

ADOPTING A UNIFORM “EASEMENT PROVISION” ALONG THE PASIG RIVER SYSTEM INCLUDING ITS TRIBUTARIES, MAINTAINING A LINEAR PARK AT THE MINIMUM SETBACK OF TEN (10) METERS FROM EXISTING...

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WHEREAS, Republic Act 7924 mandates the Metropolitan Manila Development Authority to formulate and implement policies, standards, programs and projects with respect to flood control, drainage and sewerage, urban renewal, and environmental enhancement;

WHEREAS, the controlled encroachments on esteros, creeks, and rivers by illegally constructed private structures, including squatter shanties along river banks, have continually clogged the waterways of the Pasig River and its tributaries resulting to constant flooding of the streets of Metro Manila;

WHEREAS, here are different “easement” provisional along waterways found in both the national and local laws and ordinances, i.e. Sec. 51 Philippine Water Code, Urban -3 meters; Agricultural - 20 meters; Art IX MMC Ordinance No. 81-01-10 meters; DPWH -3-6.5 meters, has hampered the flood control and sewerage activities of the DENR, DPWH, Presidential Task Force on Pasig River Rehabilitation, among others;

WHEREAS, there is a need to clarify which easement provisions should be imposed in Metro Manila;

WHEREAS, in line with the foregoing premises and in consonance with President’s directives to rehabilitate the worsening water quality of the Pasig River and to relocate the mushrooming squatters along the river banks, in the interest of flood control, urban renewal and environmental management and enhancement, the Metro Manila Council, in session assembled, agreed and resolved to adopt a uniform easement provision along the Pasig River System, including its tributaries;

NOW, THEREFORE, be it resolved as it is hereby resolved by the Council pursuant to Sec. 6 of RA 7924, that the Council hereby adopt a uniform “easement provision” along the Pasig river system including the tributaries, maintaining a linear park or service road at the minimum setback of ten (10) meters from the existing shoreline, banks or streams and three (3) meters from the existing esteros and canals as provided for in the MMC Ordinance No. 81-01 and Sec. 51 of the Philippine Water Code respectively, without prejudice to the LGUs prerogative to impose more stringent easement provisions.

This Resolution shall take effect upon approval.

Approved: 29 Feb. 1996

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