of this Act, the
26 implementing rules and regulations for this Act.
27

28 **SECTION 7. Separability Clause** - Any portion or provision of this Act which may be
29 declared unconstitutional or invalid shall not have the effect of nullifying other portions or
30 provisions hereof.

1 **SECTION 8. Repealing Clause** - All other laws, ordinances, rules, regulations, and
2 other issuances or parts thereof, which are inconsistent with this Act, are hereby repealed
3 or modified accordingly.

4
5 **SECTION 9. Effectivity Clause** - This Act shall take effect immediately after its
6 publication in two (2) Newspapers of general circulation.

7
8 *Approved.*
9