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**ORDINANCE NO. 9055**

**AN ORDINANCE PROMOTING THE CREATION, USE AND MAINTENANCE OF HEALTHY OPEN SPACES IN COMMUNITIES, AND OTHER HEALTH AND ENVIRONMENT INITIATIVES**

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## EXPLANATORY NOTE

Republic Act No. 7160, otherwise known as the "Local Government Code of 1991", specifies centers, public parks bridges and other similar facilities as basic facilities and services local governments must endeavor to provide for constituents.


Section 30 of Republic Act No. 11223, otherwise known as the Universal Health Care Act and its Implementing Rules and Regulations strengthen the adoption of integrated and comprehensive approach in ensuring that all Filipinos are health literate, provided with healthy living conditions and protected from hazards and risks that could affect their health status, by directing Local Government Units (LGUs) to issue and implement effective health promotion policies and programs that promote health literacy and healthy lifestyle among their constituents, prioritizing programs that address key risk factors to prevent and control disease, as well as to advance population health and individual well-being.

Department of Health – Department of Interior and Local Government – Department of Trade – Department of Environment and Natural Resources - Department of Human Settlements and Urban Development - Department of Public Works and Highways - Philippine Commission on Women - National Commission for Culture and the Arts (DOH-DILG-DOT-DENR-DHSUD-DPWH-PCW-NCCA) Joint Administrative Order No. 2023-0001 entitled: "Guidelines on the Creation, Use and Management of Parks and Public Open Spaces for the Promotion of Physical and Mental Health and Social Well-being" mandate that local government units (LGUs) review existing urban, land use, environmental and/or tourism plans to inform the creation, promotion, operations and use of public open spaces and provide the necessary resources and infrastructure for provincial, city, municipal or community public open spaces, among others.

The World Health Organization (WHO) recommends the promotion and use of urban green spaces to improve mental and physical health outcomes, as well as social and environmental conditions.

The Health Promotion Framework Strategy 2030 (DOH Administrative Order No. 2021-0063) identifies among its implementation strategies the Healthy Settings strategy, which states that health promotion initiatives shall be designed and implemented in key settings, including in communities, to ensure that environments wherein individuals live, learn and work are promotive and protective of health.

DOH-DILG Joint Administrative Order No. 2021-0002, or the National Policy Framework on the Promotion and Recognition of Healthy Communities includes as qualities of a health-promoting environment the presence of open public spaces and infrastructure which promote active mobility, physical activity and leisure, and safe road use, and the presence of clean, sustainable natural and built environments.

  
**ERNESTO C. ISIP, JR.**  
Councilor, Third District  
Manila

Be it ordained by the City Council of Manila, in session THAT:

## CHAPTER I. GENERAL PROVISIONS

**SECTION 1. Short Title.** - This Ordinance shall be known as "The Healthy Public Open Spaces Initiative of 2024" for brevity.

**SEC. 2. Declaration of Principles and Policies.** - It is the policy of the City of Manila to ensure the general health and well-being of all its constituents by protecting their physical and social environment. Thus, the City of Manila shall adopt the following principles and policies:

- A. Equity and Inclusivity** - Public open spaces shall be designed and developed with cognizance of the needs of all individuals, especially vulnerable population groups within the community. Developers, administrators and enforcers shall make use of participatory/intersectoral approaches, gender mainstreaming strategies and universal design practices, among others to make public open spaces accessible to all individuals regardless of age, ability, ethnicity, gender, sexual orientation and/or socio-economic status.
- B. Sustainability** - Public open spaces shall be designed, developed and maintained so as to promote practices that maintain the environmental, social and economic needs of the present without compromising the ability of future generations to meet their own needs.
- C. Environmental and Cultural Protection** - Public open spaces shall promote environmental sustainability, conservation and green practices, as well as local cultural heritage and shall be designed, developed and maintained with these in mind.

**SEC. 3. General Objectives.** - This Ordinance aims to provide guidance on the identification, assessment, use and management of public open spaces to promote sustainability and support the physical and mental health and well-being of Filipinos residing within the City of Manila.

**SEC. 4. Definition of Terms.** - For purpose of this Ordinance, the following are operationally defined:

**A. Public open spaces** - is an umbrella term that shall refer to land spaces provided by the national or local government units, designated as parks and intended for physical activity, leisure and recreational use by the public. Public open spaces may also include privately-owned land spaces made publicly accessible. These include the following:

- 1. Blue, green and urban spaces as public spaces characterized by surface or setting:
  - a. Blue spaces - shall refer to public open spaces with water elements ranging from natural and man-made ponds, aquariums, to coastal and riparian zones and public beaches.
  - b. Green spaces - shall refer to public open spaces with natural surfaces or natural settings; green open spaces include, but are not limited to, trails, forest parks, natural wildlife areas, community gardens, nature parks and reserves, zoos, aquariums and botanical gardens.



- c. **Urban spaces** - shall refer to open-space areas reserved for parks and other open spaces, including plant life, water features, and other kinds of natural and man-made environments generally considered open to the public, including streets or roads, public plazas, theme parks, water parks, and other amusement parks, historic open spaces such as colonial plazas or freedom parks, education campuses, neighborhood community parks and gardens, and institutional or corporate grounds.
2. **Active and passive spaces as public open spaces characterized by activity:**
    - a. **Active open spaces** - shall refer to public open spaces intended primarily for formal outdoor sports or organized physical activities; active open spaces include sports complexes, basketball courts, tennis courts, playgrounds, etc.
    - b. **Passive open spaces** - shall refer to public open space used primarily for leisure, unstructured physical activities, passive recreation or informal play; passive open spaces include neighborhood parks, gardens, linear corridors, conservation areas or heritage sites, nature reserves, and the like.
  3. **People's streets as public open spaces** - shall refer to streets, roads, parking lots, or bridges within the community that are prioritized for use by pedestrians, bicycles, and light mobility devices, closed for motor vehicle through-traffic, and are designated only for physical activity, leisure, and recreational use by community members exclusively or on a specified schedule.

## **CHAPTER II. SPECIFIC PROVISIONS**

**SEC. 5. Establishment of an Ad Hoc Healthy Public Open Spaces Unit.** - An ad hoc unit under the City Development Board shall be established to oversee the development of policies, review development plans and proposals, enforce local ordinances, lead communications, serve as the main liaison for partnerships, address citizen concerns related to the health, safety, maintenance, and use of public open spaces, as well as coordinate with relevant national government agencies (NGAs) in carrying out roles and responsibilities with regard to the creation and maintenance of healthy, public, open spaces.

The unit shall include members from the following:

- a. City Planning and Development Office (CPDO);
- b. Department of Public Services (DPS) (Environment and Natural Resources Office);
- c. Department of Tourism, Culture and Arts of Manila (DTCAM);
- d. Department of Public Services (DPS) (Solid Waste Management Office)
- e. Manila Police District (MPD) (Peace and Order Department);
- f. Manila Health Department (MHD) (City Health Office);
- g. Department of Engineering and Public Works (DEPW) (City Engineering Office);
- h. Manila Traffic and Parking Bureau (MTPB) (City Transportation Development and Management Office); and
- i. Other relevant offices.

**SEC. 6. Identification and Development of Open Spaces.** - The City Planning and Development Office shall identify existing and new spaces within its jurisdiction that may be utilized and spearhead the creation of the development plan for the said public open spaces. Public consultations shall be held as necessary to ensure the appropriateness and inclusivity of the intervention.



**SEC. 7. Risk and Impact Assessments.** - All project proposals shall undergo, as applicable, a thorough review, including but not limited to the conduct of an Environmental Impact Assessment (EIA), in accordance with Presidential Decree No. 1586, Health Impact Assessment (HIA), in accordance with the Department of Health (DOH)-Department of Interior and Local Government (DILG) Joint Administrative Order No. 2021-0001, and the Climate and Disaster Risk Assessment (CDRA), in accordance with Republic Act 9729 or the Climate Change Act of 2009.

**SEC. 8. Standards for the Creation, Promotion, Operation and Use of Healthy Public Open Spaces.** - Identified public spaces shall comply with the following minimum standards:

1. Open and accessible
2. Child, elderly, persons with disability/ies (PWD), and pet-friendly
3. Safe space for all sexual orientations, gender identities and expressions and sex characteristics
4. Smoke-vape, drug, and alcohol-free
5. Promotive of handwashing and sanitation
6. Eco-friendly, sustainable, and non-polluting
7. Climate and disaster resilient
8. Promotive of local culture, arts, heritage, creativity and biodiversity
9. Well-staffed, managed and maintained

The same standards shall be reflected in the development and/or updating of the Provincial/City Comprehensive Development Plan, which shall contain the detailed schema for the phased execution of public open spaces projects.

**SEC. 9. Use of endemic species.** - The City shall endeavor to use endemic species of plants and trees, as identified by the Department of Environment and Natural Resources, in order to maintain and/or restore the natural biodiversity in the area.

**SEC. 10. Health Promotion.** - The City, through the Health Promotion Unit of the City Health Office, shall endeavor to provide health-promoting activities, materials, and equipment in public open spaces (i.e. group dance activities, playgrounds, bike paths, etc) and engage in active communication of the importance of physical activity and other healthy behaviors.

**SEC. 11. Functional management and maintenance.** - The City shall ensure the provision of adequate staffing for the upkeep and management of public open spaces, including the hiring of rangers, as may be deemed necessary. Environmental fees may be imposed on parks and open spaces identified as tourist destinations, otherwise, public open spaces shall be made free and accessible to all.

**SEC. 12. Citizen Safety and Reporting.** - The Peace and Order Department shall ensure the stationing of officers or tanod in the vicinity of public open spaces to maintain the safety and security of the area and enforce rules and regulations. The City shall endeavor to provide a women's and children's help desk near public open spaces and ensure the conspicuous posting of complaint hotline numbers to receive reports concerning the safety and concerns of residents and visitors. The City shall also endeavor to provide functional closed-circuit television (CCTV) cameras in all public open spaces.

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## CHAPTER III. ROLES AND RESPONSIBILITIES

### SEC. 13. The Department of Public Services (Environment and Natural Resources Office) shall:

1. Oversee the conduct of Environmental Impact Assessments and ensure the compliance to comments thereafter;
2. Oversee the maintenance of public blue and green spaces and the protection of local flora, fauna, and biodiversity;
3. Ensure the use and maintenance of local flora in designated healthy public open spaces;
4. Ensure the enforcement and compliance with guidelines and rules on environment and biodiversity protection, pollution control and sustainability;
5. Promote knowledge and understanding of the importance of environment protection and sustainability;
6. Provide recommendations to the development of plans, policies, programs, etc.

### SEC. 14. Department of Engineering and Public Works shall:

1. Conduct field surveys and investigations and feasibility studies;
2. Draft engineering designs in compliance with the National Building Code of the Philippines;
3. Secure the necessary building and construction permits;
4. Provide cost estimates for public works related to the creation, maintenance, and development of healthy public open spaces, including adjunct spaces such as roads, streets, sidewalks, bridges, etc;
5. Enforce relevant guidelines pertaining to infrastructure, facilities, utilities; and other public works;
6. Provide recommendations to development plans, policies, programs, etc.

### SEC. 15. The Manila Health Department shall:

1. Oversee the conduct of Health Impact Assessments and ensure the compliance to comments thereafter;
2. Develop and distribute health promotion materials and implement campaigns focusing on physical activity, tobacco cessation, substance abuse, WASH, violence and injury prevention, and other risk factors;
3. Provide health services to users of healthy public open spaces and refer to appropriate facilities as needed;
4. Collect data on relevant health outcomes related to the presence and use of healthy public open spaces;
5. Provide health literacy training to on-site staff of designated healthy public open spaces;
6. Provide recommendations to the development of plans, policies, programs, etc.

### SEC. 16. The City Planning and Development Office shall:

1. Develop the Comprehensive Development Plan and the Comprehensive Land Use;
2. Plan and ensure the incorporation of efforts to create healthy public open spaces;
3. Ensure the allocation of an adequate budget for healthy public open spaces, in accordance with the approved Comprehensive Development Plan and Comprehensive Land Use Plan;

4. Ensure the inclusion of Universal Design principles in development plans of healthy public open spaces, to ensure accessibility and usability of such spaces to vulnerable groups;
5. Secure necessary locational and zoning clearances, etc;
6. Coordinate the planning and implementation of the healthy public open spaces
7. Initiative with relevant offices and stakeholders;
8. Conduct studies on the use, development, and impact of healthy public open spaces in its jurisdiction;
9. Conduct monitoring and evaluation activities of relevant projects and programs;
10. Provide recommendations to the development of plans, policies, programs, etc.

**SEC. 17. The Manila Traffic and Parking Bureau:**

1. Ensure the enforcement and compliance of existing road and traffic safety rules and regulations;
2. Promote the accessibility of open spaces through the addition, maintenance, and development of sidewalks, crosswalks, bike lanes, etc.;
3. Conduct surveys and studies on road safety;
4. Provide recommendations to development plans, policies, programs, etc.

**SEC. 18. The Manila Public Information Office/Health Education and Promotion Unit shall:**

1. Aid in the distribution of health promotion materials and promote healthy public open space initiatives;
2. Conduct Knowledge, Attitudes, and Practices surveys regarding healthy public open spaces;
3. Monitor feedback and concerns of constituents and direct complaints to relevant offices through the \*Open Spaces Committee
4. Provide recommendations to development plans, policies, programs, etc.

**SEC. 19. The Department of Tourism, Culture and Arts of Manila shall:**

1. Coordinate and implement cultural and community initiatives to promote the awareness and use of healthy public open spaces;
2. Oversee and maintain public spaces designated as tourist or cultural areas;
3. Ensure the protection of areas identified to be local heritage sites;
4. Ensure the enforcement and compliance with guidelines and rules on tourism;
5. Provide recommendations to the development of plans, policies, programs, etc.

**SEC. 20. The Manila Police District shall:**

1. Station Peace and Safety Officers in public open spaces and provide immediate response to citizen concerns;
2. Ensure the proper surveillance of public spaces;
3. Support police and fire departments in ensuring the safety and security of constituents;
4. Provide recommendations to development plans, policies, programs, etc.

**SEC. 21. The Department of Public Services (DPS) (Waste Management Office) shall:**

1. Ensure the availability and regular maintenance of appropriate waste receptacles in conspicuous areas;
2. Implement community waste management and treatment in areas not easily accessible from designated healthy public open spaces;
3. Provide recommendations to development plans, policies, programs, etc.

#### **CHAPTER IV. MISCELLANEOUS PROVISIONS**

**SEC. 22. Monitoring and Evaluation.** - The City Development Board shall oversee the monitoring and evaluation of the principles, policies, and provisions of this Ordinance.

**SEC. 23. Appropriations.** - The City Government of Manila shall provide the necessary funds for the effective implementation of the provisions of this Ordinance in accordance with the approved Comprehensive Land Use Plan and Comprehensive Development Plan.

#### **CHAPTER V. FINAL PROVISIONS**

**SEC. 24. Implementing Rules and Regulations (IRR).** - The City Mayor may issue appropriate and relevant rules and regulations, as necessary for the proper implementation of any and all provisions of this Ordinance.

**SEC. 25. Repealing Clause.** - All other orders and issuances, or parts thereof, inconsistent herewith are repealed, amended, or modified accordingly.

**SEC. 26. Separability Clause.** - If for any reason/s any part of this Ordinance shall be held unconstitutional or invalid, other parts hereof which are not affected thereby shall continue to be in full force and effect.

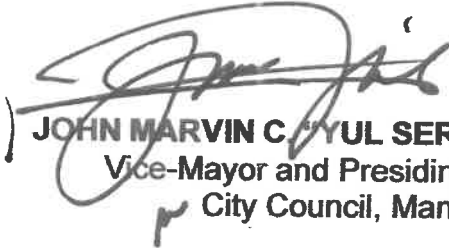
**SEC. 27. Effectivity.** - This ordinance shall take effect immediately upon its approval

This Ordinance was finally enacted by the City Council of Manila on May 16, 2024.






PRESIDED BY:

  
**JOHN MARVIN C. "YUL SERVO" NIETO**  
Vice-Mayor and Presiding Officer  
City Council, Manila


ATTESTED:

  
**LUCH R. GEMPIS, JR.**  
City Government Department Head III  
(Secretary to the City Council)

APPROVED BY HER HONOR, THE MAYOR, ON JUN 20 2024.

  
**MARIA SHEILAH "Honey" H. LACUNA-PANGAN, MD, FPDS**  
Mayor  
City of Manila

ATTESTED:

  
**ATTY. MARLON M. LACSON**  
City Government Department Head III  
(Secretary to the Mayor)

JMG/RRB:ac/ljok/cpf/jmt/hpr/avs