

## **ORDINANCE NO. 2003-009**

(Authors: Hon. Paul D. Quiwa III, Hon. Raul f. Macalino,  
Hon. Jesus Cuyugan & Hon. Raymundo C. Pekson)

### **AN ORDINANCE AMENDING ORDINANCE NO. 14, S. OF 1953, PROHIBITING THE DUMPING OF REFUSE OR WASTE MATTER, SUBSTANCES, INFLAMABLE LIQUIDS, POISONOUS LIQUIDS, GARBAGE, HUMAN WASTES, ETC., WITHIN THE SAN FERNANDO RIVER AND ALL OTHER WATERWAYS IN THE CITY OF SAN FERNANDO, PAMPANGA.**

Be it ordained by the Sangguniang Panlungsod of the City of San Fernando, Pampanga, in session assembled that:

**Section 1.** - The dumping into the San Fernando River of the following is prohibited:

a) Refuse or waste matter such as refuse (palid) in the milling of sugar canes and other refuse coming from different factories that may cause discoloration of the river water, dirty or smelly;

b) Any substance and materials that will serve as structure that may cause an elevation in the level of the river beds or block the course of its water;

c) Any kind of poisonous substance or liquid such as gasoline, petroleum, kerosene, crude oil, alcohol or any inflammable liquids that will cause conflagration;

d) Any kind of poisonous substance or liquid that will kill fishes thereof;

e) Any human waste such as effluent coming from household toilets, sewage coming from canals, household garbage and trash that will pollute the river thereof.

**Section 2.** - The construction of “bonuans” or trap fishes, any means or devices that will cause alluvial formation or sedimentation or by any similar process in order to be able to reclaim a strip of land through accesion, except with the authority of the Secretary of the Department of Public Works and Highways, which shall be granted if and when such works were absolutely necessary for the protection of private property against the destructive action of the water, and not otherwise harmful to other parties, is also correspondingly and accordingly prohibited.

**Section 3.** The reclamation of lands through accretion or alluvium along the banks of San Fernando River and all other waterways in the City of San Fernando, Pampanga used for erection of houses and cage for domestic pets that will pose danger and effects to the environment is also correspondingly and accordingly prohibited.

**Section 4. Definition of Terms** - As used in this Ordinance, the following shall mean:

a) Accretion - is the act by which the land bordering a stream or other body of water increases its area by the gradual deposit of soil by the current of the river or other natural process;

b) Alluvium - is the soil deposited or added to the lands adjoining the banks of the river and gradually received as an effect of the current of waters.

**Section 5.** - Penalties.

Any natural or juridical person who shall be found violating any or all of the provisions of this Ordinance shall be punished as follows:

**For Natural Persons**

First Offense - a fine of P500.00

Second Offense - a fine of P1,000.00 and or imprisonment of not more than 14 days or both fine and imprisonment at the discretion of the court;

Third Offense - a fine of P2,000.00 and imprisonment of not more than 30 days or both such fine and imprisonment, at the discretion of the court.

**For Juridical Persons**

First Offense - a fine of P1,000.00

Second Offense- a fine of P3,000.00

Third Offense - a fine of P5,000.00

The Officers of the Juridical persons such as the president, general manager, and other persons shall, in addition to the penalties imposed to said juridical persons shall be liable in their personal capacity and shall be sanctioned in accordance with the provision imposing penalties to natural persons.

In case of juridical persons such as private enterprise, the latter is under obligation to notify its employees about the violation of this Ordinance.

Section 6. Any Ordinance, order or regulation or part of any ordinance that is conflict with this Ordinance is hereby repealed and modified accordingly.

Section 7. - This Ordinance shall take effect upon its approval and compliance with existing rules, regulations and laws on posting and publication.

Adopted this 9<sup>th</sup> day of April 2003.