



Republic of the Philippines
Province of Cavite
CITY OF BACOR
Office of the City Mayor
TRANSMITTAL



10 October 2024

Hon. Athena Bryana Tolentino
Provincial Governor
Province of Cavite
Cavite Provincial Capitol Building
Trece Martires, Cavite



Dear Gov. Tolentino,

Good day!

In compliance with Art. 59 (b) (1) Rule XII of Administrative Order 270, Series of 1992, this is to respectfully submit the attached Executive Order issued by the undersigned, for your review and appropriate action, to wit:

EO NO.	DATE	TITLE
159-2024	October 10, 2024	AN ORDER ADOPTING THE IMPLEMENTING RULES AND REGULATIONS OF CITY ORDINANCE NO. 369-2024 OTHERWISE KNOWN AS THE DEEP WELL ORDINANCE OF BACOR CITY
161-2024	October 10, 2024	AN ORDER ADOPTING THE IMPLEMENTING RULES AND REGULATIONS OF CITY ORDINANCE NO. 358-2024 OTHERWISE KNOWN AS MAYOR'S SOCIALIZED BENEFITS FOR RESIDENTS (MSBR) COMMITTEE ORDINANCE OF 2024

Thank you.

Very truly yours,


HON. STRIKE B. REVILLA
City Mayor



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Republic of the Philippines
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Office of the City Mayor
EXECUTIVE ORDER



EXECUTIVE ORDER No. 159- 2024
Series of 2024

**AN ORDER ADOPTING THE IMPLEMENTING RULES AND REGULATIONS OF
CITY ORDINANCE NO. 369-2024 OTHERWISE KNOWN AS THE "DEEP WELL
ORDINANCE OF BACOR CITY"**

WHEREAS, Section 16 of R.A. No. 7160 provides that every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare including the promotion of safety of its constituents and provision of adequate transportation facilities;

WHEREAS, the Sangguniang Panlungsod enacted and passed City Ordinance No. 369-2024, entitled "An Ordinance Regulating the Use of Groundwater Through the Use of Deep wells in Bacoor City," to regulate and prohibit the installation and operation of deep wells within the city limits to protect public health, safety, and welfare and prevent potential adverse impacts on the local water supply;

WHEREAS, the City Government of Bacoor recognizes the need to issue an Implementing Rules and Regulations pertinent to the above-mentioned Ordinance;

WHEREAS, the Office of the City Mayor of Bacoor, in coordination with the concerned city government offices, issued the above-mentioned Implementing Rules and Regulations that shall govern City Ordinance No. 369-2024;

NOW, THEREFORE, I, STRIKE B. REVILLA, City Mayor of Bacoor, Cavite, by virtue of the powers vested in me by law, do hereby order for the adoption and implementation of the Revised Implementing Rules and Regulations of City Ordinance No. 369-2024 herein attached.

Section 1. Implementing Rules and Regulations (IRR).

Attached herein is the Implementing Rules and Regulations of City Ordinance No. 369-2024, which shall form part of this Executive Order. This shall be known as the "Implementing Rules and Regulations of City Ordinance No. 369-2024."

All affected offices and departments are hereby ordered to adopt the said implementing rules and regulations and be guided accordingly.

Strict compliance and observance of all city government officials and employees to this Implementing Rules and Regulations is hereby ordered.

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EXECUTIVE ORDER



Section 2. Repealing Clause.

All previously issued orders and directives inconsistent with any provision found herein shall be deemed repealed, revoked or amended accordingly.

Section 3. Separability Clause.

In the event that any provision found herein shall be judicially or administratively declared illegal or infirm, the remaining provisions shall remain in full force and effect.

Section 4. Effectivity Clause.

This Executive Order shall take effect immediately upon its signing and remain in full force and effect until repealed, revoked or amended accordingly.

SO ORDERED.

DONE this 10th day of October 2024 in the City of Bacoor, Province of Cavite.


STRIKE B. REVILLA
City Mayor



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**THE IMPLEMENTING RULES AND REGULATIONS OF CITY
ORDINANCE NO. 369-2024 SERIES OF 2024**

OR

**"AN ORDINANCE REGULATING THE USE OF
GROUNDWATER THROUGH THE USE OF DEEP WELLS IN
BACOR CITY, PROVIDING PENALTIES FOR VIOLATIONS
THEREOF AND FOR OTHER PURPOSES"**

**Rule 1
GENERAL PROVISIONS**

Section 1. Title. – This shall be the Implementing Rules and Regulations ("IRR" of City of Bacoor Ordinance No. 369-2024, Series of 2024, entitled the "**Deep Well Ordinance of Bacoor City**," also known as the "Ordinance." Henceforth, the IRR shall be referred to as the "Rules."

Section 2. Purpose. – This IRR is promulgated to prescribe the procedure and guidelines for the effective implementation of Bacoor City Ordinance No. 369-2024, Series of 2024. The Ordinance is enacted to enable the City Government of Bacoor to regulate and prohibit the installation and operation of deep wells within the city limits to protect public health, safety, and welfare and prevent potential adverse impacts on the local water supply.

Section 3. Scope and Duration. – This IRR shall apply to all types of proposed or existing construction projects involving the drilling and/or excavation of wells, whether residential, commercial, industrial, recreational, or otherwise, within the territorial jurisdiction of Bacoor City.

Section 4. Implementing Offices. – The Office of the Building Official, with the assistance of the City Engineering Office, Building Permit and Licenses Department, City Environment Services Department, Office of the City Legal Services and the City Administrators Office, and with the assistance of the Metropolitan Waterworks and Sewerage System (MWSS), its Concessionaires, or other water utility companies of the City of Bacoor, shall assume primary responsibility for enforcing the aforementioned City Ordinance and this IRR. Other city government departments, units, or offices may be called upon by the directive of the City Mayor to provide auxiliary support in the effective implementation of both the Ordinance and this IRR.





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Section 5. Rules of Construction. – In construing the provisions of This IRR, the following rules of construction shall be observed unless inconsistent with the manifest intent of the provision, or when applied, they would lead to absurd or highly improbable results.

1. **General Interpretation.** – All words and phrases used in this IRR should be understood according to their usual meaning, but technical terms or those with specific meanings in this IRR should be interpreted accordingly.
2. **Gender and Number.** – Words indicating gender or number should be interpreted inclusively, acknowledging all gender identities and expressions and all numerical interpretations.
3. **Calculation of Time.** – When determining timeframes for actions as outlined in this IRR or related regulations, the first day is excluded, and the last day is included unless it falls on a Sunday or a holiday, in which case the following business day is considered the final day.
4. **References.** – Any mention of chapters, articles, or sections refers to those within this IRR unless otherwise specified.
5. **Resolution of Conflicts.** – In the event of conflicting provisions within different sections, each section's specific details should prevail.

Rule 2
DECLARATION OF POLICY AND DEFINITIONS

Section 6. Declaration of Policy. – It is the policy of the City Government of Bacoor to provide the guiding principles and objectives for managing and regulating deep wells, aiming to ensure the sustainable use and protection of groundwater resources across the city. This includes:

1. **Protection and Quality of Groundwater.** Ensuring that the quality of groundwater is not harmed or compromised throughout the installation, use, and upkeep of deep wells.
2. **Sustainable Use of Groundwater.** Encouraging the sustainable extraction of groundwater in order to avoid aquifer depletion and over-extraction.
3. **Promote Public Health and Safety.** Ensuring that water from deep wells is suitable for human consumption and other uses to promote and protect public health and safety.

The Implementing Rules and Regulation of City Ordinance No. 369-2024
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4. **Environmental Conservation.** Safeguarding the environment and groundwater-dependent ecosystems.
5. **Regulatory Compliance.** Ensuring that all deep well-related activities adhere to local, national, and international laws and regulations.

Section 7. Definition of Terms. – As used in this Ordinance, the following terms and phrases shall be understood and defined as follows:

1. **Back-Up Source** – Refers to a well-intended supply of water to fill the water supply deficiency of the MWSS, its concessionaires, or other water utility companies, also referred to as a secondary source.
2. **Building Official** – The official responsible for administering, implementing, and enforcing the National Building Code (NBC) and its Implementing Rules and Regulations (IRR) and the orders and decisions made by the competent authority pursuant thereto.
3. **Concessionaire** – Refers to the Manila Water Company, Maynilad Water Services, Prime Water Infrastructure Corp and other water utility companies.
4. **Domestic Use/ Purpose** – Refers to the use of water for drinking, washing, bathing, cooking, or other household needs, watering home gardens or lawns, or bathing or cleaning domestic animals or pets.
5. **Deep Well** – A borehole or excavation that extends below the natural ground surface, regardless of depth, is typically used to extract groundwater.
6. **Groundwater** – The water within the earth contained by an impermeable layer that supplies wells and springs.
7. **Primary Source** – Refers to a well-established and operated area where surface water is not provided by the MWSS, its concessionaires, or other water utility companies as the principal source of potable water supply.
8. **Potable Water** – Refers to the water intended for human consumption or use in food preparation.
9. **Sanitary/Plumbing (Drilling/Excavation) Permit** – a written authorization granted by the Office of the Building Official to an applicant, permitting him/her to drill or excavate a well.





10. **Subsidence** – A term referring to the falling, lowering, or flattening out of the land elevation.
11. **Surface Water** – Refers to the potable water supplied by Metropolitan Waterworks and Sewerage System (MWSS) through its concessionaires or other water utility companies.
12. **Water Permit** – A permit granted by the National Water Resources Board (NWRB) to an applicant to extract water under certain conditions.

Words and phrases embodied in the Ordinance and this IRR that are not specifically defined herein shall have the same definitions found in Republic Act (RA) No. 7160, also known as the Local Government Code of 1991.

Rule 3 IMPLEMENTING PROVISIONS

Section 8. Wells for Primary or Secondary or Back-up Use. – Establishing and operating a well as the primary water source shall be permitted only in areas where the MWSS, its concessionaires, or other water utility companies do not provide surface water. The regulation helps ensure that water resources are managed sustainably and that areas with existing water infrastructure are utilized efficiently.

In areas where surface water is provided by the MWSS, its concessionaires, or other water utility companies but not on a continuous 24-hour or daily basis, the establishment and operation of the well may be permitted. However, the well must be used only as a secondary or backup water source. In the event that surface water is unavailable, this guarantees that the well will function as a backup source in addition to the current water system.

The "USE FOR BACKUP ONLY" rule ensures that wells used as secondary water sources do not exceed the monthly water usage limits specified in the Water Permit, the Ordinance, and this IRR. This regulation helps manage water resources effectively and ensures that the primary reliance remains on the surface water provided by MWSS, its concessionaires, or other utility companies.

Wells as primary sources of water shall be permitted only until the MWSS, its concessionaires, or other water utility companies provide surface water on a continuous 24-hour or daily basis. Once the continuous surface water supply is available, the reliance on wells should shift to a secondary or backup role, in accordance with the existing regulations. This approach permits flexibility in the parts of the City of Bacoor where a continuous surface water supply is not yet available while also guaranteeing the efficient and sustainable use of the primary water infrastructure.





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The wells utilized as secondary or backup water sources shall be permitted only during specific periods of the day or night when surface water is not available. This is to guarantee that the primary reliance remains on the surface water supply provided by the MWSS, its concessionaires, or other utility companies. Continuous use of wells shall be allowed only until surface water becomes available on a 24-hour or on a daily basis.

Section 9. Regulation on Building a Deep Well. – Proposed and existing deep-well operators located within the territorial jurisdiction of Bacoor City engaged in extracting ground waters from their natural source primarily for commercial, industrial, recreational, and municipal use shall be subject to the regulation of the Ordinance and this IRR.

- A. The utilization, exploitation, development, conservation, and protection of water resources shall be subject to the control and regulation of the government through the National Water Resources Board (NWRB). This guarantees equitable and sustainable management of water resources, safeguarding the environment and balancing the interests of different stakeholders.

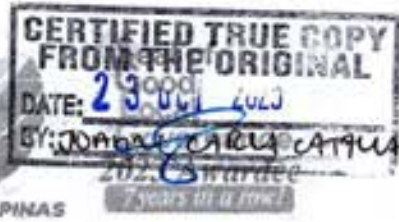
Therefore, all technical matters shall comply with the provisions of Presidential Decree (PD) No. 1067, otherwise known as "A Decree Instituting a Water Code, thereby revising and Consolidating the Laws Governing the Ownership, Appropriation, Utilization, Exploitation, Development, Conservation, and Protection of Water Resources."

- B. All commercial and residential deep-well operators are required to secure a Water Permit and Certificate of Public Convenience (CPC) from the NWRB. This is to guarantee that the extraction and use of groundwater resources are regulated to prevent over-extraction and to protect the water supply for future generations.
- C. According to Article 21 of PD 1067¹, also referred to as the "Water Code of the Philippines", all deep well operators shall maintain water control and measuring devices. They must also keep records of water withdrawal for monitoring purposes. This regulation helps ensure sustainable water management and allows the NWRB to effectively oversee and manage the city's water resources.
- D. Deep-well construction shall comply with the proper spacing requirements between wells except for wells less than thirty (30) meters deep as

¹ Article 21. Standards of beneficial use shall be prescribed by the council for the appropriator of water for different purposes and conditions, and the use of waters which are appropriated shall be measured and controlled in accordance therewith.

Excepting for domestic use, every appropriator of water shall maintain water control and measuring devices, and keep records of water withdrawal. When required by the Council, all appropriators of water shall furnish information on water use.





provided for in Article 43 of PD 1067², the Water Code of the Philippines, shall be in accordance with the table below:

Rate of Withdrawal in Liters per second/s	Minimum Distance Between Wells in Meters (m)
2-10	200
More than 10-20	400
More than 20-40	600
More than 40	1000

Section 10. Regulation on Drilling and/or Excavation. – No person, entity, or organization shall install, construct, or operate a deep well within the city limits without obtaining written approval from the Office of the Building Official and the necessary Water Permit from the National Water Resources Board.

Section 11. Regulation on Existing Deep Well. — To ensure that all existing deep wells within the city are accounted for and properly managed, the registration of all deep wells with the Office of the Building Official within one (1) year from the effective date of the Ordinance is mandatory for purposes of monitoring and regulating the water usage more effectively. Additionally, in case the deep wells are used for profit, they must be registered as a business, ensuring compliance with local business regulations and contributing to the city's revenues through payment of the necessary permits, fees, and taxes.

Section 12. Additional Requirements for Applications for Sanitary / Plumbing (Drilling/Excavation) Permits.

- A. All applications for Sanitary/Plumbing (Drilling/ Excavation) Permits shall include the following:
- A detailed plan of the water supply system of the building. The plan typically includes:
 - Layout of the Water Supply System.** A schematic diagram showing the entire water supply network, including the source (deep well), storage tanks, pumps, pipes, and distribution points.
 - Technical Specifications.** The detailed descriptions of the materials and equipment used, such as, but not limited to, the type of pipes, pumps, and filtration systems.

² Article 43. No person shall raise or lower the water level of a river stream, lake, lagoon, or marsh nor drain the same without a permit.





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3. **Capacity and Flow Rates.** Information on the capacity of the well, storage tanks, and the expected flow rates through the system.
 4. **Safety Measures.** Details on safety features and protocols to prevent contamination and ensure the quality of the water supply.
 5. **Compliance with the Required Standards.** Confirmation that the system complies with local and national standards and regulations.
- b. For sourcing water from a groundwater well:
1. **Photocopies of the Water Permit.** This permit must be duly issued by the National Water Resources Board (NWRB) to ensure that the groundwater extraction is regulated and sustainable.
 2. **Conformity from Metropolitan Waterworks and Sewerage System (MWSS Concessionaires.** This is a document from the MWSS concessionaires, such as the Maynilad or Manila Water, confirming that the water supply system complies with the standards and regulations.
- c. For sourcing water from a groundwater well, the applicant must provide comprehensive details and documentation to ensure compliance with the regulations.
1. **Site Development Plan.** This includes the layout and location of the well, showing the distance from the nearest well and other significant landmarks.
 2. **Well Specifications.**
 - **Depth.** The planned depth of the well.
 - **Casing and Diameter.** Includes the details about the casing materials and the diameter of the well.
 - **Materials Used.** Information on the materials used in the construction of the well.
 3. **Water Extraction Details.** The volume of water is expected to be extracted daily.



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4. Legal Documents.

- **Transfer Certificate of Title (TCT).** Proof of ownership of the land where the well is to be constructed.
- **Tax Declaration and Tax Receipt.** Documents showing that the property taxes are up to date.
- **Barangay Clearance.** A clearance from the local barangay indicating no objections to the well construction.

- B.** In case the applicant is a lessee, a photocopy of the duly notarized Contract of Lease. This document serves as proof of the lessee's legal right to use the property for the intended purpose, such as constructing or operating a groundwater well.

The notarized Contract of Lease should include:

- **Complete names of the Lessor and the Lessee.** Clearly identifying both parties involved.
- **Lease Term.** The duration of the lease agreement.
- **Property Description.** Detailed description of the property being leased.
- **Purpose of the Lease.** Specifically mentioning that the property will be used for constructing or operating a groundwater well.
- **Signatures and Notarization.** Signatures of both parties and the notarization validating the document.

- C.** For corporate applicants, the following documents are required:

- Certificate of Registration.** This document issued by the Securities and Exchange Commission (SEC) confirms that the corporation is legally registered.
- Articles of Incorporation.** This includes the fundamental details about the corporation, such as its name, purpose, and nature.

Both documents must be.

- **Duly Certified by the Corporate Secretary.** This certification ensures that the documents are authentic and up-to-date.





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- D. When submitting photocopies of the required documents, the applicant must also present the original documents to the Building Official or their authorized representative. This is to determine that the photocopies are accurate and faithful reproductions of the original.
- Prepare photocopies.** Make clear and legible copies of all required documents.
 - Bring Originals.** Have the original documents ready for verification.
 - Exhibit Originals.** Present the originals to the Building Official or their representative during the submission process.
 - Verification.** The Building Official or their representative will compare the photocopies with the originals to confirm their authenticity.
- This verification step is essential to maintain the integrity of the documentation process.
- E. To guarantee the safety and quality of water sourced from a groundwater well, the following steps are required:
- Potability Test.** Obtain the original result of the potability test conducted by the Office of the City Health Services (OCHS) confirming that the water is safe for consumption.
 - Water Treatment Systems.** If necessary, install a water filter, purification system, and chlorinator. These systems help ensure that the water meets the National Standards for Drinking Water.
- F. For the well/water plans, and specifications, it is essential to ensure that all details are documented in the appropriate forms and duly signed by a registered Sanitary Engineer. This includes:
- Well Plans.** Detailed drawings and schematics of the well construction.
 - Specifications.** Technical details about the materials, equipment, and construction methods.
 - Other Details.** Any additional information required by the regulatory authorities.



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Section 13. Additional Requirements for Application of New/Renewal or Business Permits. All applications for new business permits or for renewal of business permits shall include a sworn statement containing the following:

- A. A statement identifying the source of the water supply of the applicant. This statement should include:
 - a. **Source Description.** Clearly specifying whether the water will be sourced from a groundwater well, a municipal supply, or another source.
 - b. **Location Details.** Provide the exact location of the water source, including any relevant geographic or property details.
 - c. **Ownership or Access Rights.** Indicate whether the applicants own the water source or have legal access rights, such as through a lease or agreement.
 - d. **Usage Purpose.** Explain the intended use of the water, such as for domestic, commercial, or industrial purposes.
- B. For applicants who own or operate a well in their establishment, the following documentation is required:
 - a. **Statement of Compliance.** A statement confirming that the well is covered by a Water Permit from the NWRB.
 - b. **Conformity from MWSS or Concessionaire.** Documentation showing that the well conforms to the standards set by the MWSS and/or its concessionaires, such as Maynilad or Manila Water.
 - c. **Sanitary/Plumbing Permit.** A permit from the Office of the Building Official, ensuring that the well meets sanitary and plumbing standards.

Additionally, certified copies of the Water Permit and the Sanitary/Plumbing Permit shall be attached to the sworn statement to ensure that all legal and regulatory requirements are met, promoting safe and sustainable water use.

- C. A statement that the applicant has and will continue to comply with all the requirements of said Water Permit issued by the NWRB. The statement should include:
 - a. **Acknowledgment of Compliance.** Confirming that the applicant has met all the conditions and requirements specified in the Water Permit.





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- b. **Commitment to Ongoing Compliance.** Pledging adherence to the requirements continuously throughout the operation of the well.
- c. **Reference to Specific Requirements.** Mention any key requirements or conditions outlined in the Water permit that the applicant is committed to complying with.

The statement ensures that the applicant is aware of and committed to maintaining the standards set by the NWRB, promoting responsible and sustainable water use.

- D. For lessees, the applicants shall provide a sworn certification from the lessor or owner of the building. The certification should include:
 - a. **Compliance with Water Permit Requirements.** A statement from the lessor or owner confirming that the well is covered by a Water Permit from the NSRB and conforms to the standards set by the MWSS or its concessionaires.
 - b. **Commitment to Ongoing Compliance.** A pledge from the lessor or owner that it will continue to comply with all the requirements of the Water Permit.

If the applicant fails to present a Water Permit from the NWRB and a Sanitary/Plumbing Permit from the Office of the Building Official, the applicants need to secure these permits before proceeding.

- A. **Water Permit from NWRB.** Apply for and obtain a Water Permit from the NWRB ensuring that the groundwater extraction is regulated and sustainable.
- B. **Sanitary/Plumbing Permit.** Obtain a Sanitary/Plumbing Permit from the Office of the Building Official to ensure that the well meets all sanitary and plumbing standards.

Section 14. Action on the Application. – The requirements under Section 13, paragraph B. The officials responsible for processing the applications will rigorously review and verify the submitted documents. They may refer these documents to the NWRB, the MWSS, its concessionaires, or other relevant water utility companies for verification, validation, or authentication.

- A. **Document Submission.** Applicants submit all required documents, including permits and certifications.





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- B. **Verification and Validation.** The documents are referred to the NWRB, MWSS, or other relevant authorities for thorough verification.
- C. **Evaluation.** Officials evaluate the application and documents to ensure compliance with all legal and technical requirements.
- D. **Approval or Denial.** In case the application and documents comply with the requirements, the application will be approved. In case not, the application shall be denied.

Section 15. Validity of Sanitary / Plumbing (Drilling/Excavation) Permit. —

The issuance of a Sanitary/Plumbing (Drilling/Excavation) Permit is strictly for the specific activities it covers and does not grant permission to bypass other legal requirements. Compliance with all relevant codes and laws, such as the National Building Code, Water Code, Sanitation Code, and Plumbing Code, remains mandatory.

The expiration clause in the Sanitary/Plumbing (Drilling/Excavation) Permit ensures that the permits are used within a reasonable timeframe and that projects are not left incomplete.

- A. **Commencement Period.** The drilling/excavation work must begin within one (1) year from the date the permit is issued. In case not, the permit will expire and lose its legal validity.
- B. **Abandonment Clause.** In case the drilling/excavation work commenced but then abandoned for a period of four (4) months, the permit will also expire and cease to have any legal effect

Section 16. Suspension/Revocation of Sanitary/Plumbing (Drilling/Excavation). — The Building Official has the authority to suspend or revoke a permit provided certain conditions are met.

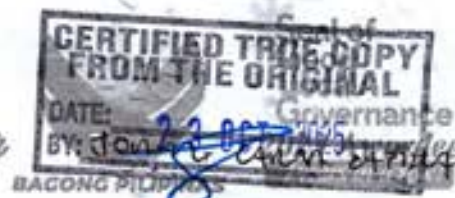
- A. **Erroneous or Defective Plans.** The plans and specifications submitted are found to be incorrect or flawed.
- B. **False or Inaccurate Data.** The information provided by the applicant is discovered to be false or inaccurate.
- C. **Non-Compliance.** The applicant fails to comply with the requirements set forth in the ordinance and this IRR.

The process involves a notice and hearing to ensure fairness and due process in maintaining the integrity of the permitting process and ensuring that all projects meet the necessary standards and regulations.





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Operating Officer shall be charged and, if warranted, penalized under the foregoing applicable provisions.

Section 18. Assistance from the MWSS, its Concessionaires, or other Water Utility Companies. – The city may request the assistance of and/or deputize the MWSS and/or its concessionaires or other water utility companies to conduct investigation, collection, closures, and other activities to effectively implement the Ordinance and this IRR.

Rule 4
FINAL PROVISIONS

Section 19. Budget Appropriations. – The City Government of Bacoor shall allocate the necessary funds in its annual budget or any subsequent supplemental budget to implement the provisions outlined in the Ordinance.

Section 20. Changes or Modifications of the Implementing Rules and Regulations. – In order to ensure the efficient and effective implementation of the Ordinance, the Office of the City Mayor, in consultation with relevant offices, may propose amendments to said Ordinance and, consequently, to this IRR, as deemed necessary.

Section 21. Separability. – Should any section or provision of this IRR be deemed unconstitutional or invalid, the unaffected sections or provisions shall continue in full force and effect.

Section 22. Repeal. – All local rules or regulations inconsistent with or contrary to the provisions of this IRR are hereby repealed and modified accordingly.

Section 23. Effectivity. – This IRR shall take effect immediately upon its approval.

