

SENATE
P. S. R. No. 1429

Introduced by Senator Miriam Defensor Santiago

RESOLUTION

DIRECTING THE PROPER SENATE COMMITTEE TO CONDUCT AN INQUIRY,
IN AID OF LEGISLATION, ON THE REPORTED NEED TO STUDY THE
LIABILITIES OF SUBDIVISION OWNERS AND DEVELOPERS, AND PERTINENT
GOVERNMENT AGENCIES RESPONSIBLE FOR ISSUING BUILDING AND
BUSINESS PERMITS AND LICENSES WITH REGARD TO THEIR
CONTRIBUTION IN THE RECENT DELUGE CAUSED BY TROPICAL STORM
ONDOY

WHEREAS, the Constitution, Article 2, Section 16 provides: "The State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature";

WHEREAS, in light of the recent deluge caused by storm "Ondoy" (international code name: Ketsana), Architect Armando Alli, Chairman of the Professional Regulatory Board of Architecture, conducted a study citing various reasons behind the deluge;

WHEREAS, one of the reasons Alli cited was that flood plains have been land-developed for habitation or commercial uses and not conserved to perform their vital natural function;

WHEREAS, pre-existing natural waterways traversing subdivisions were filled-up and replaced with very inadequate reinforced pipes and culverts; the return period used by these subdivision developers were even less than the 10-year return period adopted by the Department of Public Works and Highways (DPWH);

WHEREAS, the study also stated that mandated easements were missing and already built upon by private property owners or by the local government unit itself, in possibly knowing and tolerated violations of the National Building Code;

WHEREAS, private property developers, subdivision planners and civil works engineers of the affected developments in Pasig City, Cainta and Taytay should be investigated so as to explain why their drainage systems are still not working long after the rains have stopped and possibly why they packaged and sold low-lying properties that they could already have already suspected as flood-prone;

WHEREAS, local government units, the Housing and Land Use Regulatory Board, and other pertinent government agencies should be investigated with regard to the approval and issuance of licenses to subdivision owners and developers, and business owners of establishments near rivers and waterways, who do not adhere to laws, guidelines, and measures prescribing the obligation to provide and properly maintain drainage, sewerage, and water systems within their jurisdictions;

WHEREAS, subdivision developers and owners should also be penalized if found they have been found violating laws on housing and development;

WHEREFORE, be it hereby resolved by the Philippine Senate, to direct the proper Senate committee to conduct an inquiry in aid of legislation, on the on the reported need to study the liabilities of subdivision owners and developers, and pertinent government agencies responsible for issuing building and business permits and licenses with regard to their contribution in the recent deluge caused by Tropical Storm Ondoy.

Adopted,

Miriam Defensor Santiago
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