

EXCERPTS FROM THE MINUTES OF THE 53RD REGULAR SESSION OF THE 8TH SANGGUNIANG BAYAN OF LOON, PROVINCE OF BOHOL HELD ON THE 8TH DAY OF JUNE, 2002 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. 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. Rosalio S. Sieras, LnB President, Ex-Officio Member
Hon. Leticia M. Maratas, SB Member
Hon. Yvonne T. Campoamor, SKMF President, Ex-Officio Member

ABSENT : Hon. Cesar R. Pedrigal, SB Member

MUNICIPAL ORDINANCE NO. 02-007
Series of 2002

AN ORDINANCE REGULATING CERTAIN ACTIVITIES WITHIN THE MUNICIPAL WATERS, INCLUDING MARINE AND FISH SANCTUARIES, IN THE MUNICIPALITY OF LOON, BOHOL

(Introduced by: Vice-Mayor Raul P. Barbarona)

WHEREAS, the Local Government Code of 1991 (R.A. 7160) empowers Local Government Units to protect the environment and appropriate penalties for acts which may endanger it or bring about ecological imbalance thereto;

WHEREAS, the Municipal Government of Loon passed municipal ordinances creating fish and marine sanctuaries in the municipal waters in order to protect marine lives and ensure food security for the present and future generations;

WHEREAS, it has been observed that the municipal waters, including fish or marine sanctuaries, are frequently visited by tourists and other users who are doing activities such as diving, swimming, snorkeling and others;

WHEREAS, there is a need to regulate the activities within the municipal waters, including fish or marine sanctuaries, in order not to cause damage to the marine life thereat;

WHEREAS, it is deemed timely and necessary to adopt measures that will safeguard, conserve and enhance the marine resources in the municipality of Loon, including Cabilao Island;

NOW, THEREFORE, be it

RESOLVED, as it is hereby resolved by the 8th Sangguniang Bayan of Loon, Bohol, to enact the following ordinance:

Section 1. Declaration of Policy. It is hereby declared the policy of the Municipality of Loon, Bohol, to conserve, protect and maintain the integrity of its coastal and marine resources.

Section 2. Registration and Accreditation. Dive-shop owners, tour operators, travel agents and motorized-boat operators who shall use the any fish or marine sanctuary must register at the Office of the Mayor and secure the necessary Mayor's Permit. He shall also apply for accreditation and undergo an accreditation process as maybe determined by the Office of the Municipal Mayor. validity of the accreditation shall be for one (1) year and subject to renewal. Loon-based applicants are given preference.

Section 3. A.) Daily User's Fee. Only the buffer zone of a particular sanctuary may be opened for human activities. A daily user's fee shall be levied on those who shall use any part of the municipal waters, including any sanctuary, at the rates prescribed hereunder;

ACTIVITY	WITHIN THE SANCTUARY BUFFER ZONE	OTHER AREAS
a. Scuba divers, snorkelers and swimmers - - - - -	P50.00/person	P40.00/person
b. With still camera --	P150.00/person	P100.00/person
c. With video camera --	P300.00/person	P200.00/person

Users who are Filipino citizens are entitled to a patrimony discount of Fifty (50%) percent of the above rates. Municipal residents shall enjoy the use of the other areas within the municipal waters without any fee. However, municipal residents are required to pay fifty percent (50%) discount for the use of any fish or marine sanctuary.

B.) Collection System. Users of the sanctuary and other areas must present the prescribed tickets to the authorized collector before using the sanctuary and other areas. Only users with prescribed tickets, which may be secured in advance at the Office of the Municipal Treasurer, are allowed to use the buffer zone of the marine sanctuary and other areas of the municipal waters.

C.) Fee Entry. The Municipal Mayor is given the discretion to allow entry into the sanctuary free of charge any government agency or person for purposes beneficial to the sanctuary. Said agency/person must furnish the municipality of its findings.

Section 4. Prohibitions.

- a.) Wearing of gloves by any users within the Fish or Marine Sanctuary;
- b.) Entry of unregistered and non-accredited owner/operators of motorized boats;
- c.) Spear fishing or any other kind of fishing activity;
- d.) Collection or destruction of marine life;

- e.) Boating, wave running or jetskiing within the sanctuary; and
- f.) Any human activity at the core zone of the sanctuary.

Section 5. Revenue Sharing for Fees Collected For the Use of Marine or Fish Sanctuaries (Buffer Zone). Revenues generated from the fees and penalties after deducting all expenses shall be shared by the People's Organization managing the sanctuary, the Barangay and the Municipal Government in the following manner.

- 5.1 Sixty Percent (60%) of the fund to the municipality;
- 5.2 Twenty Percent (20%) of the fund to the Barangay
- 5.3 Twenty Percent (20%) of the fund to the People's Organization

Revenue Sharing for Fees Collected For the Use of Areas Outside the Fish Sanctuaries. Revenues generated from the fees and penalties after deducting all expenses shall be shared by the barangay, and the municipal government in the following manner:

- a. Eighty Percent (80%) of the fund to the Municipality
- b. Twenty Percent (20%) of the fund to the Barangay

Section 6. Management Body of the Sanctuary. - The Municipal Mayor shall have full control and supervision in the planning, administration and management of each of the Fish or Marine Sanctuaries in the municipality; however, a management body is hereby created to assist the Municipal Mayor in the above-mentioned responsibilities, composed of a Project Director (PD), Business Development Office (BDO), Community Relations Officer (CRO) and duly assisted by a Secretariat. It is highly recommended that the PD and CRO should be residents of the barangay where the fish or marine sanctuary is located.

The Municipal Mayor may enter into a management agreement with any existing fisherfolk organization in the barangay for the management of the fish sanctuary.

An Advisory Group, whose primary purpose is to provide technical inputs and other advices for the management of the sanctuary, is likewise hereby created. It shall be composed of the following, to wit:

1. Sangguniang Barangay representative
2. Sangguniang Bayan representative
3. DENR Representative
4. MFARMC Representative
5. BFARMC Representative
6. DA / BFAR / MAO Representatives
7. DOT / PTA Representatives
8. Resort Owners Representative
9. Pumpboat Operators Representative
10. Dive Shop Owners Representative
11. Fisherfolk organization representative
12. Police Chief
13. PNP Maritime Command-Representative
14. Sangguniang Kabataan Representative
15. Women's Association Representative
16. Head of PCG, PCGA & PCSSD
17. Chief of Municipal Fish Warden

- Section 7. Penalty. Any violation of the provisions of this ordinance shall subject the offender to a fine not exceeding Two Thousand Pesos (P2,000.00) and/or imprisonment for a period not exceeding six (6) months or both such fine and imprisonment at the discretion of the court.
- Section 8. Repealing Clause. All ordinances, rules and regulations or parts thereof, in conflict with or inconsistent with any provisions of this ordinance are hereby repealed or modified accordingly.
- Section 9. Separability Clause. If, for any reason or reasons, any part or provision of this ordinance shall be held to be invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.
- Section 10. Effectivity. This Ordinance shall take effect immediately upon its approval.

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

ATTY. RAUL P. BARBARONA
Vice Mayor
(Presiding Officer)

A T T E S T E D:

FIDELINO P. CORITICO
Secretary to the Sanggunian

A P P R O V E D:

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

Date Approved: _____