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Item No.: 22
Date: JUN 06 2023

Republic of the Philippines
PROVINCE OF LEYTE
Tacloban City

SANGGUNIANG PANLALAWIGAN
26 May 2023
LWC
PROVINCE OF LEYTE

PROVINCIAL LEGAL OFFICE

2ND INDORSEMENT
April 20, 2023

Province of Leyte
Legal Office
Released: [Signature]
Time: [Signature]
Date: 5-22-23

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 23-001 of the SB of Mahaplag, Leyte, with the following comments and/ or opinion:

1. That Ordinance No. 23-001 is enacted for the "establishment and maintenance of an efficient waterworks system", in the LGU concerned;
2. That said establishment is anchored on the provision of Section 17 (2) (viii) of the Code, to provide among others " Artesian Wells, Spring development, rainwater collectors, and WATER SUPPLY SYSTEMS";
3. That as stated in the 4th "WHEREAS" of the Ordinance, it appears that the Water Supply System shall be made as the LGUs "Economic Enterprise", citing the authority therefor Section 22 (d) of the Code quoted hereunder for reference:

Section 22 (d)- Local government units shall enjoy full autonomy in the exercise of their proprietary functions and in the management of their economic enterprise subject to the limitations provided in this Code and other applicable laws";

4. That in view thereof, Ordinance No. 23-001 is recommended for declaration of validity pursuant to its power under Section 56 (c) of R.A 7160, the same being, an exercise of the power authorized under Section 22 (d) of the Code. Provided, That, being an "Economic Enterprise", the provision of Section 325 (a) of the Code must be observed. Section 325 (a) is quoted hereunder for reference:

" Section 325 (a)- x x x x . The appropriations for salaries, wages representation and transportation allowances of officials and

employees of the public utilities and economic enterprises, owned, operated, and maintained by the local government unit concerned shall not be included in the annual budget or in the computation of the maximum amount for personal services. The appropriation for the personal services of such economic enterprises shall be charged to their respective budgets".

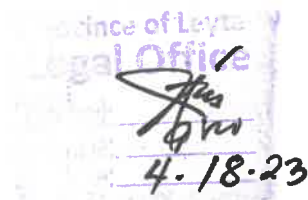
ATTY. JOSE RAYMUND A. ACOL
Asst. Provincial Legal Officer




Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
17 April 2023



The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **ORDINANCE NO. 23-001** of the **MUNICIPALITY** of **MAHAPLAG, LEYTE**, entitled: AN ORDINANCE ON THE REVISED CHARTER OF THE MAHAPLAG MUNICIPAL WATERWORKS SYSTEM (MMWS) FOR THE ESTABLISHMENT AND MAINTENANCE OF AN EFFICIENT WATERWORKS, FORMULATING ITS MANAGEMENT, OPERATION AND CONTROL, AND GRANTING SUCH POWERS NECESSARY TO OPTIMIZE PUBLIC SERVICE.

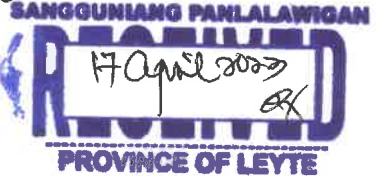

FLORINDA JILLS UYVICO
Secretary to the Sanggunian



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Mahaplag
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Office of the Sangguniang Bayan

TRANSMITTAL



FLORINDA JILL S. UYVICO
Provincial Government Department Head
Secretary to the Sangguniang Panlalawigan
Office of the Sangguniang Panlalawigan
Province of Leyte
Tacloban City

Attention: Records Office

Madam:

Transmitting to your good office these duly approved ordinance of the Sangguniang Bayan of Mahaplag, Leyte, for review by the Sangguniang Panlalawigan of the Province of Leyte, as follows:

- 1. MUNICIPAL ORDINANCE NO. 23-001: AN ORDINANCE ON THE REVISED CHARTER OF THE MAHAPLAG MUNICIPAL WATERWORKS SYSTEM (MMWS) FOR THE ESTABLISHMENT AND MAINTENANCE OF AN EFFICIENT WATERWORKS, FORMULATING ITS MANAGEMENT, OPERATION AND CONTROL, AND GRANTING SUCH POWERS NECESSARY TO OPTIMIZE PUBLIC SERVICE**

Attachments:

- a. Affidavit of Publication (Leyte Samar Daily Express) dated April 3, 2023
- b. Certificate of Posting dated April 11, 2023

Thank you and more power.

Respectfully yours,

ATTY. JASON L. ALONZO
Board Secretary V



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Mahaplag
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OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE 12TH SANGGUNIANG BAYAN OF MAHAPLAG, LEYTE HELD ON MARCH 6, 2023 AT THE SESSION HALL OF THE MUNICIPAL HALL, BRGY. POBLACION, MAHAPLAG, LEYTE.

PRESENT:

- HON. MYRA P. SOLIS - Municipal Vice Mayor/Presiding Officer
- HON. ARLENE O. GIGANTO - Sangguniang Bayan Member
- HON. AIDA L. DIZON - Sangguniang Bayan Member
- HON. CARMELITO C. ALONZO - Sangguniang Bayan Member
- HON. REYNALDO M. KANEN - Sangguniang Bayan Member
- HON. GLENN H. BARTOLINI - Sangguniang Bayan Member
- HON. HARLIN O. GONZAGA - Sangguniang Bayan Member
- HON. OSCAR S. REALES - Sangguniang Bayan Member
- HON. JOSE T. AMARADO II - Ex officio Sangguniang Bayan Member
President, Sangguniang Kabataan Federation

Absent:

- HON. JEFFREY M. RELEVO - Sangguniang Bayan Member
- HON. GOMERCINDO V. RAMOS JR. - Ex officio Sangguniang Bayan Member
President, Liga Ng Mga Barangay

MUNICIPAL ORDINANCE NO. 23-001

AN ORDINANCE ON THE REVISED CHARTER OF THE MAHAPLAG MUNICIPAL WATERWORKS SYSTEM (MMWS) FOR THE ESTABLISHMENT AND MAINTENANCE OF AN EFFICIENT WATERWORKS, FORMULATING ITS MANAGEMENT, OPERATION AND CONTROL, AND GRANTING SUCH POWERS NECESSARY TO OPTIMIZE PUBLIC SERVICE

WHEREAS, the Local Government Code of 1991 in Section 16 there 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."

WHEREAS, Section 17 thereof also provides, among others, that the Local Government Unit shall endeavor to be self-reliant and shall discharge such other functions and responsibilities as are necessary, appropriate, or incidental to efficient and effective provision of basic services and facilities such the water supply system intended primarily to service the needs of the residents of the municipality;

WHEREAS, Section 18 also provides that Local Government Units shall have the power and authority to establish an organization that shall be responsible for the efficient and effective implementation of their development plans, programs objectives and priorities and to create their own sources of revenue and to levy fees and charges which shall accrue exclusively for their use and disposition;

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WHEREAS, Section 22 (d) thereof also provides that "Local government units shall enjoy full autonomy in the exercise of their proprietary functions and in the management of their economic enterprises, subject to the limitations provided in this Code and other applicable laws;"

WHEREAS, Section 447 (a)(5)(vii) thereof grants power to the Sangguniang Bayan to provide for the establishment, operation, maintenance, and repair of an efficient waterworks system to supply water for the inhabitants, subject to existing laws;

WHEREAS, it is the necessary and imperative to enact an ordinance that that will institutionalize the management and organization of the Mahaplag Municipal Waterworks System;

NOW, THEREFORE, the foregoing premises considered, be it ordained by the Sangguniang Bayan of Mahaplag, Leyte in a Regular Session assembled, that:

CHAPTER I. The Mahaplag Municipal Waterworks System

Section 1. Title - This ordinance shall be known as "An Ordinance on the Revised Charter of the Mahaplag Municipal Waterworks System (MMWS) for the Establishment and Maintenance of An Efficient Waterworks, Formulating its Management, Operation and Control, and Granting such Powers Necessary to Optimize Public Service" or otherwise known as:

THE REVISED MAHAPLAG MUNICIPAL WATERWORKS SYSTEM CHARTER

Section 2. Name and Official Logo. The name of the Waterworks System shall be the "MAHAPLAG MUNICIPAL WATERWORKS SYSTEM" and its Logo shall be as follow:



Section 3. Declaration of Policy. The creation, operation, maintenance of reliable and economically viable and sound water supply for Mahaplaganons is hereby declared to be an objective of high priority both by the Local Chief Executive and the Sangguniang Bayan of Mahaplag, Leyte. For purposes of achieving said objectives, the formulation and operation of locally-controlled waterworks system is found and declared to be the most feasible and favored institutional structure. To this end, it is hereby declared to be in the municipal interest that said municipal waterworks system is formed and that local water supply be operated by the local government unit, hereinafter referred to as LGU, through such municipal waterworks system to the greatest extent practicable.

Section 4. Purpose. The Mahaplag Municipal Waterworks System is formed for the following purpose:

- a) To provide potable water for the residents of Mahaplag, Leyte;
- b) To acquire, install, improve, maintain and operate water supply and distribution systems for domestic, industrial, commercial for the residents and lands within the Municipality of Mahaplag, Leyte; and

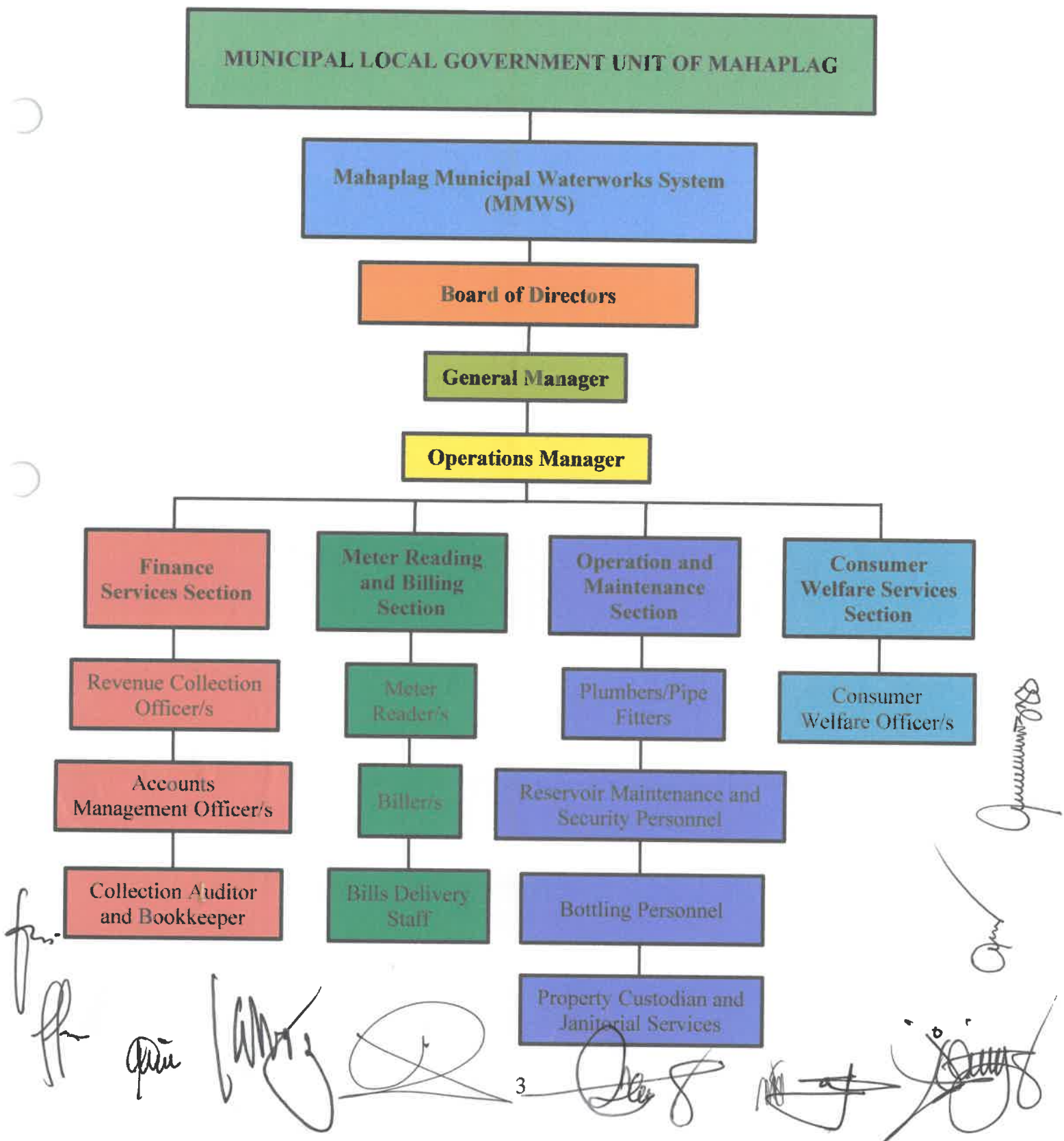
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- c) To conduct such other functions and operations incidental to water resource development and utilization within boundaries of Mahaplag, Leyte, as are necessary or incidental to said purpose.

Section 5. Exercise of Powers. All powers of the Mahaplag Municipal Waterworks System shall be exercised in the manner prescribed by this Charter, or, if not so prescribed, in such manner as shall be provided by a Municipal Ordinance or resolutions of the Sangguniang Bayan of Mahaplag that is approved by the Municipal Mayor.

CHAPTER II The MMWS Management Organizational Structure

Section 6. Management Organization Structure. The management organizational structure of the Mahaplag Municipal Waterworks System as a Municipal Government Controlled Economic Enterprise shall be as follows:



All positions in the MMWS Management Organizational Structure shall be contractual positions in nature, except in the Local Government Unit of Mahaplag and the Board of Directors, subject to the discretion of the Municipal Mayor to assign regular employees therein and to the discretion of the Sangguniang Bayan to create plantilla positions therein. The members of the Board of Directors shall be appointed by the Municipal Mayor and shall receive an honorarium for their services in accordance to the provisions of this Charter.

The longevity and/or sustainability of the waterworks system is one crucial point that has to be ensured. This is because the establishment of water supply system must transcend generations. The system must be a legacy that can continue by itself and one of the deciding factors in its success and continuity is the establishment of effective and efficient management system and organizational structure.

Section 7. Functions, Duties and Responsibilities of the Municipal Mayor: The functions, duties and responsibilities of the Municipal Mayor are as follows:

(a) He shall exercise the duties and functions specified in the Local Government Code of 1991 as the Local Chief Executive of an LGU enterprise, including, but not limited to, entering into contracts or agreements for and in behalf of the LGU and/or the MMWS. He shall have general supervision and control and be responsible for the overall management of the Mahaplag Municipal Waterworks System.

(b) He shall appoint the members of the Mahaplag Municipal Waterworks System's Board of Directors. When necessary for the good of the service, the Municipal Mayor may remove any or all officers and employees of the waterworks system except as otherwise provided by the Local Government Code of 1991 and the rules and regulations provided by the Civil Service Commission.

(c) The Municipal Mayor shall provide the necessary annual budget for the MMWS every year.

(d) The Municipal Mayor shall approve or disapprove resolutions passed by the MMWS Board of Directors. The resolutions approved by the Board shall be submitted to the Office of the Mayor within ten (10) consecutive days from its passage. The Municipal Mayor shall, within ten (10) consecutive days, either approve the resolution by affixing his signature or shall return the resolution to the Board by transmitting it to the Board Secretary with a statement of his disapproval. The resolutions approved by the Municipal Mayor shall be indorsed to the Sangguniang Bayan for review. No resolution shall take effect without the approval of the Municipal Mayor and the adoption or approval on review by the Sangguniang Bayan except resolutions pursuant to Section 27 (i) of this Charter.

(e) The Municipal Mayor shall have the right to take part in the discussions coming before the waterworks' governing board, staff meetings, coordination meetings, and the municipal department heads and other public officials who may be invited to take part in all discussions of the waterworks' governing board relating to the sustainable operation of the Mahaplag Municipal Waterworks System.

(f) In the event of calamity, disaster, or when the demand of public service will warrant, the Municipal Mayor is authorized to suspend, condone, and/or defer the collection and/or payments of water bills by consumers by issuing an Executive Order for that purpose.

Section 8. Functions, Duties and Responsibilities of the Sangguniang Bayan. The Sangguniang Bayan shall exercise oversight functions over the Mahaplag Municipal Waterworks System operations. The Sangguniang Bayan shall review all resolution of the MMWS Board of Directors as indorsed by the Municipal Mayor. All resolutions passed by the Board and approved by the Municipal Mayor shall be submitted to the Office of the Sangguniang Bayan for review. The Sangguniang Bayan shall either adopt, approve, or disapprove all resolutions passed by the

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MMWS Board of Directors. The Sangguniang Bayan may also return the resolutions to the Board by transmitting it to the Board Secretary with a statement of its disapproval, recommendations, and/or suggestion for amendments. No resolution shall take effect without the adoption or approval on review by the Sangguniang Bayan except resolutions pursuant to Section 27 (i) of this Charter.

Section 9. Functions, Duties, Responsibilities, and Benefits of the MMWS Board of Directors. The Mahaplag Municipal Waterworks System (MMWS) shall have a governing Board of Directors that has the powers of general control, policy making, and management of the day to day operations of the MMWS with the responsibility of insuring its sound business direction, maintained financial stability, and bringing in revenues to the LGU consonant with effective management and excellent service of providing safe, potable and adequate supply of water to its consumers and as vanguard of the local government owned economic enterprise.

(a) Composition – The Board of Directors shall be composed of twelve (12) members. The four (4) members shall be composed of one representative from the different departments such as the Municipal Health Office, Municipal Treasurer’s Office, Municipal Budget Office, and Sangguniang Bayan’s Committee on Finance, while the eight (8) members are from the registered consumers appointed by the Municipal Mayor.

(b) Term of Duty – The term of duty of the four (4) members of the Board of Directors from the Municipal Health Office, Municipal Treasurer’s Office, Municipal Budget Office, and SB Committee on Finance shall be permanent while the appointed eight (8) members from the consumers shall have a 3 years term.

(c) Qualifications of BOD Members – The Municipal Mayor shall have the power to exercise his/her sound judgement and discretion in the determination and evaluation of qualifications, appointment, reappointments, and/or extension of term of duty of the members of the MMWS Board of Directors, subject to review by the Sangguniang Bayan on questions of fact and law.

(d) Duties and Responsibilities – It shall be the main responsibility of the MMWS Board of Directors to ensure the sound business direction of the MMWS, maintaining its financial stability and bringing in revenues to the LGU consonant with effective management and excellent service of providing potable and adequate supply of water to its consumers, and as the vanguard of the local government owned economic enterprise.

(e) Honoraria – Every member of the Board shall receive an Honorarium of Five Thousand Pesos (P5,000.00) per Regular Meeting to be held once a month and such other Honoraria as may be prescribed by a municipal ordinance. The honorarium of any member shall not be changed during the term of office for which he was appointed. Any member absent during the Regular Board Meeting shall not be entitled to receive an honorarium, unless a Special Meeting is held within the same month that is attended by such absent member. The honorarium of each member shall not exceed Five Thousand Pesos (P5,000.00) per month.

(f) Additional Benefit – Every member of the Board shall be entitled to Fifty Percent (50%) Discount of their monthly water bills while serving as member of the Board of Directors.

(g). Vacancies – If a vacancy occurs in the office of Board of Directors, the Municipal Mayor shall immediately appoint a new member to fill in the vacancy.

(h) Officers of the Board of Directors – During the first Regular Meeting of their term, the Board of Directors shall elect from among themselves the Chairperson and Vice Chairperson of the Board of Directors who shall serve for the entire term unless replaced by the majority vote of all its members.

(1) Chairperson of the Board of Directors – The Chairperson shall have the right to vote and shall preside at all meetings of the Board.

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(2) Vice Chairperson of the Board of Directors – The Vice Chairperson shall act as Chairperson when the chairperson is temporarily absent.

(i) Permanent Vacancy – If there is a permanent vacancy in the office of Chairperson or Vice Chairperson of the Board due to resignation, death, disability or other cause, then the Board of Directors shall elect from among themselves another Chairperson or Vice Chairperson to serve as chairperson or vice chairperson for the remainder of the term, with said election to take place at the same meeting at which the Board finds the permanent vacancy to exist by either validating the resignation or acknowledging the death, disability or other cause.

(j) Rules and Proceedings – The Board of Directors by resolution shall determine its own rules and order of business and shall keep a journal of its proceedings which shall be open for public inspection in the office of the Mahaplag Municipal Waterworks System Board Secretary.

(k) Time and Place of Meetings – The Board of Directors shall determine by a majority vote of all of its members the time and place of its Regular Meetings, which shall be held once a month only. All meetings shall be held preferably within the Office of the Mahaplag Municipal Waterworks System in Mahaplag, Leyte, unless otherwise agreed by the majority vote of all its members. The first Regular Meeting of a newly appointed Board shall be held on the first day of the new term of office and the Municipal Mayor shall preside the Board until a Board Chairperson shall be elected.

(l) Special Meetings – A special meeting of the Board shall be called by the Board Secretary at the order of the Municipal Mayor, the Board Chairperson, or by the majority of all the members of the Board.

(m) Public Meetings – All meetings of the Board shall be open to the public, and the consumers shall have a reasonable opportunity to be heard on such matters as the Board determines, and in such manner and subject to such restrictions as the rules of the Board may provide.

(n) Notice of Special Meetings – Notice for a Special Meeting shall be served in person to every member or it shall be delivered to the usual place of residence of each member of the Board by giving it to a person of sufficient age and discretion living in therein. Notices shall be given at least 24 hours prior to the designated time of such special meeting. The members of the Board shall also be informed by calling or texting the mobile phones of each member. The Board may hold a special meeting upon a shorter notice in times or for reasons of emergency, calamity or disaster.

(o) Purpose of Special Meetings – The purpose of a special meeting shall be stated in the notice of the meeting. No business shall be considered at any special meeting other than the purpose stated in the notice, except by unanimous consent of all the member of the Board and provided that all the members of the Board are present.

(p) Quorum – The majority of the total number of members of the Board shall constitute a quorum for it to be able to convene a meeting.

(q) Power of Inquiry – The Board of Directors shall have power to inquire into the conduct of any officer, staff or consumers of the Mahaplag Municipal Waterworks System and to make an investigation relating to the operations of the Mahaplag Municipal Waterworks System. Each assigned Section Head of the Administrative and Finance Section, Meter Reading and Billing Section, and Operation and Maintenance Section shall make a detailed and comprehensive report to the Board every Regular Meeting on all their accomplishments, targets, challenges, issue and concerns for the month.

(r) Consultants – The Board may recommend by resolution the hiring of any professional or technical consultants within the limits of appropriations provided for such purpose and as may be approved by the Municipal Mayor and the Sangguniang Bayan.

(s) Restriction on Conflict of Interest – No member of the board shall vote in any matter, contract, franchise, job, work or service or for the purchase, sale or lease of any property by or for the Mahaplag Municipal Waterworks System in which he is interested directly or indirectly, nor shall he/she take any official action relating thereto. All such transactions shall be by the authority of the Board with the interested member inhibiting and not voting.

(t) Creation and Powers of Committees – The Board of Directors may create committees as it may deem necessary for the effective and/or efficient discharge of its functions. Any committee of the Board may conduct an investigation and make a report and recommendation on any matter referred to it, but the final decision, determination or recommendation on all matters shall be determined by the Board as a whole.

(u) Resolution – The Board shall have the authority to approve resolutions to formulate policies, rules and regulations that will direct the operation and management of the MMWS in order to ensure its operational and financial sustainability and to carry out its mandate of ensuring effective management and excellent service of providing safe, potable and adequate water supply to its consumers. The affirmative votes of the majority of all the members of the Board shall be required to approve a resolution.

The resolutions approved by the Board shall be submitted to the Office of the Mayor within ten (10) consecutive days from its passage. The Municipal Mayor shall, within ten (10) consecutive days, either approve the resolution by affixing his signature or shall return the resolution to the Board by transmitting it to the Board Secretary with a statement of his/her disapproval. The resolutions approved by the Municipal Mayor shall be indorsed to the Sangguniang Bayan for review. No resolution shall take effect without the approval of the Municipal Mayor and the adoption or approval on review by the Sangguniang Bayan except resolutions pursuant to Section 27 (i) of this Charter.

MMWS Board Resolutions establishing fines and penalties to its consumers shall only be effective upon the enactment of a Municipal Ordinance by the Sangguniang Bayan and approved by the Municipal Mayor.

(v) Copies of Board Resolutions – Copies of all Board Resolutions shall be kept on file in the office of the Board Secretary of the Mahaplag Municipal Waterworks System and it shall be open to public inspection.

(w) Board Secretary – The Board shall elect from among its members a Board Secretary who shall perform secretariat functions as prescribed in this Charter. The Board Secretary shall not receive additional compensation unless otherwise provided in a Municipal Ordinance.

Section 10. Functions, Duties, Responsibilities, and Remunerations of General Manager. The functions, duties and responsibilities of the MMWS General Manager are the following:

- (a) Oversee the daily operation of the MMWS;
- (b) Develop and implement growth strategies for the MMWS;
- (c) Training of the assigned Section Heads and personnel of the MMWS;
- (d) Managing the budget of the MMWS and formulating the proposed budget for the ensuing calendar year;
- (e) Improving the revenue collection of the MMWS every year;
- (f) Evaluating the performance and productivity of the MMWS personnel;
- (g) Analyzing all the accounting and financial data in the MMWS for planning and sustainability purposes;

- (h) Researching and identifying growth opportunities for the MMWS;
- (i) Generating reports from the Finance Section, Billing and Meter Reading Section, Operation and Maintenance Section, and Consumer Welfare Services Section, and regularly conduct comprehensive presentations to the Board of Directors during its Regular Meeting;
- (j) Be responsible for the overall look-out and maintenance of waterworks system;
- (k) Ensure customers care, concerns and complaints are properly addressed, and if necessary, indorse the same to the Board of Directors for appropriate management decision;
- (l) Prepare and implement plans for the rehabilitation of MWSS;
- (m) Submit to the Sangguniang Bayan within the forty-five (45) calendar days after the close of the fiscal year an audited complete financial statement on the finances and administrative activities of the MMWS; and,
- (n) Perform such other duties as may be required by law.

The MMWS General Manager shall receive a monthly compensation of Forty Thousand Pesos (₱40,000.00) with Year-End Benefits (Bonus and Cash-Gift), and Travelling Allowance for the Official Travel as the need arise.

Section 11. Qualifications of the MMWS General Manager. The Municipal Mayor shall have the power to exercise his/her sound judgement and discretion in the determination and evaluation of the qualifications and appointment of the MMWS General Manager. The minimum qualifications of an MMWS General Manager are the following:

- (a) Good knowledge in water system operations;
- (b) Strong leadership qualities;
- (c) Excellent communication skills;
- (d) Highly organized;
- (e) Strong work ethics;
- (f) Good interpersonal skills;
- (g) Meticulous attention to details;
- (h) Computer literate; and
- (i) Proactive in nature.

Section 12. Functions, Duties, Responsibilities, and Remunerations of the Operations Manager. The functions, duties and responsibilities of the MMWS Operations Manager are the following:

- (a) The Operations Manager shall oversee the operational activities at every level of the MMWS organization and strategizes process improvements to ensure everyone completes their tasks on schedule;
- (b) Ensure all operations are carried on in an appropriate and cost-effective way;
- (c) Improve operational management systems and processes of the MMWS;
- (d) Examine collection data and use them to improve collection revenues;
- (e) Manage the budget of the MMWS;
- (f) Train and supervise MMWS personnel;
- (g) Find ways to increase the quality of customer service;
- (h) Coordinate the schedule and supervise the activities of the plumbers, pipe fitters, meter readers, billers and all other job orders personnel;
- (i) Ensure that notices of disconnection to water consumers will be implemented;
- (j) Ensures that customer concerns, complaints, and problems are immediately acted upon and addressed by MMWS personnel;
- (k) Decide on the operational matters regarding waterworks related concerns;
- (l) Inspects newly installed water connections and schedule field workers for the consumers' call for assistance;

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The MMWS Operations Manager shall receive a monthly compensation of Fifteen Thousand Pesos (P15,000.00) with Year-End Benefits (Bonus and Cash-Gift), and Travelling Allowance for the Official Travel as the need arise.

Section 13. Qualifications of the MMWS Operations Manager. The Municipal Mayor shall have the power to exercise his/her sound judgement and discretion in the determination and evaluation of the qualifications and appointment of the MMWS Operations Manager. The minimum qualifications of an MMWS Operations Manager are the following:

- (a) Work experience in managerial functions or similar or related roles;
- (b) Knowledge of organizational effectiveness and operations management;
- (c) Familiarity with business and financial principles;
- (d) Excellent in communication skills;
- (e) Excellent leadership qualities;
- (f) Outstanding organizational skills;

Section 14. Finance Services Section. Subject to the discretion of the Municipal Mayor, the Finance Services Section is hereby created and shall be composed of the following personnel:

- (a) **Revenue Collection Officer** – The Revenue Collection Officer shall collect and received payments from the consumers and issue Official Receipts for that purpose. Make sures that the revenue collection for the waterworks system will be collected every month. Perform such other functions as may be directed by his/her supervisors.
- (b) **Accounts Management Officer** – He/she shall regularly update the record of monthly payments from every consumer, in coordination with the Revenue Collecting Officer. Make summary reports and updates of revenue collections, collectibles and delinquent consumers. Submit reports to the Board of Directors, General Manager and Operations Manager of the delinquent consumers and the amounts of collectibles. Perform such other functions as may be directed by his/her supervisors.
- (c) **Collection Auditor and Bookkeeper** – He/she shall regularly audit the reported collection be regularly examining the issued Official Receipts, reported revenue collections, cash on hand, and all other financial documents of the MMWS. He/she shall make sure that the financial records of every consumer and the MMWS are true and correct. He/she shall make regular inquiry to the Revenue Collection Officer, Accounts Management Officer and to the consumers if necessary for information and explanations in order to validate reported financial transactions. He/she is duty bound to report to the Operations Manager, General Manager, and to the Board of Directors any discrepancies which he/she believed constituted as fraud committed by any MMWS personnel.

As the MMWS Bookkeeper, he/she is duty bound to maintain the accurate financial records of the MMWS. He/she shall record the day-to-day financial transactions of the MMWS. He/she shall verify that every transaction is recorded in the correct ledger, such as in the consumer ledger, general ledger and such other ledgers that may be created. Perform such other functions as may be directed by his/her supervisors.

Section 15. Meter Reading and Billing Section. Subject to the discretion of the Municipal Mayor, the Meter Reading and Billing Section is hereby created and shall be composed of the following personnel:

- (a) **Meter Reader** – He/she shall regularly collect and document water meter reading for every consumer to record the monthly volume of water consumption of every consumer in their respective assigned area. They must personally inspect and read ever water meter of the assigned consumers. They shall accurately record the volume of consumption and report it to the Biller for the preparation of the correct monthly bill of

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consumer. He/she shall also check for any defective water meters or pipe leakages, and immediately report the same to the MMWS office for immediate actions. Perform other functions as may be directed by his/her supervisors.

(b) **Biller** – He/she shall prepare and print the monthly water bills of the consumers. He/she shall gather the data from the Accounts Management Officer on the monthly balance payable of every consumer and also from the Meter Reader the amount payable for the current water consumption of the consumer, and accurately indicate both data as well as the total payable of consumer in every water bill issued. He/she shall continuously improve the billing system to make it more efficient. Perform such other functions as may be directed by his/her supervisors.

(c) **Bills Delivery Staff** – He/she shall distribute and deliver the monthly water bills consumers before its due date. He/she shall act as utility aide to plumbers during major repairs. Perform other functions as may be directed by his/her supervisors.

Section 16. Operation and Maintenance Section. Subject to the discretion of the Municipal Mayor, the Meter Reading and Billing Section is hereby created and shall be composed of the following personnel:

(a) **Plumber/Pipe Fitters** – He/she shall be responsible for the installation, repair, and maintenance of the waterworks facilities from the main pipelines, reservoirs, distribution lines up to the consumer connections. He/she shall provide technical assistance for the operation and maintenance of the waterworks facilities and perform such other functions as may be directed by his/her supervisors. He/she shall execute the following activities:

(1) At the stand post:

- a. Unlock taps and open valve on service line;
- b. Check tap if operates correctly;
- c. Check if flow of water is normal;
- d. Attend to any dripping tap;
- e. Attend to any leaking valve;
- f. Clean the stand post flat form, drain and surroundings;
- g. Inspect stand post structure, platform and drain (repair any cracks with cement mortar);

(2) Check reservoir

- a. For leaks, if overflow is in good order, if valves are in correct positions, if clear water is flowing into the reservoir at the required rate;
- b. Walk the route of the distribution pipeline; check for pipeline leaks;
- c. Check for disturbed sections of pipe;
- d. Check valves if not leaking and correctly set;

(3) Inspect the pipeline after heavy rain and control erosion around the pipes;

(4) Inspect spring box and diversion trench above the spring;

(5) Check perimeter fence, walls of the spring for cracks, box cover, overflow pipes, surroundings;

(6) Maintain vegetation cover at the area; drain reservoir, clean, inspect;

(7) Check air release valves if they operate correctly; open "wash out";

(8) Take periodic water samples.

(b) **Reservoir Maintenance and Security** – He/she ensures the security, maintenance and sanitation of the reservoirs. Safeguard the reservoir against pilferage, destructions, vandalism, contamination, etc. and immediately report to his supervisors any water system related problems and concerns. Performs other functions as may be directed by his/her supervisors.

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(c) **Bottling Personnel** – He/she operates the water bottling/refilling equipment, report defective products or machinery, maintain the bottling machines, assemble machinery parts, store products and materials, meet the schedule of production tasks, check stock level and report deficiency in products or raw materials, keep the worksite clean to avoid hazards from chemicals and fragile products, etc. Performs other functions as may be directed by his/her supervisors.

(d) **Property Custodian and Janitorial Services** – He/she shall be responsible for the recording, monitoring, and safekeeping of materials, supplies, equipment, and other items that are owned by the MMWS and supply the same when needed for the effective and efficient operation of the water system. He/she shall conduct repairs of MMWS equipment to improve their service lifespan. He/she shall regularly conduct general cleaning of MMWS facilities keeping it maintained and in good condition. He/she shall regularly disinfect commonly used items such as desks, door handles, office tools, etc. Maintain outdoor grounds, cur grass, and trim bushes. He/she shall perform minor repairs of machineries, equipment, and facilities. Perform such other functions as may be directed by his/her supervisors.

Section 17. Consumer Welfare Services Section. Subject to the discretion of the Municipal Mayor, the Customer Welfare Services Section is hereby created and shall be composed of the following personnel:

(a) **Consumer Welfare Officer** - He/she shall act the MMWS consumer service attendant by preparing and processing water permit applications and explaining to the consumers the policies, rules and regulations of the MMWS. He/she is responsible to hear or receive consumer complaints, problems and concerns in the MMWS operations, investigate the same, and initiate appropriate action to address and solve such consumer complaints or concerns. He/she is also responsible for the public relations programs and activities of the MMWS. He/she may perform such other functions as may be directed by his/her supervisors such as the preparation of vouchers and personnel payroll, act as liaison officer of the MMWS, etc.

CHAPTER III

Powers of the Mahaplag Municipal Waterworks System

Section 18. Authorization. The Mahaplag Municipal Waterworks System (MMWS) may exercise all the powers which are expressly granted by this Charter or which are necessary, implied from, or incidental to the power and purposes herein stated. For the purpose of carrying out the objectives of this Charter, the MMWS is hereby granted the power to operate and provide water supply services within the municipality of Mahaplag, Leyte, including water refilling and water bottling services to be supplied to the general public, the exercise thereof shall, however, be subject to the control and general supervision by the Local Government Unit (LGU) of Mahaplag, Leyte.

Section 19. Acquisition of Waterworks. The Mahaplag Municipal Waterworks System (MMWS), through the Local Government Unit of Mahaplag, may purchase, construct, or otherwise acquire works, water, water rights, land, rights and privileges useful or necessary to convey, supply, store, collect, treat, dispose or to make other use of water for any purpose authorized by this Charter. In the acquisition of water or water rights the MMWS shall cooperate with existing agencies of the government of the Philippines.

Section 20. Sale of Water. The Mahaplag Municipal Waterworks System (MMWS) shall have the power to sell water to any person for use within the Municipality of Mahaplag, Leyte. As a condition of such sale, the MMWS may require the filing of a written application for service, payment of established fees, charges or deposits and the execution of a water service contract.

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The MMWS may provide service to public faucets or hydrants provided that it shall first have executed an application and service contract with the government entity or agency to establish or maintain such faucets or hydrants within the municipality. The MMWS will be paid for such service in the same manner as regular domestic service and pursuant to the adopted rules and regulations of the waterworks system.

It shall further be within the discretion of the Board, subject to the approval of the Municipal Mayor and concurrence by the Sangguniang Bayan, to explore future business expansion, such as purification/distillation and bottling of water for commercial purposes, whenever feasibility studies conducted for the purpose shall warrant such an additional venture. The water refilling and water bottling ventures will be supplied to the general public as an expansion venture of the MMWS as a local economic enterprise of the Local Government Unit of Mahaplag, Leyte.

Section 21. Rights of Way. The right is hereby granted to MMWS to locate, construct and maintain works of the MMWS on any land which is now, or hereafter may be, owned by the Municipal Local Government Unit of Mahaplag, Leyte or by any of its political subdivisions and/or instrumentalities. The MMWS may construct any works along, under or cross any street, or conduit in any manner which will afford security for life; Provided, that in planning any such works, the environmental aspects shall also be considered.

Section 22. Protection of Water and Facilities of the Municipal Waterworks System. The Mahaplag Municipal Waterworks System shall have the right to:

- (a) Commence, maintain, intervene in, defend and compromise actions or proceedings to prevent interference with or deterioration of water quality or the natural flow of any surface, stream or ground water supply which may be used or useful for any purpose of the MMWS or be a common benefit to the land or its inhabitants. The ground water within the Municipal Waterworks System is necessary to the performance of the waterworks system functions, and as such the MMWS is hereby authorized to adopt rules and regulations subject to the approval of the National Water Resources Council governing the drilling, maintenance and operation of wells within its boundaries for purposes other than a single family domestic use on overlying land. Any well operated in violation of such regulations shall be deemed an interference with the water supply of the waterworks system.
- (b) Require a developer or builder of any structure within the service areas of the waterworks system to extend or connect its pipeline facilities to the waterworks system facilities whenever such development or structure is within one hundred meters of existing waterworks system facilities or whenever the waterworks system is willing to extent its facilities within one hundred meters of said development or structure. For the purpose of this section, development shall include the subdivision of land for any purpose other than agricultural purpose, and structure shall mean any building or facility to be used for residential, commercial or industrial purposes.
- (c) Prohibit any person, firm or corporation from vending, selling, or otherwise disposing of water to the general public within the service area of the waterworks system where waterworks system facilities are available to provide such service, or fix terms and conditions by permit for such sale or disposition of water.
- (d) Safeguard and protect the use of its waters. For this purpose, any person who installs any water connection without the previous authority from the MMWS; tampers water meters or uses jumpers or other devices whereby water is stolen; steals or pilfers water or water meters; knowingly possesses stolen or pilfered water or water meters shall upon conviction, be punished by imprisonment of not more than thirty (30) days and/or fine of not more than two thousand five hundred pesos (P2,500.00) subject to the discretion of the court of law. If the violation is committed with the connivance or permission of an employee or officer of the MMWS, the employee or officer shall, upon conviction, be punished by

imprisonment of not more than ten (10) days and/or fine of not more than one thousand five hundred pesos (P1,500.00) subject to the discretion of the court of law, and forthwith be administratively dismissed from the service and perpetually disqualified from employment in any office or agency owned and controlled by the Local Government Unit of Mahaplag, Leyte.

- (e) Take over the management, administration, operation and maintenance of all watersheds within the territorial boundaries of the Municipality of Mahaplag, in coordination with the different concerned agencies of the National Government.

Section 23. Fire Protection Capacity. The MMWS may install and maintain pipeline capacity and additional hydrants for fire protection purposes; Provided, that prior agreement has been executed with the Bureau of Fire Protection or any public or private entity where the fire hydrants will be located, whereby the MMWS will be assisted over the reasonable lifespan of said facilities for the expenses for the operation and maintenance of such fire protection capacities and facilities.

CHAPTER IV Revenues

Section 24. Rates and Charges. The municipal waterworks system may sell water under its control, under the schedules of rates and charges as may be determined by this Charter and other municipal ordinance, to any and all water users within the Municipality of Mahaplag, Leyte. Said schedule may provide for differential rates for different categories of use and different quantity blocks. The MMWS, as far as practicable, shall recommend to fix such rates and charges for water as will result in revenues that will:

- (a) Provide for reimbursement for the cost of installation of new services and meters from all new water customers;
- (b) Provide for revenue from all water deliveries and services performed by the waterworks system;
- (c) Pay the operating expenses of the waterworks system;
- (d) Provide the LGU with sufficient funds for the maintenance repairs of the waterworks system;
- (e) Provide a reasonable surplus in the LGU budget sufficient for water system replacements, extensions and/or improvements; and
- (f) Pay for the interest and principal of the LGU loans for the water system to the DOF-MDFO, provide a sinking fund for the payment of debts of the waterworks system as they become due, and establish a fund for reasonable reserves.

Section 25. Income. The income or revenue collection of the MMWS shall accrue to the General Fund of the Municipal Government Unit of Mahaplag. The Municipal Government shall always allocate sufficient funds in the General Fund Annual Budget for the operation and maintenance of the MMWS ensuring its effective management and excellent service of providing potable and adequate supply of water to its consumers.

CHAPTER V Budget

Section 26. Preparation of Budget Proposal. The Board of Directors shall prepare a budget proposal for the MMWS for the ensuing calendar year and must finalize the same within every second quarter of every year. The formulated budget proposal shall be submitted to the Office of the Municipal Mayor for approval, and thereafter copy furnished to the Municipal Budget

Office and office of the Municipal Planning and Development Coordinator for its inclusion in the proposed General Fund Annual Budget of the municipal government for the ensuing calendar year.

CHAPTER VI Financial and Administrative Management

Section 27. The monthly water rates of the MMWS to be paid by its consumers will depend on the consumers' classification and consumption or usage, subject to a minimum fee, as follows:

CLASSIFICATION	MINIMUM 10 cu.m	SUCCEEDING USAGE
Residential	₱ 120.00	₱ 12.00/cu.m.
Commercial	₱ 140.00	₱ 12.00/cu.m.
Industrial	₱ 140.00	₱ 12.00/cu.m.

- (a) The Application Fee for water connection is ₱640.00.
- (b) All materials necessary for connection to the waterworks system shall be provided by the consumer. Only standard water meters recommended and approved by the MMWS shall be allowed to be used by the consumers. The labor will be provided only by the MMWS plumbers and pipe fitter.
- (c) All materials for the establishment of secondary lines will be shouldered by MMWS.
- (d) No tapping of water connection on the main line, all tapping will be on a secondary line, and no direct tapping.
- (e) Mother meter will be provided by the MMWS for each covered barangay.
- (f) All water meter will be clustered along the road or along the secondary line.
- (g) Water rates are immediately due and payable at the office of the MAHAPLAG MUNICIPAL WATERWORKS SYSTEM Finance Section on the date of the delivery of the Bill Notice to the CONSUMER without the need of any additional Demand Letter. The CONSUMER shall be given a period of fifteen (15) days from the receipt of the bill to pay the amount payable, afterwards the consumer is already considered DELINQUENT. In case of non-delivery or late delivery of the Bill Notice, the CONSUMER shall pay his/her water consumption of the previous month/s on or before the 20th day of the current month. If the 20th day of the month fall on a Saturday, Sunday or Holiday, the payment shall be made during the next following working day.
- (h) Late payments shall incur a Surcharge of ten percent (10%) of the amount due, to be imposed in addition to the water consumption charge. If after a period of THREE (3) MONTHS after the bills became due and payable and NO PAYMENT is made by the CONSUMER or by his/her representatives, the water service connection will be disconnected without need of any further notice. The water service will not be reconnected except upon payment of all amounts due plus a Reconnection Fee of ₱150.00. The failure to receive a bill does not relieve the CONSUMER of his liability under this contract. Any amount due shall be deemed a debt to the MAHAPLAG MUNICIPAL WATERWORKS SYSTEM and any person, firm or corporation failing, neglecting or refusing to pay said indebtedness shall be liable to the MAHAPLAG MUNICIPAL WATERWORKS SYSTEM for a civil action in any court of competent jurisdiction for the amount due.

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- (i) The MMWS General Manager is authorized to restructure the payables of delinquent consumers subject to the approval by the Board of Directors and the Municipal Mayor only.
- (j) It is the obligation and responsibility of consumers to monitor their pipelines for water leaks. Water leakage in the pipelines owned by the consumers, located after the water meters, are the obligation and responsibility of consumers. The consumers are obliged to immediately report to the MMWS any water leakage in their pipelines for the conduct of immediate repair. The water lost due to leaks are deemed consumed by the consumer.

CHAPTER VII

MMWS Application Form and Materials for Water Connection

Section 28. The Application Format. The application form is as follow:



Republic of the Philippines
 PROVINCE OF LEYTE
 Municipality of Mahaplag
 -oOo-



OFFICE OF THE MAHAPLAG MUNICIPAL WATERWORKS SYSTEM

APPLICATION FORM

Application No. _____

Type of Water Connection:

- Residential
- Commercial
- Industrial

Applicant's Name: _____
 Address: _____

I HEREBY APPLY for a water service connection / reopening, size _____ located at _____.

I understand that the connection will be made only when it is approved and all charges or fees are paid. I assume responsibility to provide a durable water meter recommended and approved by the MMWS. I undertake to pay all the fees or charges for the water supply that passes through my connection/water meter. I also undertake to conform to the rules and regulations of the MAHAPLAG MUNICIPAL WATERWORKS SYSTEM.

 Signature of Applicant

 Date

Remarks : _____

Investigated by: _____

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Basic Amount of Charges due:

Tapping Fee ----- ₱ _____
 Reopening Fee ----- _____
 Installation Fee ----- _____
 Meter Deposit/Testing _____
 Guarantee Deposit for _____
 Future Consumption _____
 Registration Fee ----- _____
 Inspection Fee ----- _____
 Back account ----- _____
 Sub Additional (1 Pipe) _____
 Others (Specify) _____
TOTAL ----- ₱ _____

OR # _____
 Date _____

RECORDS:

S.G. No. _____
 Meter No. _____
 Application No. _____

RECOMMENDING APPROVAL:

APPROVED FOR CONNECTION:

 General Manager

 Municipal Mayor

Section 29. Materials for Water Connection. The material requirements for the installation of water connection to consumers are as follow:



Republic of the Philippines
 PROVINCE OF LEYTE
 Municipality of Mahaplag
 -oOo-



OFFICE OF THE MAHAPLAG MUNICIPAL WATERWORKS SYSTEM

REQUIREMENTS FOR INSTALLATION

PIPES & FITTINGS:

1. CI SADDLE CLAM FOR PVC PIPES:

- 6" Ø X ¾" Ø
- 4" Ø X ¾" Ø
- 3" Ø X ¾" Ø
- 2" Ø X ¾" Ø

2. REDUCER (Bushing Type):

- ¾" Ø X ½" Ø

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- 3. G.I. PIPES:
 - 1/2" Ø Schedule 40
 - 3/4" Ø Schedule 40

- 4. ELBOW:
 - 3/4" Ø X 90°
 - 1/2" Ø X 90°

- 5. WATER METER:
 - 1/2" Ø

Remarks: _____

- 6. NIPPLE:
 - 1/2" Ø X 3" Ø

- 7. COUPLING:
 - 1/2" Ø

- 8. BALL VALVE:
 - 1/2" Ø

 Inspector

- 9. TEFLON TAPE
 - ____ Pcs.

CHAPTER VIII MMWS Contract with Eligible Consumers

Section 30. The Contract. The form for the contract between the MMWS and consumers, which shall form as an integral part of this Ordinance, is as follow:



Republic of the Philippines
 PROVINCE OF LEYTE
 Municipality of Mahaplag
 -oOo-



OFFICE OF THE MAHAPLAG MUNICIPAL WATERWORKS SYSTEM

Deposit : _____
 O. R. No. : _____
 Date : _____
 Water Service No. : _____
 Consumer : _____
 Address : _____

f

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This AGREEMENT entered into by and between:

[Handwritten signatures]

_____ (name of applicant consumer) of legal age, Filipino, with residence address of _____ (address of consumer) herein referred to as "CONSUMER",

and

The MAHAPLAG MUNICIPAL WATERWORKS SYSTEM, an agency created by the Local Government Unit (LGU) of Mahaplag, Leyte through a Sangguniang Bayan Municipal Ordinance No. _____, otherwise known as the "THE REVISED MAHAPLAG MUNICIPAL WATERWORKS SYSTEM CHARTER".

WITNESSETH:

1. The MAHAPLAG MUNICIPAL WATERWORKS SYSTEM agree to provide water services to the premises occupied by the CONSUMER at the above-stated address based on the MAHAPLAG MUNICIPAL WATERWORKS SYSTEM present applicable Rate Schedule which may be modified, altered and/ or increased by a resolution by the MAHAPLAG MUNICIPAL WATERWORKS SYSTEM Board of Directors, subject to review and approval by the Sangguniang Bayan of Mahaplag, Leyte.

2. The CONSUMER hereby agrees to pay said water service based on the MAHAPLAG MUNICIPAL WATERWORKS SYSTEM present applicable Rate Schedule provided that in the event of increase in water service rates, the CONSUMER further agrees and binds himself to pay the aforementioned service in accordance with the new Rate Schedule as may be determined and resolved by the MAHAPLAG MUNICIPAL WATERWORKS SYSTEM Board of Directors of Mahaplag subject to the approval by the Sangguniang Bayan of Mahaplag, Leyte.

3. The MAHAPLAG MUNICIPAL WATERWORKS SYSTEM reserves the right to determine the size of service connections and their locations with respect to the boundaries of the premises to be served. Water connection to the CONSUMER' shall not be installed until the location of the service connection has been approved by the MAHAPLAG MUNICIPAL WATERWORKS SYSTEM or its duly authorized representative.

4. The work of tapping to the pipeline, connecting the service pipe thereto and laying the pipe from the pipeline to the meter stand, including the digging and filling-in the trench on the streets in which a water pipeline is located, will be performed by the employees of the MAHAPLAG MUNICIPAL WATERWORKS SYSTEM at the rates set forth by the charter of the MAHAPLAG MUNICIPAL WATERWORKS SYSTEM.

5. Payments or charges for the damages to the road pavement incidental to the tapping of the service connection shall be assumed by the CONSUMER who shall pay the required amount to the Office of the DPWH District Engineer or any office or authority directly concerned with the maintenance of the damaged road.

6. This AGREEMENT is non-transferable and must be accompanied by a duly approved written application for water service on a prescribed form provided for that purpose.

7. Service connection is hereby limited to one family or building per applicant/consumer. If the CONSUMER is not the owner of the house or premises where the water connection is desired, the application and this AGREEMENT must likewise be signed by the owner of the property, which shall serve as an evidence of the unconditional consent given by the owner to the MMWS to undertake water connection in the above-indicated premises or building.

8. The CONSUMER hereby expressly agrees that once he/she becomes delinquent in paying his/her water bills that are due to the MMWS, he/she hereby AUTHORIZE the MMWS to undertake the water disconnection with or without the CONSUMER's presence or of his

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representative. The unavoidable entry of MMWS personnel to the premises of the CONSUMER's residence for the sole purposes of undertaking the water disconnection is hereby authorized.

9. The CONSUMER agrees to absolutely refrain from giving or allowing sub-connection from his premises to another house, apartment, dwelling, etc.

10. The MAHAPLAG MUNICIPAL WATERWORKS SYSTEM reserves the right to shut off the water supply whenever necessary. This will be done only when absolutely necessary and no action for damages shall lie against the MAHAPLAG MUNICIPAL WATERWORKS SYSTEM. As far as practicable, the MMWS shall notify the CONSUMER of any scheduled shutting off of the water supply and when it will be turned on again.

11. Water rates are immediately due and payable at the office of the MAHAPLAG MUNICIPAL WATERWORKS SYSTEM Finance Section on the date of the delivery of the Bill Notice to the CONSUMER without the need of any additional Demand Letter. The CONSUMER shall be given a period of fifteen (15) days from the receipt of the bill to pay the amount payable, afterwards the consumer is already considered DELINQUENT. In case of non-delivery or late delivery of the Bill Notice, the CONSUMER shall pay his/her water consumption of the previous month/s on or before the 20th day of the current month. If the 20th day of the month fall on a Saturday, Sunday or Holiday, the payment shall be made during the next following working day. Late payments shall incur a Surcharge of ten percent (10%) of the amount due, to be imposed in addition to the water consumption charge. If after a period of THREE (3) MONTHS after the bills became due and payable and NO PAYMENT is made by the CONSUMER or by his/her representatives, the water service connection will be disconnected without need of any further notice. The water service will not be reconnected except upon payment of all amounts due plus a Reconnection Fee of ₱150.00. The failure to receive a bill does not relieve the CONSUMER of his liability under this contract. Any amount due shall be deemed a debt to the MAHAPLAG MUNICIPAL WATERWORKS SYSTEM and any person, firm or corporation failing, neglecting or refusing to pay said indebtedness shall be liable to the MAHAPLAG MUNICIPAL WATERWORKS SYSTEM for a civil action in any court of competent jurisdiction for the amount due.

12. All water meters, curb cocks, and/ or valves connected to the MAHAPLAG MUNICIPAL WATERWORKS SYSTEM shall be under the control of the MAHAPLAG MUNICIPAL WATERWORKS SYSTEM. The CONSUMER shall be held liable, however, for loss or for any damage of the meter, cub cocks, and/or valves due to his negligence or carelessness. The cost of repairs to the meter, curb cocks or valve due to the CONSUMER'S negligence shall be included in the succeeding water bills.

13. The CONSUMER agrees to allow properly authorized employees or representatives of the MAHAPLAG MUNICIPAL WATERWORKS SYSTEM to enter his premises at all times for the purposes of determining and removing illegal service connections, delivering water bills, installing, inspecting, reading, removing, testing, replacing water meters and properties or equipment of the MAHAPLAG MUNICIPAL WATERWORKS SYSTEM or removing the MAHAPLAG MUNICIPAL WATERWORKS SYSTEM property in the event of the termination of this AGREEMENT for any cause and/or even after water connection had been cut for the purposes above stated and for protecting the interest of the MAHAPLAG MUNICIPAL WATERWORKS SYSTEM.

14. When the accuracy of the water meter is questionable, the MAHAPLAG MUNICIPAL WATERWORKS SYSTEM, upon the request of the CONSUMER, will cause an official test to be made in accordance with the existing Rules and Regulations of the MAHAPLAG MUNICIPAL WATERWORKS SYSTEM.

15. It is the obligation and responsibility of consumers to monitor their pipelines for water leaks. Water leakage in the pipelines owned by the consumers, located after the water meters, are the obligation and responsibility of consumers. The consumers are obliged to immediately

The bottom of the page contains several handwritten signatures and initials. On the right side, there is a vertical signature that reads "One of Consumers". Below this, there are several horizontal signatures, some of which are crossed out with a large 'X'. In the center, there is a circled number "19".

report to the MMWS any water leakage in their pipelines for the conduct of immediate repair. The water lost due to leaks are deemed consumed by the consumer.

16. The MAHAPLAG MUNICIPAL WATERWORKS SYSTEM reserves the right to disconnect existing water service connections for any of the following reasons: (a) For the prevention of fraudulent use of water; (b) For non-payment of bills; (c) For repairs; (d) For non-replacement of defective water meters by consumers after notice; (e) For want of supply or of distribution capacity; (f) For violation of any of the terms of this AGREEMENT; and (g) For causes beyond the MAHAPLAG MUNICIPAL WATERWORKS SYSTEM' control.

17. The CONSUMER finally agrees to observe the Rules and Regulations laid down by the MAHAPLAG MUNICIPAL WATERWORKS SYSTEM for an effective and efficient water service to the public which are merged and made an integral part of this AGREEMENT.

18. This AGREEMENT shall not be binding upon the MAHAPLAG MUNICIPAL WATERWORKS SYSTEM unless it is signed by the CONSUMER and/or the property owner and duly accepted by the Municipal Mayor or the MAHAPLAG MUNICIPAL WATERWORKS SYSTEM General Manager, for which reason the MAHAPLAG MUNICIPAL WATERWORKS SYSTEM may order the closure of water connections if already installed.

DONE at Mahaplag, Leyte, Philippines _____ day of _____, 20__.

Name and Signature of Consumer

Conforme:

Name and signature of owner of property
if the applicant is not the owner

ACCEPTED ON: _____
MUNICIPALITY OF MAHAPLAG

CTC. # _____
Issued On: _____
At Mahaplag Leyte

By: _____
Municipal Mayor

CHAPTER IX Miscellaneous Provisions

Section 31. SEPARABILITY CLAUSE. If, for any reason, any item, section or provision of this Ordinance is declared invalid or unconstitutional, the other items, sections or provisions thereof which are not affected thereby shall continue to be in full force and effect.

Section 32. REPEALING CLAUSE. All ordinances, resolutions or parts thereof, whose provisions are in conflict with or contrary to the provisions of this ordinance are hereby repealed, amended or modified accordingly.

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Section 33. EFFECTIVITY CLAUSE. This Ordinance shall take effect upon approval by the Local Chief Executive.


ENACTED on this 6th day of March 2023 in Mahaplag, Leyte.

APPROVED BY THE SANGGUNIANG BAYAN MEMBERS:


HON. ARLENE O. GIGANTO
SB Member


HON. AIDA L. DIZON
SB Member


HON. CARMELITO C. ALONZO
SB Member


HON. REYNALDO M. KANEN
SB Member

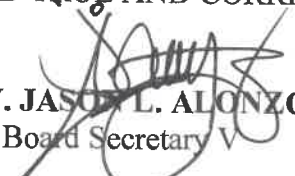

HON. GLENN H. BARTOLINI
SB Member


HON. HARLIN O. GONZAGA
SB Member


HON. OSCAR S. REALES
SB Member


HON. JOSE T. AMARADO II
President, Sangguniang Kabataan Federation

CERTIFIED TRUE AND CORRECT:


ATTY. JASON L. ALONZO
Board Secretary V

ATTESTED TO BE
DULY ENACTED BY:


HON. MYRA P. SOLIS
Municipal Vice Mayor/ Presiding Officer

APPROVED BY:


HON. RONALDO T. LLEVE
Municipal Mayor
Date of Approval: MAR 16 2023