

Republic of the Philippines  
Province of Bohol  
**MUNICIPALITY OF LOON**

**OFFICE OF THE SANGGUNIANG BAYAN**

**EXCERPTS FROM THE MINUTES OF THE 42<sup>ND</sup> REGULAR SESSION OF THE 13<sup>TH</sup> SANGGUNIANG BAYAN OF LOON, PROVINCE OF BOHOL HELD ON THE 9<sup>TH</sup> DAY OF MAY 2017 AT THE SANGGUNIANG BAYAN (SB) OFFICE, LOON, BOHOL-**

**PRESENT:**

|                                 |                                  |
|---------------------------------|----------------------------------|
| Hon. Lloyd Peter M. Lopez, M.D. | Vice Mayor, Presiding Officer    |
| Hon. Pedro M. Literatus, Jr.    | SB Member                        |
| Hon. Timoteo L. Legitimas       | SB Member                        |
| Hon. Emerson S. Relampagos      | SB Member                        |
| Hon. Lydia L. Almasa            | SB Member                        |
| Hon. Zaide Y. Coritico          | SB Member                        |
| Hon. Nilo P. Branzuela          | SB Member                        |
| Hon. Judy Marie H. Veloso       | SB Member                        |
| Hon. Kristel P. Tecson          | SB Member                        |
| Hon. Cesar R. Pedrigal          | LnB President, Ex-Officio Member |

**ABSENT:**

NONE

**MUNICIPAL ORDINANCE NO. 17-004**

Series of 2017

**AN ORDINANCE AMENDING SECTIONS 10, 12, 16, 17, 20, 30, 51, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 79 AND ARTICLE VII OF MUNICIPAL ORDINANCE NO. 03-002, SERIES OF 2003, ENTITLED: "A COMPREHENSIVE MUNICIPAL CODE PROVIDING FOR THE SUSTAINABLE MANAGEMENT, DEVELOPMENT AND CONSERVATION OF THE MUNICIPAL WATERS AND ITS COASTAL RESOURCES, HARMONIZING AND INTEGRATING ALL ORDINANCES PERTINENT THERETO AND FOR OTHER PURPOSES" OTHERWISE KNOWN AS THE COASTAL CODE OF LOON, BOHOL**

Be it ordained by the 13<sup>th</sup> Sangguniang Bayan of Loon, Bohol in session duly assembled:

Section 1. Section 10 of the Coastal Code of Loon shall be amended to read as follows:

Section 10. Users Of The Municipal Waters.

All fisheries and coastal related activities in the municipal waters, subject to existing laws and regulations, shall be utilized by the registered municipal fisherfolks and their organizations and cooperatives duly accredited by the Sangguniang Bayan; *Provided*, That registered municipal fisherfolks from other municipalities, but not more than three (3) percent of the total number of registered resident municipal fisherfolks, may be allowed to use and exploit the coastal and fishery resources of the municipality, subject to existing national and local rules and regulations; *provided, however*, that registered municipal fisherfolks from other municipalities shall pay double the amount of prescribed fishery license and permit fees; *provided, further*, that no commercial fishing vessel 3 tons above of scale is allowed to operate within the municipal waters. Only the fishing boats below 3 tons of scale are allowed to operate within the perimeter of 10.1 kilometer to 15 kilometer.

Section 2. Section 12 (c) of the Coastal Code of Loon shall be amended to read as follows:

Section 12. Preferential Treatment To Municipal Fisherfolks And Their Organization In The Grant Of Exclusive Fishery Privileges.

The duly registered and accredited organizations, cooperatives of municipal fisher folks, and peoples' organizations, which have municipal fisher folks comprising the majority of members shall have preference in the grant of exclusive fishery privilege by the Sangguniang Bayan. Such grant shall be guided by the following procedures:

- a. The Sangguniang Bayan shall post in the municipal hall and in at least two (2) other strategic places for a period of not less than fifteen (15) days, a notice to fisherfolks' organizations or cooperatives to apply for the exclusive fishery privileges in areas or zones of the municipal waters available for the erection of fish corrals, oyster beds, taking or catching bangus fry or fry of other species for propagation and other activities as may be hereinafter defined. The notice shall also be posted in at least two (2) conspicuous places in every coastal barangay indicating therein the amount the minimum bid of the exclusive fishery privilege.
- b. Should two (2) or more groups signify their intent to avail of the exclusive fishery privilege, the Sangguniang Bayan shall accommodate them, if possible. If this should not be possible, the Sangguniang Bayan, in consultation with the FARMC, shall draw up guidelines to resolve the matter amicably. Otherwise, the exclusive fishery privilege shall be given to the highest bidder during the bidding to be conducted.
- c. Only when no organizations have signified their intent to avail of the privilege, or the failure of the grant for exclusive fishery privilege to the organization, shall individual persons be allowed to participate in a public bidding. Provided, however, that interested bidders should be registered fisherfolks of the municipality; *Provided furthermore*, that in the absence of the interested registered municipal fisherfolks, the registered municipal fisherfolks from other municipalities shall be allowed to participate in the bidding. The Sangguniang Bayan shall in a resolution provide for a notice calling for sealed bids for the exclusive privilege specifying the time and place for the auction, the amount to be deposited before an applicant is entitled to participate, the procedure to be followed, and the bond as guarantee of good faith and for satisfactory compliance with the terms and conditions for the lease or grant. The bond shall be in cash or real estate situated within the Philippines or by surety company authorized for that purpose in an amount not less than the authorized minimum bid. (Sec. 11, M.O. 1959-4)
- d. The organization or cooperative of the municipal fisherfolks shall be given the privilege to pay the equal amount of the highest bid within a reasonable period of one (1) month, and in such case, the organization or cooperative shall be declared the winning bidder.
- e. The Sangguniang Bayan, through a resolution, shall award the exclusive fishery privilege after the lapse of one month as above-mentioned.
- f. The winner in the public bidding shall pay the amount of the exclusive fishery privilege to the municipal government, through the office of the municipal treasurer.

Section 3. Section 16 of the Coastal Code of Loon shall be amended to read as follows:

Section 16. Designation Of Closed Season In The Catching And Gathering Of Siganid, Locally Known As *Danggit*.

There is hereby designated a closed season in the catching and gathering of siganid species locally known as *Danggit* during the period of the 3<sup>rd</sup> - 4<sup>th</sup> and- 5<sup>th</sup> day from date of new moon. For this purpose, the pocket net of all fish corrals shall not be installed during this period. Those caught in the fish corrals during the 3<sup>rd</sup>-5<sup>th</sup> spawning days shall be kept safe, to be harvested only on the 6<sup>th</sup> day.

Section 4. Section 17 of the Coastal Code of Loon shall be amended to read as follows:

Section 17. Prohibition Against The Catching And Gathering Of Siganid Fry, Locally Known As *Kujog* Or *Tagum-Tagum*.

- 1) Prohibition. No person, natural or juridical, shall catch, gather, or sell siganid fish fry locally known as *tagum-tagumor kujog*.
- 2) Penalty. Any person, natural or juridical, who violates this prohibition shall be fined Two Thousand Five Hundred Pesos (P2,500.00) and confiscation of all paraphernalia used in the catching, gathering and selling of tagum-tagum or imprisonment for not more than thirty (30) days or both at the discretion of the court. If the violator hereof is a partnership, all the partners hereof shall be held equally liable; if the violator hereof is a corporation, the president, chairman or manager of said corporation shall suffer the penalties herein provided for. (Sec. 3, MO 1972-2).

Section 5. Section 20 – C (b) of the Coastal Code of Loon shall be amended to read as follows:

Section 20. Prohibited Activities In The Marine Sanctuaries.

#### A. GENERAL PROHIBITIONS IN CORE ZONE

- 1) It is unlawful for any person or group of persons to fish or gather any marine life in the area of the sanctuary
- 2) No person shall be allowed to establish a fish coral or bungsod within the 200 meters distance from the sanctuary.
- 3) All fishing activities, including any destructive and extractive activities, are prohibited within the designated core zone of the marine sanctuary. The core zone will be marked with blue buoys and signboards. Prohibited activities include but are not limited to the following activities:
  - a) Hookah diving
  - b) Spear fishing
  - c) Fishing with any type of net and / or fishing gear
  - d) Gathering, collection and/or destruction of any type of marine life
  - e) Use of boat anchors
  - f) Swimming and snorkeling activities, without prior permission from the Barangay Captain and Management Committee
  - g) Other activities which are determined to be destructive by the Sanctuary Management Board.
- 4) Use of motorized and non-motorized boats, including wave runners or jet skis, within the marine sanctuary areas, except in cases of “force majeure”.
- 5) Disposal of solid or liquid wastes within the designated waters of the Marine Sanctuary and Buffer Zone.
- 6) A total ban on scuba diving within the sanctuary core zone is hereby declared, except for study purposes only.

#### B. GENERAL PROHIBITIONS IN THE BUFFER ZONE

1. All fishing, destructive and extractive activities are prohibited within the designated buffer zone of the marine sanctuary. However, small fisher folks from the Barangay may use hook and line fishing with no more than 15 hooks. Other fishing gears are not allowed in the buffer zone around the sanctuary. The Buffer Zone will be marked by the outer set of white buoys and signboards.
2. No recreation activities may be conducted in the area, however, motorized and non-motorized boats may be allowed to pass through the area, only under the condition that their engines will be decelerated to a minimum and that these boats are not towing any kind of fishing gear.
3. No anchors will be allowed within the buffer zone of the sanctuary.
4. No boat of any kind will be allowed to pass or drop anchorage in the sanctuary and within the ten (10) meter buffer-zone/marine reserve.
5. At the buffer-zone, only the following passive fishing gears be allowed: pangal, pasol and spear fishing (Pana) without scuba/diving equipment or compressor.

C. EXEMPTIONS:

- a) Only barangay residents may fish or glean within the area known as Buffer-Zone. This will ensure the equitable benefit of the sanctuary to be mainly distributed to those residents who guard and ensure the continuity of the sanctuary.
- b) Any person wishing to conduct a scientific study of the area may do so only after having secured a written authorization from the Mayor and upon consultation with the MFARMC and Barangay residents where the sanctuary is situated and after payment of a permit fee of Five Hundred (P500.00) pesos per study, provided, the researcher will furnish a copy of their findings to the municipality.

Section 6. Section 30 (B) of the Coastal Code of Loon shall be amended to read as follows:

Section 30. Coastal And Aquatic Pollution.

A) All activities in the land or waters, which result or likely to result in such deleterious effect which harm living and non-living aquatic resources, hazards to human health, hindrance to coastal or fishery activities such as fishing and navigation, including dumping/disposal of waste and other marine litter shall be prohibited: *Provided*, That it shall be the responsibility of the polluter to contain, remove and clean up waste debris or pollutants at his/her own expense: *Provided, however*, That, in case of failure to do so, the municipal government, in coordination with other concerned agencies and institutions, shall undertake containment, removal and clean-up operations and the expenses incurred in said operation shall be charged against the person and/or entities responsible for such pollution.

B) Regulations for Operation of Fishpond. For preventive measures and to minimize, if not avoid, poisoning of fish and destruction of its eggs and habitats, all fishpond and prawn pond operators and/or concessionaires are required to construct a dump pit for chemical wastes disposal. The municipal agriculture office shall monitor the implementation of this regulation.

The operator is required to construct their own septic vault for solid wastes and water treatment facility for liquid wastes. Failure to construct septic vault shall be fined pursuant to RA 9003, and failure to construct water treatment facility shall be fined pursuant to RA 6969 otherwise known as Toxic Substances, Hazardous and Nuclear Waste Control Act of 1990 for deliberate discharge of toxic pollutants or pursuant to RA 9275, otherwise known as Philippine Clean Water Act, and a ground for the revocation of the municipal permit to operate a fishpond. In case of juridical persons, the officers and the manager shall be held responsible and shall suffer the penalty prescribed under this section.

C) Factories and business establishments operating in the municipality are only allowed to dispose of garbage in duly designated and controlled areas; provided that factories shall provide a water treatment facility for the processing of waste water before the same may be disposed in the municipal sewage system. (MO 1997-10, amended)

Section 7. Article VII of the Coastal Code of Loon, Bohol shall be amended to read as follows:

“Article VII- Creation of COASTAL RESOURCE MANAGEMENT (CRM) Section under the Municipal Agriculturist Office”

Section 8. Section 51 of the Coastal Code of Loon, Bohol shall be amended to read as follows:

Section 51. Creation of CRM Section under the Office of the Municipal Agriculturist.

There is hereby created a Coastal Resource Management (CRM) Section under the Municipal Agriculturist Office, solely for the purpose of attending to the needs on coastal resource management of the municipality. The CRM Section shall be headed by the Municipal Agriculturist to be assisted by a CRM Officer.

Section 9. Section 65 of the Coastal Code of Loon, Bohol shall be amended to read as follows:

Section 65. Prohibition of Trawl Fishing.

All kinds of trawl fishing within the municipal waters of this municipality including the use of fishing gears which have the same effect as trawl fishing shall be prohibited at all times. (Sec. 1, MO 1981-1)

Any person found violating this provision shall be meted the penalty of fine of not less than Two Thousand Five Hundred Pesos (P2,500.00) or imprisonment of not less than six (6) months but not more than one (1) year or both such fine and imprisonment in the discretion of the court. In both penalties, all fishing paraphernalia such as but not limited to fishing nets, fishing boats and other items used in such illegal fishing activity shall be confiscated in favor of LGU.

Section 10. Section 67 of the Coastal Code of Loon, Bohol shall be amended to read as follows:

Section 67. Banning The Use Of Electric Light Boat Or Electric Shiner.

All kinds of electric light boat or electric shiner fishing in the municipal waters of this municipality shall be prohibited. The mere presence of the electric light boat in the municipal waters is a prima facie evidence that the same is engaged in fishing and shall be confiscated and prosecuted for illegal fishing operations. Any person found violating this provision shall suffer the penalty of Two Thousand Five Hundred Pesos (P2,500.00) or an imprisonment of not less than six (6) months or both such fine and imprisonment at the discretion of the court. In both penalties, all fishing paraphernalia such as but not limited to fishing nets, fishing boats and other items used in such illegal fishing activity shall be confiscated in favor of LGU In case of juridical persons, the operator, the manager and the officers shall be held liable.

Section 11. Section 68 of the Coastal Code of Loon, Bohol shall be amended to read as follows:

Section 68. Prohibition of Conversion Of Mangroves.

Subject to the provisions of the Forest Land Use Plan (FLUP) and the Zoning Code, it is declared unlawful the conversion of mangrove, nipa, and swamp areas into industrial and/or commercial purposes, and the cutting of forest resources along riverbanks and other public lands within the municipality. Any person or persons, whether natural or juridical, found violating this provision shall suffer the penalty of fine in the amount of Two Thousand Five Hundred Pesos (P2,500.00), or imprisonment of six (6) months or both, at the discretion of the court.

Section 12. Section 69 of the Coastal Code of Loon, Bohol shall be amended to read as follows:

Section 69. Prohibition Of Lawag Fishing.

All kinds of lawag fishing are prohibited within the municipal waters of this municipality. Each person found guilty for the violation of this provision shall suffer the penalty of fine in the amount of Two Thousand Five Hundred Pesos (P2,500.00) or an imprisonment of not less than two (2) months but not more than six (6) months or both at the discretion of the court. The fishing boat, fish catch, and fishing gear shall be confiscated/ forfeited in favor of the municipality. (MO 1994-03)

Section 13. Section 70 of the Coastal Code of Loon, Bohol shall be amended to read as follows:

Section 70. Prohibition Of Compressor Fishing.

All kinds of compressor or buso fishing are prohibited within the municipal waters of this municipality. Each person violating this provision, including the owner of the boat, shall suffer the penalty of fine in the amount of Two Thousand Five Hundred Pesos (P2,500.00) or an imprisonment of not less than two (2) months but not more than six (6) months, or both at the

discretion of the court. The fishing boat, fishing gear, fishing equipment, air compressor, and fish catch shall be confiscated and forfeited in favor of the municipality. (MO 1994-1)

Section 14. Section 71 of the Coastal Code of Loon, Bohol shall be amended to read as follows:

Section 71. Prohibition Of Liba-Liba Or Hulbot-Hulbot, Beach Seine Or Baling, Bugsok (torjak), And The Use Of Scaring Device And Drag Fishing Technique.

It shall be unlawful for any person or persons, natural or juridical, to engage in fishing with the use of liba-liba or hulbot-hulbot, beach seine or *baling*, bugsok (torjak) and the use of scaring device or any form of scaring any species of fish such as but not limited to "*panglamba*", "*pang-abognukos*", and drag fishing technique within the municipal waters of this municipality. Every person in the vessel or fishing boat engaged in the prohibited fishing activity shall suffer the penalty of fine in the amount of Two Thousand Five Hundred Pesos (P2,500.00) or imprisonment of not less than one (1) month nor more than six (6) months, or both fine and imprisonment at the discretion of the court. Provided that, the fish catch, fishing boat, fishing gears, and other paraphernalia used in the violation of this provision shall be confiscated in favor of LGU. The fish catch shall be disposed of to any government hospital, charitable or penal institutions, including the municipal jail for the benefit of patients or prisoners. (MO 1995-4)

Section 15. Section 72 of the Coastal Code of Loon, Bohol shall be amended to read as follows:

Section 72. Other Prohibitions.

It shall be unlawful for any person, entities, organization or corporations to *sell or* engage in the following activities related to fishing:

1. Use of Dosdos in fishing
2. Use of *baling* or beach seine
3. Use of poisonous substances such as, but not limited to, cyanide or kuskos, lagtang and pesticides to stun/collect fish, *chlorine*, "*tuble*" and related poisonous substances
4. Use of fine mesh nets, tri-ply, double net and other fishing gears, except for the capture of anchovy/bolinaw and fry after license has been secured from the LGU.
5. Use of electric rod to electrify fish
6. Use of lancornas, a fishing method similar to liba-liba, but operated in shallow waters.
7. Commercial fishing operations within Municipal waters
8. Use of De-Zipper or other fishing gear with scaring devices
9. Use of Dynamite/blasting in fishing
10. Collection of endangered species such as Manta Ray/Sanga, Dolphins, Whales, Turtles and endangered shell species;

*Provided*, That each violator shall be punished with a fine of Two Thousand Five Hundred Pesos (PhP 2,500.00) or an imprisonment of six (6) months, or both fine and imprisonment at the discretion of the court.

Section 16. Section 73 of the Coastal Code of Loon, Bohol shall be amended to read as follows:

Section 73. Fish Port/ Landing Center.

a) All commercial scale fish catch shall be required to be landed at the fish-ports designated by the Mayor through an Executive Order.

b) The weighing and payment of prescribed fees shall be done at the Fish Port /Landing Center.

c) No buying or wholesaling of commercial fish catch shall be done outside of the said Fish Port/Landing Center/s.

d) Penalty. Every violator, either a fisherman, middleman, wholesaler, or buyer, shall be fined Two Thousand Five Hundred Pesos (P2,500.00) and the confiscation of the fish catch and related paraphernalia such as but not limited to weighing scale, transport service, or anything used for violating this provision.

Section 17. Section 74 of the Coastal Code of Loon, Bohol shall be amended to read as follows:

**Section 74. Confiscation of Paraphernalia.**

In all instances under this Article, all fishing paraphernalia such as but not limited to fishing nets, fishing boats and other items used in such illegal fishing activity shall be confiscated in favor of LGU. The confiscated fish catch shall be disposed of to any government hospital, charitable or penal institutions, including the municipal jail for the benefit of patients or prisoners. (MO 1995-4)

Section 18. Section 79 of the Coastal Code of Loon, Bohol shall be amended to read as follows:

**Section 79. General Penal Provision.**

Any person who violates any provision of this Code or of the rules and regulations promulgated under authority of this Code, not herein otherwise covered by a specific penalty, shall be punished by a fine of Two Thousand Five Hundred Pesos (P2,500.00), or imprisonment of not less than one (1) month nor more than six (6) months, or both fine and imprisonment, at the discretion of the Court.

Section 19. Effectivity. This ordinance shall take effect immediately after its publication in a newspaper of general circulation for three consecutive weeks and due dissemination to the coastal barangays of Loon, Bohol.

**UNANIMOUSLY APPROVED.**

-----oO-----

I hereby certify to the correctness of the above-quoted ordinance.

**FIDELINO P. CORITICO, LLB**  
Secretary to the Sanggunian

ATTESTED:

**LLOYD PETER M. LOPEZ, M.D.**  
Vice Mayor  
Presiding Officer

A P P R O V E D:

**ELVI PETER L. RELAMPAGOS**  
Municipal Mayor

Date: \_\_\_\_\_



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**FIDELINO P. CORITIGO, LLB**  
Secretary to the Sanggunian

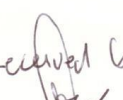
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ATTESTED:

  
**LLOYD PETER M. LOPEZ, M.D.**  
Vice Mayor  
Presiding Officer

APPROVED:

  
**ELVI PETER L. RELAMPAGOS**  
Municipal Mayor  
Date: 06/09/17

Received by:  
  
MAYOR

