

**TO ENACT AN ORDINANCE MAINSTREAMING, PROMOTING, AND
INSTITUTIONALIZING PERMEABLE PAVEMENT SYSTEM IN DAVAO CITY,
PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES**

WHEREAS, the Interface Development Interventions (IDIS) Inc., through its Executive Director Chinkie Peliño-Golle, forwarded a letter request dated June 11, 2018, seeking the support of the Davao City Council in sponsoring an Ordinance Mainstreaming and Requiring Permeable Paving Systems in construction of car parking spaces, walkways, open spaces, low-traffic roads of establishments in the City;

WHEREAS, **Permeable Paving System (PPS)** is a storm water management facility that allows water to move through void spaces within the pavement and eventually infiltrate into underlying soils. It is one of the alternative options eyed to solve the environmental problems caused by conventional concrete;

WHEREAS, Article 3, par. 3 of the United Nations Framework Convention on Climate Change provides as a guiding principle that the Parties to the convention should take precautionary measures to anticipate, prevent, or minimize the causes of climate change and mitigate its adverse effects;

WHEREAS, Section 16, Article II of the 1987 Philippine Constitution declares that 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, the Local Government Code (LGC) expressly and/or impliedly grants the Local Government Unit the powers to efficiently and effectively carry-out its function and promote the general welfare;

WHEREAS, the LGC also grants express and implied powers in order to ensure and support, within their territorial jurisdiction, promote health and safety, enhance the right of the people to a balanced ecology, and preserve the comfort and convenience of their inhabitants;

WHEREAS, the LGC, particularly Section 458(a)(5)(v), also empowers the Sangguniang Panlungsod to enact ordinances aimed at regulating the use of streets, avenues, alleys, sidewalks, bridges, parks, and other public places and approve the construction, improvement, repair, and maintenance of the same;

WHEREAS, the LGC, specifically section 192 grants the local government unit the authority to enact ordinances that grant tax exemptions, incentives, or relief under such terms and conditions as they may deem necessary;

WHEREAS, the Comprehensive Zoning Ordinance of Davao City (Zoning Ordinance) was enacted for the purpose of, among others, promoting and protecting the environment, health, sanitation, safety, peace, comfort, convenience, and general welfare of the inhabitants in the locality;

WHEREAS, the Zoning Ordinance seeks to ensure the protection and sustainability of the environment taking into consideration climate change adaptation in

synergy with disaster risk reduction and management, principles of biodiversity and preservation of historical and cultural heritage in all development processes;

WHEREAS, the priority thrust of the City Government of Davao is towards attaining an improved quality of life for all the people of the City. The sustainable development of the City will remain the primordial concern.

WHEREAS, the Joint Committee on Public Works and Highways and Environment and Natural Resources jointly convened last July 16, 2018 and recommended passing an Ordinance Mainstreaming and Requiring Permeable Paving Systems in construction of car parking spaces, walkways, open spaces, low-traffic roads of establishments in the City;

NOW THEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED, TO ENACT AN ORDINANCE MAINSTREAMING, PROMOTING, AND INSTITUTIONALIZING PERMEABLE PAVEMENT SYSTEM IN DAVAO CITY, PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES;

RESOLVED FINALLY, that copies of this Resolution be furnished to the Office of the City Mayor through the City Administrator's Office, the Vice Mayor's Office, all Davao City Councilors, the City Engineer's Office, the City Planning and Development Office, CDRRMO, DPWH Regional Director-XI Engr. Allan S. Borromeo, DENR XI, IDIS and all other offices/departments concerned, for their information and guidance;

Done this 3rd day of December 2018, Davao City, Philippines.


Atty. Jesus Joseph B. Zozebrado III

City Councilor

Chairperson, Committee on Public Works and Highways

BE IT ORDAINED BY THE SANGGUNIANG PANLUNGSOD OF THE CITY OF DAVAO, PHILIPPINES:

Ordinance No.: _____
Series of 2018

AN ORDINANCE MAINSTREAMING, PROMOTING, AND INSTITUTIONALIZING PERMEABLE PAVEMENT SYSTEM IN DAVAO CITY, PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES

Be it Ordained by the Sangguniang Panlungsod of Davao City in session assembled, that:

SECTION 1. TITLE. – This Ordinance shall be known and cited as “Permeable Pavement System Ordinance of Davao City”.

SECTION 2. DECLARATION OF PRINCIPLE AND POLICY. – The Local Government of Davao City hereby declares the following as its policies:

1. The Local Government shall protect and advance the right of all Dabawenyos to a balance and healthful ecology in accord with the rhythm and harmony of nature;
2. The Local Government shall promote permeable paving system, in pursuing sustainable urban development, as a crucial component to the aspirations of a livable City for the Dabawenyos and thus must be established and maintain through a participative, empowered, and environmentally conscious community;
3. The Local Government recognizes the important role of permeable pavement system in the recharge of the City’s ground water and aquifers;
4. The Local Government recognizes the use of permeable pavement system as a climate change mitigation and adaptation scheme as it suspend dust particles and retain sequestered carbon dioxide; and
5. The Local Government recognizes the need for a legislation to ensure the permeability of the City grounds to address large volumes of water runoff in urban area as part of the Revised Comprehensive Development Plan of Davao City.

SECTION 3. DEFINITION OF TERMS. – As used in this Ordinance, the following terms shall mean:

1. **Infiltration** – the process by which water on the ground surface enters the soil.

2. **Pavement** – the durable surface material laid down on an area intended to sustain vehicular or foot traffic, such as a road or walkway.
3. **Permeability** – the property of a material or solid that determines how easily fluid flows through a material.
4. **Permeable Pavement System (PPS)**– is a storm water management facility that allows water to move through void spaces within the pavement and eventually infiltrate into underlying soils.
5. **Pervious** – materials that allow storm water to percolate through the surface, draining it to its gaps or void spaces rather than allowing water to pass inside the material.
6. **Run-off** – also known as overland flow of water that occurs when excess storm water, meltwater, or other sources flows over the earth's surface.

SECTION 4. SCOPE AND APPLICATION. – The Permeable Pavement System Ordinance of Davao City shall cover all establishments whether private or public including, but not limited to, Residential, Commercial and Institutional establishments. Further, it shall also cover parks and other government owned or manage areas such as, but not limited to, parking spaces and walk ways.

However, establishments or buildings already constructed prior to the approval of this Ordinance shall not be affected thereby but may opt to convert their conventional pavement into a permeable pavement should they want to avail of the incentives provided herein.

SECTION 5. TYPE OF PPS. – For purposes of this Ordinance, all establishments proposed for construction or those who opt to convert their conventional pavement shall include in their design the permeable pavement system which shall be classified, but not limited, to the following types:

(1) TYPE 1. PERMEABLE CONCRETE (PC)

Permeable concrete shall contain mixture of conventional Portland cement, washed gravel, and water. The water to cementitious material ratio must be 0.35 – 0.45 to 1. This mixture contains little or no sand and forms a system of highly permeable, interconnected voids.

(2) TYPE 2. PERMEABLE GRID PAVERS (PGP)

Permeable grid pavers shall contain open-cells. Cells will be filled with gravel, sand, or a growing compound that can be planted or allows grass and other vegetation growth. This type is usually made from regular or porous concrete, clay and even plastic reinforcement.

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