



IMPLEMENTING RULES AND REGULATIONS TO GOVERN THE PROCESSING OF APPLICATIONS FOR LOCATIONAL CLEARANCE OF POULTRY AND PIGGERY AS AMENDED

Pursuant to the policies and objectives embodied in Executive Order No. 648, the new charter of the Housing and Land Use Regulatory Board specifically Article IV, Section 5 to wit:

- "a) promulgate zoning and other land use control standards and guidelines which shall govern land use plans and zoning ordinances of local government;
- c) issue rules and regulations to enforce the land use policies on human settlements;
- d) ensure compliance with policies, plans standards and guidelines on human settlements promulgated in paragraph (a) of this section;"

and EO 72 on devolved functions the following rules and regulations for poultry and piggery locational clearance are hereby promulgated.

The issuance of locational clearance by the HLURB or city/municipality concerned shall cover the location or siting of all poultry and piggery projects as defined hereof, and prescribe minimum standards for development, public health and welfare and environmental safeguards.

These rules and regulations shall apply to all applications for locational clearance of new development and or expansion of existing poultry and piggery with the Board or the city/municipality concerned.

RULE I DEFINITION OF TERMS

Section 1. For purposes of these Rules, the following definitions and classifications are adopted:

1. Board - shall mean the Housing and Land Use Regulatory Board.
2. Brooding - shall mean the process of keeping the young pigs warm without necessarily separating them from the dam or for chicks, it is the process of supplying heat from the time they are taken down from the incubator up to the time they can self-control their heat requirement through thermo-regulating process.
3. Conforming Use - a use which is in accordance with the zone classification as provided for in the zoning ordinance.
4. Non-conforming Use - existing non-conforming uses/establishments in an area allowed to operate inspite of the non-conformity to the provisions of the ordinance subject to the conditions stipulated in the zoning ordinance.
5. Fattening - shall refer to the processes whereby the hogs are fattened up to 200 pounds primarily for slaughter.
6. Fowl - shall refer to a bird kept for eggs or meat.
7. Heads - include weanings, growers and fatteners; or for poultry, it refers to the number of fowls.
8. Piggery Farm - shall refer to any parcel of land devoted to the raising or breeding, depasturing, feeding or watering of pigs/swine, generally under the management of a tenant or owner.
9. Piggery (backyard) - involving one sow and 10 heads or less and allowed in rural areas only.
10. Poultry Farm - shall refer to any parcel of land devoted to the raising of domesticated fowls which serve as sources of eggs and meat for human consumption as well as breeding of gamecocks. It includes any species of fowl such as chickens, ducks, geese, quails, pigeons, turkey, ostrich, guinea fowl and gamecocks.
11. Poultry (backyard) - involving a maximum of 500 fowls and allowed in rural areas only.




12. Rules - shall mean the Rules and Regulations governing poultry and piggery locational clearance.
13. Rural Area - area outside the designated urban area.
14. Sow - shall refer to a female swine.
15. Urban Area(s) - include all barangay(s) or portion(s) of which comprising the poblacion, central business district (CBD) and other built up areas including the urbanizable land in and adjacent to said areas and where at least more than 50% of the population are engaged in non-agricultural activities. CBD shall refer to the areas designated principally for trade, services and business purposes.

Section 2. Scope of Application. These rules shall apply to a new development or expansion of existing small, medium and large scale poultry/piggery project as follows:

1. Small scale poultry with 501 to 5000 heads.
2. Medium scale piggery with 2 sows and 11 to 20 heads and medium scale poultry with over 5000 heads to less than 10,000 heads.
3. Large scale piggery with more than 2 sows and more than 20 heads and large scale poultry with 10,000 heads and above.

Existing small, medium and large scale poultry and medium and large scale piggery projects that are non-conforming use shall not be allowed to expand and may continue their operations provided:

- a. That they shall be obliged to use chemical control of flies, its larvae to minimize source of pollutants.
 - b. That no such non-conforming use shall be enlarged or expanded to occupy a greater area of land than that already occupied by such use or moved in whole or in part, to any other portion of the lot or parcel or land where such non-conforming use exists.
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- c. That no such non-conforming use which has ceased operation for more than 1 year be again revived as non-conforming use.
- d. That an idle/vacant structure may not be used for non-conforming activity.
- e. That any non-conforming structure, or structures under one ownership which has been damaged maybe reconstructed and used as before provided that such reconstruction is not more than 50% of its replacement cost at the time of destruction, it shall not be reconstructed except in conformity with the provisions of this rules.
- f. That no such non-conforming use maybe moved to displace any non-conforming use.
- g. That no such non-conforming structure maybe enlarged or altered in a way which increases its non-conformity, but any structure or portion thereof may be altered to decrease its non-conformity.
- h. That should such structure be moved for any reason to whatever distance, it shall thereafter conform to the regulation of the district in which it is moved or relocated.

In addition, the owner of a non-conforming use shall program the phase out and relocation of the non-conforming use within 10 years.

Proposed medium and large scale poultry/piggery projects shall not be allowed in urban areas.

Existing backyard poultry/piggery projects shall be obliged to use chemical control of flies, its larvae to minimize source of pollutants.

Proposed **backyard** poultry and piggery projects must secure a locational clearance and shall not be allowed in urban areas.

Only 30% of the lot area in rural areas shall be allowed for backyard poultry and piggery.



RULE II
APPLICATION FOR LOCATIONAL CLEARANCE

Section 3. Application for Locational Clearance (LC). Every registered owner of parcel of land who wishes to establish a poultry or piggery project shall apply with the Board or the city/municipality concerned pursuant to Executive Order No. 72 on the approval of locational clearance for poultry and piggery project by accomplishing and filing in duplicate the following:

A. Requirements for LC/Other Permits

1. Vicinity Map

Drawn to the scale of 1:10,000 showing the exact location of proposed site and all existing adjacent land uses/establishments within 500 meter radius from the proposed site and access road leading to it signed by a duly licensed geodetic engineer.

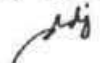
2. Site Development Plan

Drawn to the scale of 1:200 indicating lot property boundaries, circulation road network, buildable area/building site, parking and future expansion, if any, signed and sealed by a duly licensed environmental planner.

3. Certified true copy of TCT contract of sale or lease.

4. Environmental Compliance Certificate (ECC) or Certificate of Non-Coverage (CNC) from Environmental Management Bureau (EMB)-Regional Office(s) as required under PD 1586 "Philippine Environmental Impact Statement (EIS) System" and its implementing rules and regulations.

5. Conversion Order (CO) or Exemption Clearance (EC) from DAR if agricultural zone.



6. Site clearance from the local health officer or municipal/city veterinarian concerned on the suitability of the location pursuant to Chapter IX of PD 856's IRR on Nuisance and Offensive Trade and Occupation.

B. A locational clearance (LC) shall be issued by the HLURB or the city/municipality concerned only upon issuance of an Environmental Compliance Certificate (ECC) or Certificate of Non-Coverage (CNC) by the DENR-EMB Regional Office concerned.


A locational clearance shall be issued by the following:

- a. For devolved LGUs - duly designated zoning officer
- b. For LGUs that have not assumed the devolved functions - duly deputized zoning administrator or the HLURB regional officer for areas which have no DZA.

A zoning certificate shall be issued by the HLURB or city/municipality concerned prior to issuance of an ECC or CNC by the DENR-EMB Regional Office concerned.

C. Site Inspection

An inspection of the proposed project site shall be conducted with the following factors to be considered:

1. Conformity with the comprehensive land use plan/zoning ordinance of the locality.
 2. Suitability of the land to the proposed activity, (i.e. not low-lying with buffers, etc.)
 3. Suitability of site climate/weather to the proposed activity (i.e. its ability to contain or dispose pollutants to harmless proportions).
 4. Accessibility
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5. Presence of/or ability to provide utilities (power, water supply, etc.)

RULE III DESIGN STANDARDS AND REQUIREMENTS

Section 4. Design Standards and Requirements

A. General Guidelines (For Small, Medium and Large Scale)

1. Site Criteria

Piggery and poultry farm shall be situated preferably in a rolling terrain to have good drainage. Flood prone areas, and other environmentally critical areas like watershed, source of water supply, etc. as defined by the Environmental Management Bureau (EMB) shall be avoided.

Piggery and poultry farm shall not be built on soils with high moisture level. The soil must be well drained and porous.

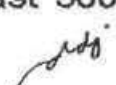
There shall be a buffer zone of at least 5 meters in width around the boundaries of the lot and shall be planted with trees or shrubs.

2. Location

2.1 Piggery and poultry farms shall be located outside urban areas.

2.2 A piggery and poultry farm shall be located 25 meters radius from sources of ground and surface drinking water.

2.3 Medium and large scale piggery and poultry farms shall be at least 1,000 meters away from built-up areas (residential, commercial, institutional and industrial) while small scale poultry farms shall be at least 500 meters away from built-up areas.



- 2.4 The piggery shall be 500 meters away from major roads and/or highways. For poultry farms, it shall be 200 meters away from major roads and/or highways.

Major roads and/or highways refer to any city, provincial and national roads that link regional/provincial and town centers and serving as the main transportation arteries

- 2.5 The site of medium scale and large scale piggery and poultry farms shall be at least 1 km. from one another to minimize spread of pests and diseases and reduce concentration of air pollutants in a given area. While the distance between small scale poultry farms is 500 meters.

3. Zoning

Piggery and poultry farms shall be located in agricultural zone and outside urban areas.

4. Layout

As recommended by the Bureau of Animal Industry

1. Piggery

There shall be a dry lot area of 1.86 – 2.79 sq.m. per sow; 0.74 – 1.12 sq.m. per head of pig under 100 lb.; 1.12 – 1.86 sq.m. per head of fattening hogs, 100 – 200 lb. and 2.32 – 3.25 sq. m. per boar.

The position of the building shall be oriented towards the direction of the wind and/or sunlight and on an east-west direction. The long axis of the building with a double pen shall be laid in a north-south direction to give all pens the benefit of sunlight.



Galvanized pipe partitions with a minimum height of 1 meter are recommended for piggery for proper ventilation and faster drying of floorings.

2. Poultry

- a. The space requirement for any type/size of poultry shall be based on the following data:

<u>Age of Chicks, wks. Days Old</u>	<u>Floor Area (sq.m./100)</u>
3	2.8 – 3
3 – 8	4.7 – 5
8 – 12	9.3 – 10
12 – 20	13.9 – 15

The position of the buildings shall be oriented towards the direction of the wind and/or sunlight and on an east-west direction.

- b. The space requirement for quails shall be based on the following data:

<u>Age of Birds, Wks. Days Old to</u>	<u>Cage Floor Area (sq.m./500)</u>
4	1.49
4 – 10	2.95

Cages may be placed in layer of 4–5 decks.

3. Construction

Permanent buildings for poultry shall have floorings (where manure drop from slat floorings) for easy cleaning to prevent parasites and diseases and shall be constructed in conformity with the National Building Code.

4. Maintenance

Maintenance of the poultry and piggery shall be sole responsibility of the owners.

B. Facility Requirements

As recommended by the Bureau of Animal Industry:

1. Facility Requirements for Piggery Farms

1.1 Feed Trough

A good trough shall have enough space for all pigs during feeding time.

1.2 Water Trough

This shall provide clean drinking water for hogs at all times. Water trough must not overflow to keep pens dry.

1.3 Warehouse for Feeds and Supplies

Well ventilated and dry space is recommended for feed bodega to minimize the occurrence of molds. Bagged feed should be filed on platforms about 10-15 cms. above the floor. The storage must be "mouse-proof" with mash wire preferably.

1.4 Heat Lamps

Enough heat lamps shall be provided for brooding pigs.

1.5 Farrowing House

This should include a farrowing pen for the sow at the middle and creeps for small pigs on both sides. Guardrails should be installed 20.32 – 30.48 cms. from

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the wall and 20.32 – 25.4 cms. clearance. Recommended farrowing pen is 1.26 sq.m. allotted for creeps on both sides.

2. Facility Requirements for Poultry Farms

2.1 Cage

This shall be provided in poultry farms housing the laying flocks.

2.2 Feed Trough

Ideal feed trough recommended for poultry farms are as follows:

	<u>Size Per Bird, cm.</u>
Hen	7.62 – 12.7
Chicks	2.54
Growing Chicks	7.62

2.3 Waterers/Water Trough

There shall be place above the ground and must be easy to clean.


3. Facility Requirement for Quails

3.1 Cage

This shall be provided for housing the quails.

3.2 Feed Trough

Ideal feed trough for quails is 0.15 x 1.0 meter for 250 birds.



3.3 Waterers

These shall be placed above the cage floor. Plastic waterers will do.

C. Utility Requirements

1. Water Supply

For piggery farm, there shall be a natural or mechanized source of water capable of supplying 22.75 – 36.4 liter/sow/day; 9.1 – 18.2 liter/boar/day and 5.82 – 13.6 liter/fattener/day plus an additional supply for washing the pens.

For poultry farm there shall be 27.3 liter/100 hens/day; 2.28 liter/fountain/100 chicks/day; 4.55 liter/500 birds (quails)/day and 2.28 liter/500 baby birds/day.

2. Power Requirement

There shall be sufficient lighting facilities in the farm depending on the size.

3. Solid Waste Disposal

All refuse including animal litter and manure, animal waste food products and other waste matter shall be disposed of in accordance with the provisions stated in Chapter XVIII – “Refuse Disposal” of the Code on Sanitation of the Philippines (PD 856) and its implementing rules and regulations, and other pertinent laws and rules and regulations set by other concerned agencies and local ordinances.

3.1 Animals and their carcasses which are injurious to health

- a. A dead animal shall be disposed by its owner within 24 hours after its death and in such

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manner complying with Chapter XVIII "Refuse Disposal" of the Code on Sanitation of the Philippines (PD 856) and its implementing rules and regulations and local ordinances.

- b. Whenever a dead animal is indiscriminately disposed in any private or public place to which the owner of such animal is unknown, the local health officer has the authority to direct his authorized representative to bury it in a manner complying with Chapter XVIII "Refuse Disposal" of the Code on Sanitation of the Philippines (PD 856) and its implementing rules and regulations and local ordinances.
- c. Storing and drying of manure shall be made at a minimum distance of 500 meters away from residential, commercial or industrial area or as approved by the local health officer, considering that objectionable odors emitted from the establishment shall not cause nuisance to the people residing within the area.

4. Drainage

Drainage from refuse/solid waste disposal shall be handled as sewage and shall be disposed in accordance with the provisions of Chapter XVII "Sewage Collection and Disposal, Excreta Disposal and Drainage" of the Code on Sanitation of the Philippines (PD 856) and its implementing rules and regulations.

5. Sewage Disposal

All sewage, stormwater and wastewater shall be discharged in a manner complying with Chapter XVIII – "Sewage Collection and Disposal, Excreta Disposal and Drainage" of the Code on Sanitation of the

Philippines (PD 856) and its implementing rules and regulations.

RULE IV MISCELLANEOUS PROVISIONS

Section 5. Fees. As per HLURB Resolution No. 622 series of 1998 adopting a Revised Schedule of Fees charged and collected by the board, the following locational clearance shall be collected based on the following project cost:

1. Project cost of P100,000 & below - P1,000.00
2. Over P100,000.00 - P1,000.00 + 1/10 of 1% of cost in excess of P100,000

Section 6. Fines and Penalties. Violation of any of the provisions of these Rules shall be subject to fines and penalties provided for in the amended HLURB Schedule of Fines as follows:

1. For violation of TPZ and ULRZ/APD laws, rules and regulations.
 - a. Failure to secure locational clearance prior to the start of the project

CONFORMITY WITH LAND USE^{1/}

Project Type	Conforming			Non-Conforming		
	Minimum	Medium	Maximum	Minimum	Medium	Maximum
Agricultural (poultry/piggery)	700-1500	1501-3000	3001-4500	1501-3000	3001-6000	6001-9000

^{1/}As per approved Sangguniang Panlalawigan/HLURB Comprehensive Land Use Plan and Zoning Ordinance.



2. Pursuant to Article IV Section 5.0 Impose Administrative fine not exceeding P20,000.00 for any violations of its charter and of its rules and regulations.
3. "Pursuant to Article IV Section 5 q.2 of EO 648 cite and declare any person, entity or enterprise in contempt of the [Commission] Board in the following case:
 1. Whenever any person entity or enterprise commits any disorderly or disrespectful conduct before the [Commission] Board or in the presence of its members or authorized representatives actually engaged in the exercise of their official functions, or during the conduct of any hearing or official inquiry by the said [Commission] Board, at the place or near the premises where such hearing or proceeding is being conducted which obstruct, distract, interfere or in any other way disturb, the performance of such functions or the conduct of such hearing or proceeding.
 2. Whenever any person, enterprise or entity fails or refuses to comply with or obey without justifiable reason, any lawful order, decision, writ or process of the [Commission] Board. In connection therewith, it may in cases falling within the first paragraph hereof, summarily impose a fine of any amount not exceeding P2,000.00 and order the confinement of the violator for a period that shall not exceed the duration of the hearing or proceeding or the performance of such functions, and in cases falling with the second paragraph hereof, it may, in addition to the administrative fine abovementioned impose a fine of P500.00 for each day that the violation or failure or refusal to comply continues, and order the confinement of the offender until the order or decision shall have been complied with;

In case the offender is a partnership, corporation or association or enterprise, the above fine shall be imposed on the assets of such entity and the president, managing partner or chief executive officer shall be ordered confined".



Section 7. Effectivity. These Rules and Regulations shall take effect after the [Commission] Board's approval and [upon] after publication for two consecutive weeks in two newspapers of general circulation.

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SUMMARY OF LOCATIONAL DESIGN STANDARDS

Classification	Number of Heads	With ECC Reqts.	Zone/ Classification	Distance from Source Of Ground Water	Distance from Built-up	Distance from Major Road/ Highway	Distance Bet. Poultry/ Piggery Farms
A. Poultry ¹							
1. Backyard	Max. of 500 heads	-	Agricultural	25 m.	Not applicable	Not applicable	Not applicable
2. Small	501 - 5000 heads	-	Agricultural	25 m.	500 m.	200 m.	500 m.
3. Medium	Over 5000 heads to less than 10,000	✓	Agricultural	25 m.	1,000 m.	200 m.	1,000 m.
4. Large	10,000 heads & over	✓	Agricultural	25 m.	1,000 m.	200 m.	1,000 m.
B. Piggery ¹							
1. Backyard	1 sow & 10 heads* and below	-	Agricultural	25 m.	Not applicable	Not applicable	Not applicable
2. Medium	2 sows & 11-20 heads	-	Agricultural	25 m.	1,000 m.	500 m.	1,000 m.
3. Large	more than 2 sows & more than 20 heads	✓	Agricultural	25 m.	1,000 m.	500 m.	1,000 m.

* Heads - include wearlings, growers and fatteners

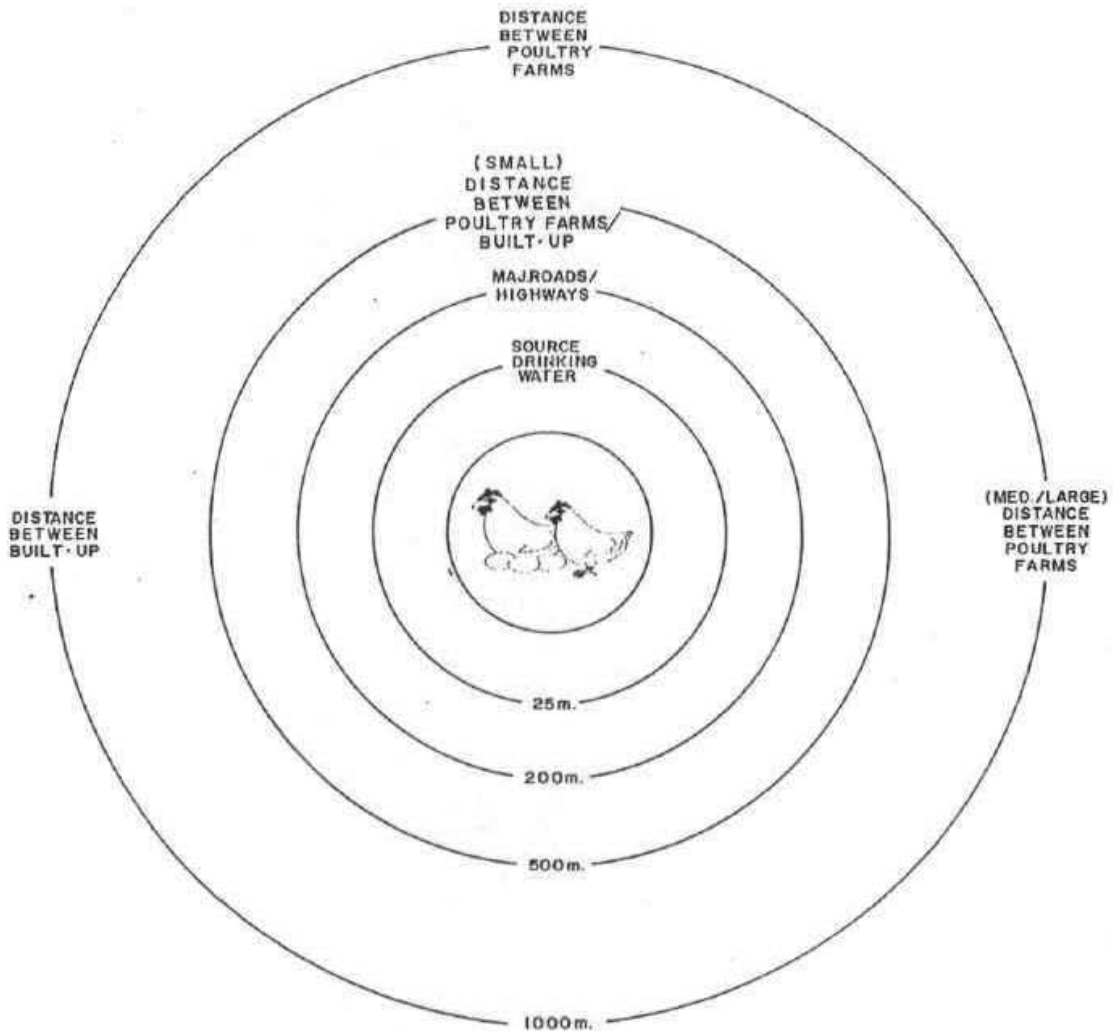
^{1/} Poultry/Piggery shall not be allowed in urban areas

• Rural Area - area outside of designated urban areas

• Urban Area - includes all barangay(s) or portion(s) of which comprising the poblacion, central business district (CBD) and other built-up areas including the urbanizable land in and adjacent to said areas and where at least more than fifty percent (50%) of the population are engaged in non-agricultural activities. CBD shall refer to the areas designated principally for trade, services and business purposes.

• Built-up Area - a contiguous grouping of ten (10) or more structures.

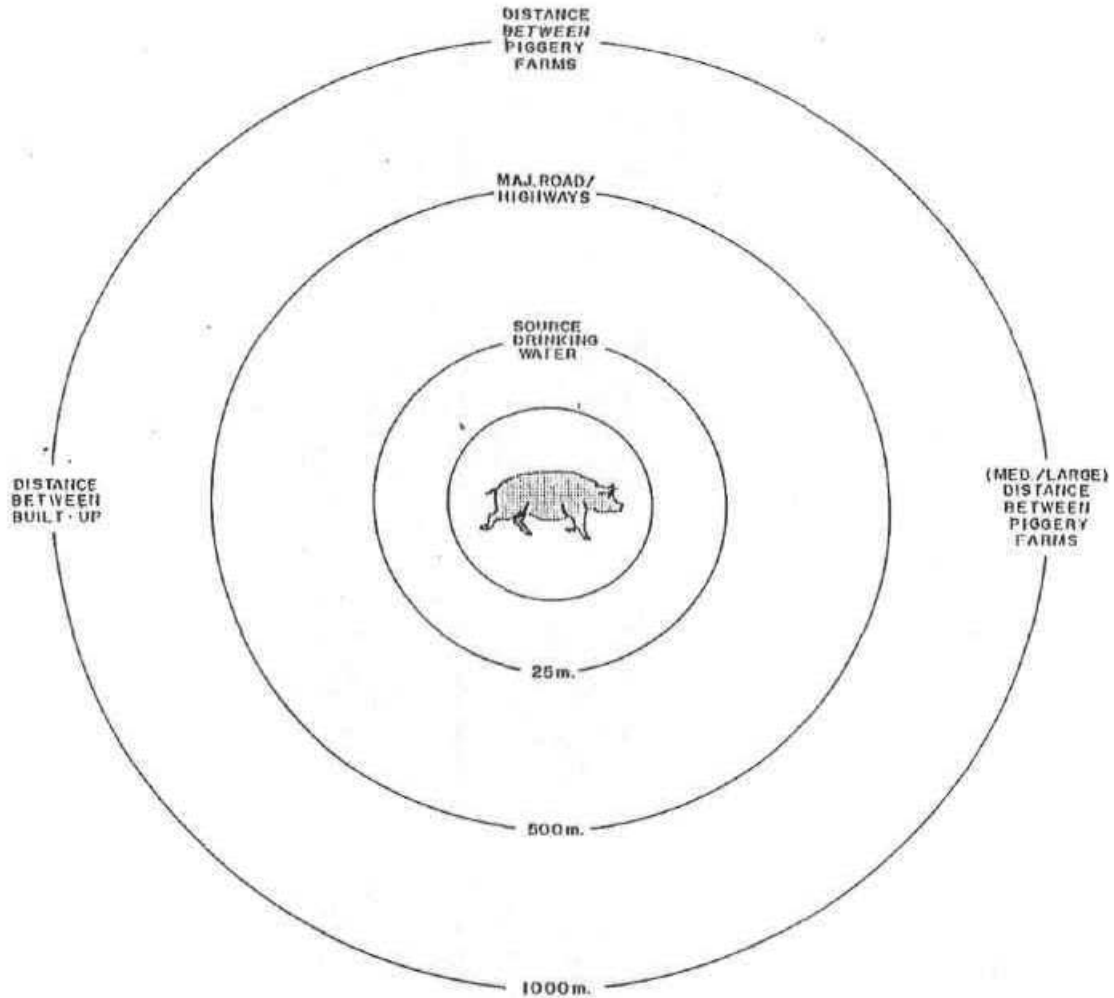
**FIGURE I
FOR POULTRY FARMS**



CLASSIFICATION	DISTANCE FROM SOURCE OF GROUND WATER (M)	DISTANCE FROM BUILT-UP (M)	DISTANCE FROM MAJOR RD./ HIGHWAY (M)	DISTANCE BETWEEN POULTRY FARMS (M)
1. Backyard	25	N/A	N/A	N/A
2. Small	25	500	200	500
3. Medium	25	1,000	200	1,000
4. Large	25	1,000	200	1,000

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**FIGURE 2
FOR PIGGERY FARMS**



CLASSIFICATION	DISTANCE FROM SOURCE OF GROUND WATER (M)	DISTANCE FROM BUILT-UP (M)	DISTANCE FROM MAJOR RD./ HIGHWAY (M)	DISTANCE BETWEEN PIGGERY FARMS (M)
1. Backyard	25	N/A	N/A	N/A
2. Medium	25	1,000	500	1,000
3. Large	25	1,000	500	1,000

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