

[ Acts No. 4079, November 29, 1933 ]

**AN ACT TO AMEND ACT NUMBERED TWENTY-EIGHT HUNDRED AND THIRTY-TWO, ENTITLED "AN ACT CREATING A PUBLIC CORPORATION DENOMINATED THE METROPOLITAN WATER DISTRICT, PRESCRIBING ITS FUNCTIONS AND ACTIVITIES, AND FOR OTHER PURPOSES," AS AMENDED BY ACT NUMBERED THIRTY-ONE HUNDRED AND NINE.**

*Be it enacted by the Senate and House of Representatives of the Philippines in Legislature assembled and by the authority of the same:*

SECTION 1. Act Numbered Twenty-eight hundred and thirty-two, entitled "An Act creating a public corporation denominated the Metropolitan Water District, prescribing its functions and activities, and for other purposes," as amended, is hereby further amended in certain particulars so that hereafter the said Act shall read as follows:

*"SECTION 1. Creation of the Metropolitan Water District; its general purposes; zone comprised by it; domicile and place of business of the corporation.—*For the purpose of furnishing an adequate water supply and sewerage service to the inhabitants thereof, and for other purposes specified in this Act, there is hereby created a public corporation which shall be known as the Metropolitan Water District.

*"The District shall comprise all territory within the boundaries of the City of Manila and the nearby municipalities of Montalban, San Mateo, Mariquina, Pasig, Pateros, San Pedro Macati, San Juan del Monte, Mandaluyong, Caloocan, Malabon, Navotas, Pasay, and Parañaque: Provided, That the District Board, in the interest of the public service, may from time to time extend the area of said District by the admission or inclusion of contiguous municipalities.*

*"The domicile and place of business of the District shall be in the City of Manila.*

*"SEC. 2. Powers and general functions of the District.—*The powers, functions, and activities of the Metropolitan Water District of Manila shall be the following:

*"(a) To have continuous succession under its corporate name until otherwise provided by law;*

*"(b) To prescribe its by-laws;*

*"(c) To adopt and use a seal and alter it at its pleasure;*

*"(d) To sue and be sued in any court;*

*"(e) To construct maintain and operate mains, pipes, water reservoirs, machinery and other waterworks for the purpose of supplying water to*

the inhabitants of the District, both for domestic and other purposes; to purify the source of supply, regulate the control and use, and prevent the waste of water; and to fix and provide for the collections of rents therefor;

"(f) To construct, maintain, and operate such systems of sanitary sewers as may be necessary for the proper sanitation of the District, and to charge and collect such sums for construction and rates for this service as may be determined by the Board to be equitable and just;

"(g) To construct all such storm-drains as may be needed in the City of Manila and requested by the City, and to maintain and operate all existing drains, the City of Manila to appropriate sufficient funds for this purpose;

"(h) To construct, maintain, and operate electric power and light system for the use of the Government, if deemed advantageous to the District, and utilize for this purpose all the water power of the Angat River; to fix such rents and collect such dues as may be deemed just and proper, and to sell the surplus power;

"(i) To acquire, purchase, hold, transfer, sell, lease, rent, mortgage, encumber, and otherwise dispose of real and personal property, including rights and franchises, within or without the Metropolitan District, as authorized by the purpose for which the district was created and reasonably and necessarily required for the transaction of the lawful business of the same, unless otherwise provided in this Act.

"(j) To construct works across, or otherwise, any stream, watercourse, canal, ditch, flume, street, avenue, highway or railway, as the location of said works may require, provided such works be constructed in such manner as to afford security for life and property, and provided, further, that the stream, watercourse, canal, ditch, flume, street, avenue, highway or railway so crossed or intersected be restored to their former state as near as may be, or in a manner not to have impaired unnecessarily their usefulness. Every person or entity whose right of way is crossed or intersected by said works shall not obstruct the forming of such crossings or intersections and shall grant the District the proper authority for the execution of such work. The District is hereby given the right of way to locate, construct, and maintain such works over and through any of the lands which are now or may be the property of the Government of the Philippine Islands or any of its branches and political subdivisions.

"(k) To exercise the right of eminent domain for the purposes for which the District was created, in the manner provided by law for condemnation proceedings by the insular, provincial, and municipal governments.

"(l) To enact such regulations as may be necessary for the sanitary protection of the watershed and the reservoirs and water mains, and for the proper operation of the sanitary sewers, subject to the approval of the Bureau of Health to enact regulations for the protection of the water

and sewer service, and of the light service, as soon as established, and to fix penalties for violations of the regulations enacted under this subsection which shall not in any case exceed two hundred pesos fine or six months imprisonment, or both, in the discretion of the court.

"(m) When essential to the proper administration of its corporate affairs or necessary for the proper transaction of its business or to carry out the purposes for which it was organized, to contract indebtedness and issue bonds, subject to the approval of the Secretary of Finance. The bonded indebtedness of the District, of all classes, shall not at any time exceed twelve million pesos, in addition to the bonds mentioned in section eight, and the issue thereof shall be subject to the conditions set forth in section five of this Act; and

"(n) To carry out the business for which it was organized and exercise such powers and do such things as may be reasonably necessary to carry out the purpose for which it was organized.

"SEC. 3. *District Board; its members; reports to the Governor-General and the Philippine Legislature.*—Unless otherwise provided by law, all corporate powers of the Metropolitan Water District shall be exercised, its business managed, and its property kept and preserved, by a board to be known as the District Board and composed of the Secretary of Public Works and Communications who shall be the president of the board, the Mayor of the City of Manila, the Provincial Governor of Rizal, the Commissioner of Health, the City Engineer of Manila, the Director of Public Works, the City Treasurer of Manila, one taxpayer of the City of Manila and one taxpayer of the Province of Rizal, the last two members to be appointed by the Governor-General by and with the consent of the Senate.

"The District Board shall render reports to the Governor-General and the Philippine Legislature as provided in sections five hundred and seventy-four to five hundred and seventy-seven, inclusive, of Act Numbered Twenty-seven hundred and eleven.

"SEC. 4. *First meeting of the District Board; 'quorum'; votes necessary, in general, for adopting resolutions; appeal; per diems of member; secretary of the board and his salary.*—The President of the District Board shall, immediately after the appointment thereof, fix a time and place for the first meeting, at which the Board shall adopt rules of procedure and fix a time and place for holding regular meetings.

"Not less than five members of the Board shall constitute a *quorum* for the transaction of business, and four affirmative votes shall be necessary for the adoption of any resolution or motion, except as herein otherwise provided.

"The minority of the Board may appeal from the decision or resolution of the majority within two days after a vote to the Governor-General whose decision shall be final in each case.