

EXCERPTS FROM THE MINUTES OF THE 7th REGULAR SESSION OF THE EIGHT SANGGUNIANG BAYAN OF LOON, PROVINCE OF BOHOL HELD ON THE 13TH DAY OF AUGUST, 2001 AT THE SANGGUNIANG BAYAN SESSION HALL-

PRESENT:	Hon. Raul P. Barbarona,	Vice Mayor, Presiding Officer
	Hon. Clovis L. Nazareno	SB Member
	Hon. Fortunato N. Garay	SB Member
	Hon. Cesar R. Pedrigal	SB Member
	Hon. Zenon R. Perez,	SB Member
	Hon. Titus Clark U. Miranda	SB Member
	Hon. Hermenegildo M. California,	SB Member
	Hon. Nicolas M. Labastilla,	SB Member
	Hon. Leticia M. Maratas	SB Member
	Hon. Rosalio S. Sieras	Lnb President, Ex-Officio Member
	Hon. Yvonne T. Campoamor,	SKMF President, Ex-Officio Member

ABSENT: None

MUNICIPAL ORDINANCE NO.01-005

Series of 2001

AN ORDINANCE DECLARING A SHELL GARDEN AND FISH SANCTUARIES IN THE MUNICIPAL SEAWATERS OF BARANGAY TANGNAN AND PIG-OT, ALL OF LOON, BOHOL -

(Sponsored by: Kagawad Clovis L. Nazareno)

“WHEREAS, the fisher folks of Tangnan and Pig-ot, Loon, Bohol are very interested that a shell Garden and Fish Sanctuary be established in the municipal seawaters of the barangay;

“WHEREAS, the desire of the fisher folks is supported by Resolution No.09, series of 2001 in the case of Tangnan, Loon, Bohol and Barangay Resolution No. 008, series of 2001 in the case of Pig-ot, Loon, Bohol;

“WHEREAS, a whole-hearted interest of the barangay fisher folks is shown in the public hearing by barangay Tangnan on August 16, 2000 and another public hearing conducted by barangay Pig-ot on March 4, 2000;

“WHEREAS, the establishment of a shell Garden and Fish Sanctuary will develop the sea beads and he spawning ground of fish, thus abundant species of fish and sea shells will thrive in the area;

“WHEREAS, Section 81, Republic Act 8550 provides that in municipal seawaters the concerned LGU in consultation with the MFARMCS may establish a fish refuge and sanctuaries;

“NOW THEREFORE, premises considered, be it ordained by the Sangguniang Bayan of Loon, Bohol in session duly assembled:

SECTION 1. Title – an ordinance declaring Shell Garden and Fish Sanctuaries in the municipal seawaters of Tangnan and Pig-ot, municipality of Loon, Bohol.

SECTION 2. Definition of Terms.

2.1 Fish Refuge and sanctuary – an area declared as a protected area and to be managed by small fisher folks of the barangay to guarantee their food security and to ensure that fish stocks will remain for the benefit of the present and future generation;

2.2 Shell Garden – an area declared as a protected are and to be managed by small fisher folks of the barangay to guarantee the production of different species of shells and to ensure that shell stocks will remain for the benefit of the present and future generation;

2.3 Fisher folks – people directly or personally and physically engaged in taking and or culturing and processing fishery and/or aquatic resources;

2.4 Spawning ground – the breeding place for the different species of fish and other marine species;

2.5 Divers – persons who go on sightseeing underwater;

2.6 Fish Coral or Bungsod – a stationary weir or trap devised to intercept and capture fish consisting of rows of bamboo stakes, plastic nets and other materials fenced with split bamboo matting or weir matting with one or more enclosures, usually with easy entrance but difficult exit and with or without leaders to direct the fish to the catching chambers, purse of bags.

2.7 Buffer-Zone or Marine Reserve-an area of ten meters (10) around the sanctuary in which only passive fishing gears will be allowed;

SECTION 3. Technical Description

a) Barangay Tangnan Sanctuary, Loon, Bohol – containing an area of thirteen point forty two (13.42) hectares with Technical Description as follows:

Sanctuary:

Line	Bearing	Distance
1-2	N 81 24'W	232.27 M
2-3	N 04 35'W	553.65 M
3-4	S 75 24'E	267.30 M
4-1	N 01 40'E	519.40 M

Shell Garden (area – 04.9 has)

Line	Bearing	Distance
1-2	N 04 13'E	70.34 M
2-3	N 88 18' E	66.08 M
3-4	S 0 38' W	73.99 M
4-1	N 88 37' W	70.37 M

- b) Barangay Pig-ot Sanctuary, Loon, Bohol – containing an area ten point thirty two (10.32) hectares with Technical Description as follows:

Line	Bearing	Distance
1-2	N 78 23'W	38.12 M
2-3	N 01 56' E	308.10 M
3-4	N 81 00' E	692.16 M
4-1	S 02 22' E	383.52 M

SECTION 4. Prohibition:

- 4.1 It is unlawful for any person or group of persons to fish or gather any marine life in the area of the sanctuary.
- 4.2 No person shall be allowed to establish a fish coral or bungsod within the 200 meters distance from the sanctuary.
- 4.3 A total ban on bathing, diving or snorkeling within the sanctuary is hereby declared, except for study purposes only.

4.4 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.

4.5 At the buffer- zone only the following passive fishing gears be allowed: pangal, pasol, and spear fishing (pana) without scuba/ diving equipment or compressor.

SECTION 5. Exemptions

- a) Only barangay residents may fish or glean within the area kown 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 one hundred (P100.00) pesos per study, Provided the researcher will furnish a copy of their finding to the municipality.

SECTION 6. Penal Provision – any person violating any of the provisions of this ordinance shall be subject to the following penalties:

1st offense – P1, 000.00 per person plus confiscation of the fish caught

2nd offense – P1, 500.00 per person plus confiscation of the fish caught and the equipment used.

3rd offense – P2,000.00 per person plus confiscation of the fish caught and the equipment used or imprisonment of 2 months, or both upon the discretion of the court.

SECTION 7. Repealing Clause – any or all provisions of existing ordinances found inconsistent hereto are hereby repealed.

SECTION 8. Effectively Clause – this ordinance shall take effect immediately upon approval and posting in the two barangays of Tangnan and Pig-ot, all of Loon, Bohol.

Unanimously Approved.

I hereby certify to the correctness of the above-quoted Municipal Ordinance.

ATTY. RAUL P. BARBARONA

Vice Mayor

Presiding Officer

ATTESTED:

FIDELINO P. CORITICO

Secretary to the Sanggunian

APPROVED:

CESAR TOMAS M. LOPEZ, M.D.

Municipal Mayor

Date Approved: August 30, 2001