Republic of the Philippines
Province of Oriental Mindoro
MUNICIPALITY OF ROXAS

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE 11th REGULAR SESSION OF THE SANGGUNIANG BAYAN OF ROXAS, ORIENTAL MINDORO HELD ON 26 MARCH 2012, 9:00 A. M. AT THE SANGGUNIANG BAYAN SESSION HALL.

Present:

Vice Mayor Violeta L. Dimapilis	- Presiding Officer
Councilor Juanito A. Bacay, Jr.	- Member
Councilor Eduardo K. Soriano	- Member
Councilor Elsie F. Galaran	- Member
Councilor Arnel F. Fabon	- Member
Councilor Lee M. Baculinao	- Member
Councilor Juan S. Advincula	- Member
Councilor Camilo G. Ferreira	- President, Liga ng mga Barangay
Councilor Mary Jennie Leigh Q. Sarmiento	- MSKF President

Absent:

Councilor Mae Arlene M. Talens	- Member, Sick Leave
Councilor Cesar T. Baticos	- Member

MUNICIPAL ORDINANCE No. 01
Series of 2012

AN ORDINANCE ESTABLISHING AND PROVIDING FOR THE OPERATION AND MAINTENANCE OF THE PACLASAN FISH SANCTUARY AT BARANGAY PACLASAN, ROXAS, ORIENTAL MINDORO.

BE IT ENACTED BY THE SANGGUNIANG BAYAN IN SESSION ASSEMBLED THAT:

WHEREAS, the municipality's coastal fishery resources are under tremendous pressure to continuously provide food, employment and economic benefits for the ever-growing population;

WHEREAS, the municipal government is responsible for the management, conservation, development, protection, utilization and disposition of all fish and fisheries/aquatic resources;

WHEREAS, measures should be adopted for the replenishment of fish stocks and preservation of fish habitats, avoiding over exploitation and environment degradation;

WHEREAS, the people of Barangay Paclasan through a resolution and series of barangay consultations have expressed a strong support and willingness for the project;

NOW THEREFORE on motion of Councilor Camilo G. Ferreira duly seconded by Councilors Lee M. Baculinao and Juan S. Advincula -

BE IT RESOLVED to enact as it hereby enacts an ordinance establishing and providing for the operation and maintenance of the Paclasan Fish Sanctuaries at Barangay Paclasan, Roxas, Oriental Mindoro, to wit:

SECTION 1. **TITLE** - This ordinance shall cover the Paclasan Fish Sanctuary mentioned above.

SECTION 2. **PURPOSE** - These fish sanctuaries will provide protection for Barangay Paclasan sea grasses and it immediate vicinity and preserve and allow the rehabilitation of the degraded environment. The sea grasses will be restored to enable it to serve as a habitat and a feeding, breeding and spawning area of fish and other resources by protecting it from disturbance. The sea grasses will function as a preserved site from the adjoining fishing grounds. The area surrounding the fish sanctuary will function as the buffer zone.

SECTION 3. **DECLARATION OF POLICY** - It shall be the policy of the Municipality of Roxas to promote the sustainable and wise use of its fishery and aquatic resources. The municipality shall also ensure the equitable use of these resources, reserve preferential use of the resources for its municipal fisher folks, and promote the fisher folks with active participation in its management. Towards this end, the Municipality will establish marine protected areas based on scientific findings and popular acceptance. These fish sanctuary is a project of the municipal government of Roxas.

SECTION 4. **OBJECTIVES** - The objectives of the fish sanctuary is to regenerate and rehabilitate resources to conserve and protect habitat of fish and fisheries/aquatic resource place for the fish and other organisms from all forms of fishing and other activities, and to support fish population in adjacent areas where fishing is allowed. The buffer zone is to protect the fish sanctuary wherein regulated fish activities are allowed.

SECTION 5. **DEFINITION OF TERMS** - For the purpose of this ordinance, the following definition of terms shall apply:

a) *Aquaculture* - fishery operations involving all forms of raising/ culturing fish and other species.
b) *Aquatic Pollution* - the introduction of substances or energy to the aquatic environment which results or it likely to result in such deleterious effects as to harm living and non-living aquatic resources, pose potential and real hazard to human health, hindrance to aquatic activities such as fishing and navigation, including dumping of disposal of waste and other marine litter, discharge of petroleum or residual products of petroleum or carbonaceous materials and other radioactive, noxious human made structure. Deforestation, unsound agricultural practices such as the use of banned chemicals, excessive use of chemicals, intensive use of artificial fish feed and wetland conversions, which cause similar hazards and deleterious effects, shall also constitute aquatic pollution.
c) *Artificial reef* - any structure of natural or man-made materials placed on a body of water to serve as shelter and habitat, source of food, breeding place, shoreline protection and deterrence to active fishing gears.
d) *BFARMC* - Barangay Fisheries and Aquatic Resources Management Council.

e) *Coral* - the hard calcareous substance made up of the skeleton of marine coelenterate polyps which includes reefs, shelves and atolls or any of the marine coelenterate animals living in colonies where their skeletons form a stony mass.

f) *Coral reef* - a natural aggregation of coral skeleton, with or without living coral polyps occurring inter-tidal and sub-tidal marine waters.

g) *FARMC* - Fisheries and Aquatic Resources Management Council.

h) **Fisher folks** - people or directly or personally and physically engaged in taking, culturing or processing fishery and aquatic resources.

i) *Fishery reserve* - a designated area where fishing activities are restricted to specific purposes.

j) *Fishery Resources* - aquatic flora and fauna including but not limited to fish algae, coelenterates, mollusk, crustaceans, echinoderms and cetaceans.

k) *Fishing* - the taking of fish and other fishery resources from their wild state or habitat.

l) *Fish Sanctuary* - a designated area where fishing and other forms of activities which may damage the ecosystem of the area is prohibited and human access maybe restricted.

m) *Health Hazard* - refers to any biological, chemical contamination of physical agent that has adverse effects on human or aquatic organism.

n) *Mangroves* - a community or intertidal plants including all species of trees, shrubs, vines and herbs found on coasts, swamps or border of swamps.

o) *FMO* - Fishery Management Office.

p) *M/FARMC* - Municipal Fisheries Aquatic Resource Management Council.

SECTION 6. **Site and Coverage:**

1. The Paclasan Fish Sanctuary is that body marine waters consisting of 30 hectares more or less situated in Barangay Paclasan and within the jurisdiction of the Municipality of Roxas, Oriental Mindoro, and enclosed by imaginary straight lines drawn and connecting the following points:

POINT	LATITUDE	LONGITUDE
1	12°34'33.026"N	121°30'58.521"E
2	12°34'51.137"N	121°31'10.108"E
3	12°34'43.083"N	121°31'22.561"E
4	12°34'24.986"N	121°31'10.982"E

2. The Buffer Zone/Fishery Reserve is that body of marine waters surrounding the fish sanctuary which is 50 meters distance from the sanctuary and with buoy markers. Buoys shall be installed to mark the perimeter of the fish sanctuary and buffer zone. Billboards shall also be placed in prominent places.

SECTION 7. **Management** - These fish sanctuaries will be managed by the municipal government through each Barangay Fisheries and

Aquatic Resources Management Councils (B/FARMC). A Fish Sanctuary Management Committee shall assist the said council.

The Municipal Fishery Management Office whose members shall be designated by the Municipal Mayor from the personnel of the Office of the Municipal Agriculturist and M/FARMC shall periodically undertake management supervisions with this fish sanctuary project. The FMO shall render periodic reports to the Office of the Municipal Mayor on the supervision undertaken.

SECTION 8. Membership - The members of the Barangay Fisheries and Aquatic Resources Management Councils and the Fish Sanctuary Management Committee and its sub-committees shall come from the fisher folks of the barangay. In the event that no more fisher folks are available for membership, civic-minded residents of each barangay may be recruited.

SECTION 9. Officers - The Fish Sanctuary and Management Committee shall be composed of the following: Chairperson, which will be elected from the BFARMC officer/member exclude the BFARMC chairman. And the sub-committee such as: Monitoring Committee Enforcement will be composed of chairman, vice chairman and three (3) members. Committee chairperson, those fisher folks who are not elected as officers are entitled to be a member of the three sub-committees. The officers of the committee and the members of the sub-committee shall serve for a term of one (1) year.

SECTION 10. Organization - Once this becomes effective, the Barangay FARMC chairperson shall call a meeting of all the fisher folks in the barangay to set up the Fish Sanctuary Management Committee and start the implementation of the fish sanctuary ordinance. The BFARMC officers and members shall elect the five (5) officers of the fish sanctuary management offices/members of the three (3) sub-committees. Every year thereafter, on the initiatives of the Barangay FARMC chairperson, all the fisher folks of the barangay shall hold a general meeting to hear the reports of the three (3) sub-committees, to review and propose changes in the implementation of the fish sanctuary to approve the annual work plan, to elect officers of the committee and to select their assignment to the sub-committees.

The Fish Sanctuary Management & Sub-Committee Unit shall supervise the organization of the Barangay Fisheries and Aquatic Resources Management Council, the Fish Sanctuary and Fishery Reserve Management Committee and its sub-committees, immediately thereafter submit to the Office of the Mayor and Sangguniang Bayan list of members of the council, committee, its sub-committee and the organizational structure of the entire project.

SECTION 11. Functions - The Fish Sanctuary and Fishery Reserve Management Committee shall operate the fish sanctuary and fishery reserve. The Chairperson of the committee shall provide the overall direction and coordination. He shall also prepare an annual work plan. The committee will be comprised of three sub-committees,

namely: the Monitoring Sub-Committee, the Enforcement Sub-Committee and the Information and Education Sub-Committee. The Monitoring Sub-Committee will conduct regular observations of the bio-physical and socio economic results and changes brought about by the operation of the fish sanctuary and fishery reserve. The Enforcement Sub-Committee will conduct surveillance of the area, enforce the fish sanctuary and fishery reserve regulations and cause the apprehension of violators. The Information and Education Sub-Committee will conduct continuing information and education campaign to the public, explain the purpose of the fish sanctuary and fishery reserve, and secure their compliance to the regulations.

SECTION 12. Prohibitions - It shall be unlawful for any person whether natural or juridical, to conduct fishing or aquaculture operations, gathering or collecting any fish, fishery and aquatic resources inside the fish sanctuary. Boats anchoring inside, entering or passing through the fish sanctuary are prohibited, except for emergency cases.

On the buffer zone, a close fishing season for three (3) years will be executed upon the establishment of the project. One hook and line is allowed right after the close season period.

As exemption to the foregoing prohibitions, single hook and line fishing is allowed only in the Buffer Zone while diving with scuba, snorkeling and swimming for monitoring, research, scientific and educational purposes shall be allowed in the fish sanctuary provided permission is granted by the Office of the Municipal Mayor through the recommendation of the chairperson of each Fish Sanctuary and Fishery Reserve Management Committee or in his absence his duly designated representative, and after paying with the Office of the Municipal Treasurer a fee of Php 150.00 per person. Members of the Monitoring Sub-Committee, personnel from the FMO, Office of the Provincial Agriculturist, Oriental Mindoro and the Bureau of Fisheries and Aquatic Resources, personnel from the Office of the Mayor and Sangguniang Bayan members conducting monitoring and inspection of the fish sanctuary and fishery reserve are exempted from paying the fee. However, no recreational diving and swimming shall be allowed within the first three (3) years of the project establishment.

Theft within and willful removal and destruction, altering and damaging of all materials within the fish sanctuary and removal of all buoy markets shall likewise be strictly prohibited and punishable.

SECTION 13. Funds - The amount of One Hundred Thousand Pesos (P100,000.00) program of work is hereby appropriated for the purpose of immediate implementation of ordinance shall be a regular item in the annual appropriations of the municipality. Entrance fee collected shall be remitted as trust fund for the operation and maintenance of the project.

SECTION 14. Enforcement - The Philippine National Police & Maritime Police assigned to the Municipality of Roxas and Barangay Paclasan,