



# OFFICE OF THE SANGGUNIANG PANLUNGSOD

**EXCERPT TAKEN FROM THE JOURNAL OF THE REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD OF THE CITY OF ALAMINOS, PANGASINAN HELD ON SEPTEMBER 26, 2016.**

**PRESENT:**

**Councilor Apolonia G. Bacay**

Councilor Rufina J. Gabriel

Councilor Margielou Orange Humilde-Verzosa, DPA

Councilor Joselito O. Fontelera

Councilor Carolyn D. Sison

Councilor Alfred Felix E. de Castro

Councilor Rany S. de Leon

Councilor Perlito V. Rabago

Councilor Cirilo B. Radoc

Councilor Froebel A. Ranoy

LBP Salvador C. Camba

- **Presiding Officer Pro-Tempore**

- Majority Floor Leader

- Minority Floor Leader

- Member

- Member

- Member

- Member

- Member

- Member

- Member

- Ex-Officio Member

**ABSENT:**

Vice Mayor Jose Antonio Miguel Y. Perez

- On official travel

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**ORDINANCE NO. 2016-07**

**ORDINANCE AMENDING PARAGRAPH A OF SUB-SECTION II, SECTION 9, ARTICLE II OF CITY ORDINANCE NO. 2009-04 OTHERWISE KNOWN AS THE COMPREHENSIVE FISHERIES CODE OF THE CITY OF ALAMINOS DELETING THE PROVISION FOR FISH PEN (BANGUS) AT BARANGAY CAYUCAY AND BARANGAY BALEYADAAN, PROVIDING PENALTIES FOR VIOLATION THEREOF AND FOR OTHER PURPOSES**

**EXPLANATORY NOTE**

**WHEREAS**, the Philippine Constitution protects and advances the rights of the people to a balanced and healthy ecology in accord with the rhythm and harmony of nature;

**WHEREAS**, Republic Act 7160, otherwise known as the Local Government Code of 1991 devolved the management of city/municipal waters and its coastal and fisheries resources to the Local Government Units;

**WHEREAS**, it is a declared policy of the City Government of Alaminos, Pangasinan to promote the proper management, conservation, protection and utilization of fisheries and aquatic resources within the city waters as a means for encouraging the sustained social and economic development of the City;

**WHEREAS**, in furtherance of this objective, the Sangguniang Panlungsod duly enacted Ordinance No. 2009-04 otherwise known as the Comprehensive Fisheries Code of the City of Alaminos, Pangasinan on September 04, 2009;

**WHEREAS**, Article II, Section 9 provides for the Zonation of the City waters and sub-section II provides for the Mariculture Enterprise Development Zone wherein paragraph A provides for Aquaculture/Seafarming for Fish Pen (Bangus) at Brgy. Cayucay and Barangay Baleyadaan, this city;



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(Cont. Ord. No. 2016-07, enacted on 26<sup>th</sup> day of September, 2016)

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**WHEREAS**, excessive feeding, over stocking, improper waste management and irresponsible aquaculture management practice due to fish pen operations for milk fish (bangus) production causes adverse ecological effects such as deterioration of water quality, emergence of harmful algal blooms, social hazard, economic threat on marginalized fishermen and risk on the marine and aquatic life forms;

**WHEREAS**, to safeguard and sustain coastal and marine resources, the City Government will be investing and promoting eco-friendly mariculture programs such as oyster culture production as livelihood of marginalized fisherfolks;

**WHEREFORE**, premises considered, and on motion of Councilor Rufina J. Gabriel, duly seconded by Councilor Cirilo B. Radoc;

**BE IT ENACTED** as it is hereby **ENACTED** by the Sangguniang Panlungsod of the City of Alaminos, Pangasinan in session duly assembled that:

**SECTION I. Title of the Ordinance** - This ordinance shall be known as an **"ORDINANCE AMENDING PARAGRAPH A OF SUB-SECTION II, SECTION 9, ARTICLE II OF CITY ORDINANCE NO. 2009-04 OTHERWISE KNOWN AS THE COMPREHENSIVE FISHERIES CODE OF THE CITY OF ALAMINOS DELETING THE PROVISION FOR FISH PEN (BANGUS) AT BARANGAY CAYUCAY AND BARANGAY BALEYADAAN, PROVIDING PENALTIES FOR VIOLATION THEREOF AND FOR OTHER PURPOSES**

**SECTION II. Scope of Coverage** - This Ordinance shall be enforced within the territorial jurisdiction of the City of Alaminos, Pangasinan.

### **SECTION III. ADMINISTRATIVE PROVISIONS:**

- A-** That paragraph A of sub-section II, Section 9 of Article II of City Ordinance No. 2009-04 providing for Fish Pen for Milk Fish (Bangus) at Barangays Cayucay and Baleyadaan, this City be deleted and all owners and operators are hereby ordered to cease operation of their respective fish pen structures for milk fish (bangus) production established within the city waters of Alaminos, Pangasinan and to voluntarily dismantle the same until March 31, 2017.
- B-** The Business Permit and Licensing Office in coordination with the City Agriculture Office and POSO-Bantay Dagat shall issue a Cease and Desist order to be acknowledged by the fish pen (Bangus) operators/owners;
- C-** Any fish pen operator/owner engage in bangus production who voluntarily dismantle his/her own structure/unit can withdraw his/her bond deposit and clearing bond provided he/she shall submit to the Office of the City Agriculture a Certification duly issued by the Punong Barangay and BFARMC Chairman concerned that the area is cleared of any structure or fish pen paraphernalia together with the Official Receipt of Cash Bond and Clearing Bond Payment issued by the Office of the City Treasurer.
- D-** The Office of the City Agriculturist shall conduct ocular inspection to assess the status of the area prior to the endorsement for release of the claims;

Adrian



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(Cont. Ord. No. 2016-07, enacted on 26<sup>th</sup> day of September, 2016)

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## SECTION IV. PENAL PROVISIONS:

1. Any fish pen operator/owner who fails to voluntarily dismantle and/or abandon his/her own structure/unit within the prescribed period will be a ground for the automatic forfeiture of his/her clearing bond and bond deposit.
2. The City Government will undertake the dismantling and clearing operation in the area ten (10) days after the prescribed period. All fish pen materials including nets and bamboos which are still in the area during the dismantling operation shall be confiscated in favor of the City Government.

**SECTION V. FUNDING** - An initial amount of Eighty Thousand Pesos (php 80,000.00) from the Coastal Resources Management Fund of the City Government will be utilized to carry out the implementation of the provisions of this Ordinance.

**SECTION VI. SEPARABILITY CLAUSE** - If any provision of this ordinance or the application of such provision to any person or circumstance is declared invalid, the remainder of this ordinance shall not be affected.

**REPEALING CLAUSE** - Any ordinance, rules and regulations, or other issuances inconsistent with this ordinance is hereby repealed, amended or modified accordingly.

**SECTION VII. EFFECTIVITY** - This ordinance shall take effect after compliance with the statutory provisions.

**I HEREBY CERTIFY** to the correctness of the foregoing ordinance consisting of three (3) pages including this page.

*Luiz B. Vale*  
**LUZ B. VALE**  
Secretary

ATTESTED:

*Apolonia G. Bacay*  
**APOLONIA G. BACAY**  
Presiding Officer Pro-Tempore

*Rufina J. Gabriel*  
**RUFINA J. GABRIEL**  
Majority Floor Leader

*Margielou Orange Humilde-Verzosa, DPA*  
**MARGIELOU ORANGE HUMILDE-VERZOSA, DPA**  
Minority Floor Leader

*Josecito O. Fontelera*  
**JOSELITO O. FONTELERA**  
Member

*Carolyn D. Sison*  
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Member

*Alfred Felix E. de Castro*  
**ALFRED FELIX E. DE CASTRO**  
Member

*Rany S. de Leon*  
**RANY S. DE LEON**  
Member

*Perlito V. Rabago*  
**PERLITO V. RABAGO**  
Member

*Cirilo B. Radoc*  
**CIRILO B. RADOC**  
Member

*Froebel A. Ranoy*  
**FROEBEL A. RANOY**  
Member

*Salvador C. Camba, LBP*  
**SALVADOR C. CAMBA, LBP**  
Ex-Officio Member

APPROVED BY:

*Arthur F. Celeste*  
**ARTHUR F. CELESTE**  
City Mayor

*10/26/16*  
Date