

EXCERPTS FROM THE MINUTES OF THE 10TH REGULAR SESSION OF THE SEVENTH SANGGUNIANG BAYAN OF LOON, PROVINCE OF BOHOL HELD ON THE 3RD DAY OF SEPTEMBER, 2001 AT THE SANGGUNIANG BAYAN SESSION HALL-

PRESENT : Hon. Clovis L. Nazareno, SB Member, Acting Presiding Officer
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 : Hon. Raul P. Barbarona, Vice Mayor – O.B.

MUNICIPAL ORDINANCE NO. 01-006
Series of 2001

Introduced by: Honorable Clovis L. Nazareno)

AN ORDINANCE DECLARING A FISH REFUGE AND SANCTUARIES IN THE MUNICIPAL SEAWATERS OF BARANGAY PONDOL AND UBAYON, LOON, BOHOL-

“WHEREAS, the fisher folks of barangays, Pondol and Ubayon, Loon, Bohol are very much interested to establish a fish refuge and sanctuary;

“WHEREAS, these barangays conducted a public hearing to ascertain the interest and approval of the populace;

“WHEREAS, the barangay councils of these two barangays seek assistance from DENR to survey and determine the area proposed for this establishment of a fish refuge and sanctuary;

“WHEREAS, the establishment of a fish refuge and sanctuary will develop the habitat and the spawning ground of fish, thus abundant species of fish will thrive in the area;

“WHEREAS, Section 81, Republic Act 8550, provides that in municipal waters, the concerned LGU in consultation with the MFARMC’s may establish 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 fish refuge and sanctuaries in the Municipal Seawaters of Pondol and Ubayon, Loon, Bohol:

SECTION 2. DEFINITION OF TERMS.

- 2.1 Fish refuge and sanctuary – An area declared by 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 future generation.
- 2.2 Fisher folks – people directly or personally and physically engaged in taking and or culturing and processing fishery and/or aquatic resources.
- 2.3 Spawning ground – the breeding place for the different species of fish and other marine species.
- 2.4 Buffer-Zone or marine reserve – an area of twenty meters (20 m.) around the sanctuary.

SECTION 3. TECHNICAL DESCRIPTION.

- a) Barangay Pondol, Loon, Bohol containing an area of sixteen point twenty five hectares (16.25 h).

| LINE | BEARING | DISTANCE |
|-------|-----------|----------|
| 1 – 2 | S 57 56'E | 332.50 M |
| 2 – 3 | S 43 57'W | 533.38 M |
| 3 - 4 | N 53 29'W | 301.17 M |
| 4 - 1 | N 40 55'E | 504.60 M |

- b) Barangay Ubayon, Loon, Bohol containing an area of nine point thirty (9.30) hectares more or less with Technical Description as follows:

| LINE | BEARING | DISTANCE |
|-------|-----------|----------|
| 1 – 2 | N 38 43'W | 109.96 M |
| 2 – 3 | N 42 45'E | 592.46 M |
| 3 - 4 | S 47 00'W | 600.00 M |
| 4 - 1 | S 51 17'W | 614.66 M |

SECTION 4. PROHIBITIONS:

- 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 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 twenty (20) meter buffer-zone/marine reserve, except having emergency situation.
- 4.5 At the buffer-zone, only the following passive fishing gears be allowed: fishtrap (pangal), hook and line (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 known as Buffer-zone. This will ensure the equitable benefit of the sanctuary 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 enter into a memorandum of agreement with the municipality that he would furnish a copy of their findings 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 equipments used or imprisonment of 2 months or both based on the discretion of the court.

SECTION 7. REPEALING CLAUSE. Any or all provisions of existing ordinance found inconsistent hereto are hereby repealed.

SECTION 8. EFFECTIVITY CLAUSE. This ordinance shall take effect immediately upon approval and posting in the two barangays, Pondol and Ubayon, this municipality.

Unanimously Approved.

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

CLOVIS L. NAZARENO
SB Member
Acting Presiding Officer

ATTESTED:

FIDELINO P. CORITICO
Secretary to the Sanggunian

APPROVED:

CESAR TOMAS M. LOPEZ, M.D.
Municipal Mayor

Date Approved: September 5,2001