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Republic of the Philippines
PROVINCE OF LEYTE
Tacloban City

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PROVINCE OF LEYTE

PROVINCIAL LEGAL OFFICE

March 13, 2023

Province of Leyte
Legal Office
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Date: 3-17-23

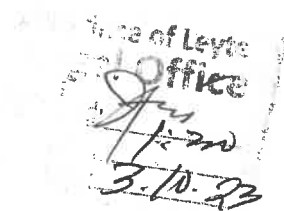
Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 001, S. 2023 of the SB of Barugo, Leyte, recommending for the declaration of its validity pursuant to its power under Section 56 (c) of R.A. 7160, for it is within the powers of the local council to repeal/ amend its prior act either expressly or by the passage of an essentially inconsistent resolution (Constantino v. Desierto 288 SCRA 654). Provided, That, the registration and other regulatory measures on the "Fishing Vessels", does not contravene any provision of R.A. 9295, dated May 3, 2004, otherwise known as the "Domestic Shipping Development Act of 2004.

ATTY. JOSE RAYMUND A. ACOL
Acting Asst. Provincial Legal Officer [Signature]

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
10 March 2023



The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **ORDINANCE NO. 001**, series of 2023 of the **MUNICIPALITY OF BARUGO, LEYTE**, entitled: An Ordinance amending, revising and modifying the Municipal Ordinance No. 03, s. 2022 otherwise known as the "Municipal Fishery Ordinance of Barugo, Leyte", and adopting Republic Act 8550 otherwise known as "The Philippine Fisheries Code of 1998" as amended by RA 10654.


FLORINDA JILL S. UYVICO
Secretary to the Sanggunian

3/23/23



Republic of the Philippines
PROVINCE OF LEYTE
Local Government Unit
Barugo, Leyte



Office of the Sangguniang Bayan

March 7, 2023

HON. LEONARDO "SANDY" JAVIER, JR.
Vice-Governor/Presiding Officer
Sanggunian Panlalawigan
Province of Leyte

THRU: **FLORINDA JILL S. UYVICO**
Secretary to the Sanggunian
Province of Leyte

Sir:

Respectfully submitted to your good office for review/approval the herein **RESOLUTION NO. 06, ORDINANCE NO. 001, S. 2023, ENTITLED "A RESOLUTION PASSED ENACTING AN ORDINANCE AMENDING ORDINANCE NO. 03, S. 2002, OTHERWISE KNOWN AS THE FISHERY ORDINANCE OF THE MUNICIPALITY OF BARUGO, LEYTE.**

Anticipating your favorable action on this matter.

Very respectfully yours


DANILO V. AVORQUE
SB Secretary

BARUGO PADAYON AN GUGMA!
Municipal Hall, Poblacion District I Burgos St., Barugo, Leyte
09423386298/09458857038 igu.barugo@yahoo.com



Office of the Sangguniang Bayan

CERTIFICATION OF PUBLIC HEARING

THIS IS TO CERTIFY that on February 12, 2022 and June 6, 2022 a Public Hearings were conducted related to the proposal to pass **A RESOLUTION PASSED ENACTING AN ORDINANCE AMENDING ORDINANCE NO. 03, S. 2002, OTHERWISE KNOWN AS THE FISHERY ORDINANCE OF THE MUNICIPALITY OF BARUGO, LEYTE**

This certification is issued this 7th day of March 2023, for whatever legal purpose it may serve.


DANILO V. AVORQUE
SB Secretary

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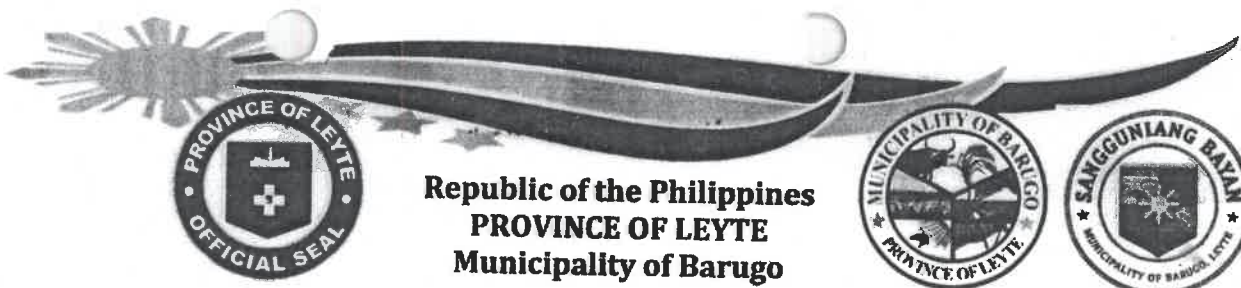
CERTIFICATION OF POSTING

THIS IS TO CERTIFY that Resolution No. 06, Ordinance No. 001, S. 2023, RE: **"A RESOLUTION PASSED ENACTING AN ORDINANCE AMENDING ORDINANCE NO. 03, S. 2002, OTHERWISE KNOWN AS THE FISHERY ORDINANCE OF THE MUNICIPALITY OF BARUGO, LEYTE,** was posted in three (3) conspicuous places in the Municipality of Barugo, Leyte from January 16 – February 10, 2023 in compliance with the provisions of RA 7160, otherwise known as Local Government Code of 1991.

This certification is issued this 7th day of March, 2023, for whatever legal purpose this may serve.


DANILO V. AVORQUE
SB Secretary

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PROVINCE OF LEYTE
Municipality of Barugo

Office of the Sangguniang Bayan

EXCERPT FROM THE MINUTES OF THE MEETING OF THE 11TH SANGGUNIANG BAYAN OF BARUGO, LEYTE ON ITS 25TH REGULAR SESSION HELD ON THE 9TH DAY OF JANUARY 2023, AT THE MUNICIPAL SESSION HALL, LEGISLATIVE BUILDING, BARUGO, LEYTE.

- | | | |
|----------|------------------------------|-------------------------|
| Present: | Hon. Josephine C. Tiu | Municipal Vice Mayor |
| | Hon. Don A. Dehayco | Presiding Officer |
| | Hon. Wayne B. Avestruz | SB Member |
| | Hon. Eduardo C. Calzita | SB Member |
| | Hon. Nikkos Rhet V. Astorga | SB Member |
| | Hon. Clinio A. Balais | SB Member |
| | Hon. Jeffrey P. Cañezal | SB Member |
| | Hon. Jesus B. Cabanacan | SB Member |
| | Hon. Domingo E. Adrales | SB Member |
| | Hon. Jake Andrian C. Gerona | SK Federation President |
| Absent: | Hon. Marl Oscar A. De Guzman | ABC President |

SANGGUNIANG PANLALAWIGAN
MAR 1 0 2023
PROVINCE OF LEYTE

CERTIFIED TRUE COPY
DANILLO V. AVESTRUE
SB SECRETARY
DATE 3-9-23

RESOLUTION NO. 06, S. 2022

A RESOLUTION PASSED ENACTING AN ORDINANCE AMENDING ORDINANCE NO.03 S. 2002, OTHERWISE KNOWN AS THE FISHERY ORDINANCE OF THE MUNICIPALITY OF BARUGO, LEYTE.

ON MOTION of Hon. Domingo E. Adrales, jointly seconded by Hon. Wayne B. Avestruz and Hon. Eduardo C. Calzita, resolve, as it is hereby resolved, to pass this resolution enacting an ordinance amending Ordinance No. 03 s, 2002, otherwise known as the FISHERY ORDINANCE of the Municipality of Barugo, Leyte.

ORDINANCE No. 001, Series of 2023

AN ORDINANCE AMENDING, REVISING AND MODIFYING THE MUNICIPAL ORDINANCE NO. 03, S. 2002 OTHERWISE KNOWN AS THE MUNICIPAL FISHERY ORDINANCE OF BARUGO, LEYTE", AND ADPOTING REPUBLIC ACT 8550 OTHERWISE KNOWN AS THE PHILIPPINE FISHERIES CODE OF 1998 AS AMENDED BY RA 10654.

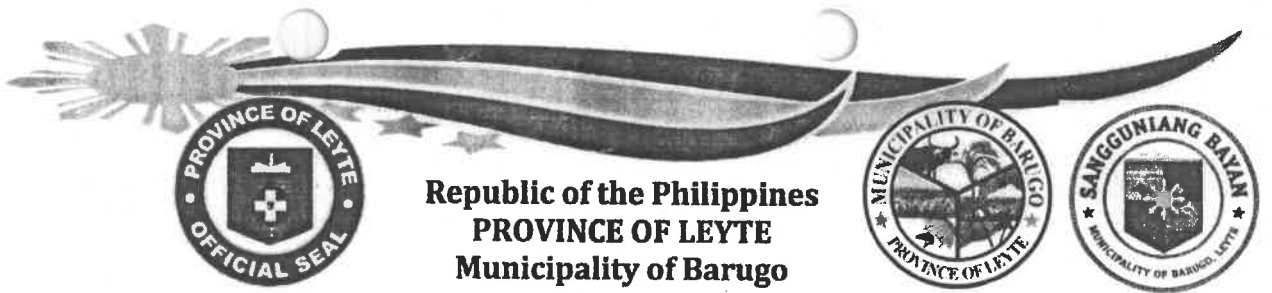
BE IT ORDAINED by the Honorable Members of the Sangguniang Bayan of Barugo, Leyte on its Regular Session assembled to wit:

ARTICLE I
TITLE, PURPOSE, DECLARATION OF POLICY, DEFINITION OF TERMS AND ACRONYMS

BARUGO PADAYON AN GUGMAI

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[Handwritten signatures and initials on the right margin]



Republic of the Philippines
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Municipality of Barugo

Page 2

Resolution No. 06, Ordinance No. 01, 2023

SECTION 1 - TITLE

This ordinance shall amend, revise, and modify the existing Fisheries Ordinance 03.S of 2002, and shall be known as the Amended Municipal Fisheries Ordinance of 2023, of the Municipality of Barugo, Leyte and Adopting Republic Act No. 8550 otherwise known as the Philippine Fisheries Code of 1998 as amended by RA 10654

SECTION 2 - PURPOSE

2.1 To protect the right of fisherfolk, especially of the local communities with priority to municipal fisherfolk, in the preferential use of the Municipal Waters. Such preferential use shall be based on, but no limited to, Maximum Sustainable Yield (MSY) or Total Allowable Catch (TAC) on the basis of resources and ecological conditions, and shall be consistent with commitments under national and international laws, treaties, and agreements;

2.2 To manage fishery and aquatic resources, in a manner consistent with the concept of integrated coastal area management in specific natural fishery management areas, appropriately supported by research, technical services, and guidance provided by the Municipality;

2.3 To grant the private sector the privilege to utilize fishery resources under the basic concept that the grantee, licensee, or permittee thereof shall not only be a privileged beneficiary of but also an active participant and partner of the Local Government in the sustainable development, management, conservation, and protection of the fishery and aquatic resources of this Municipality;

2.4 and for other relevant purposes.

SECTION 3 - DECLARATION OF POLICY. It is hereby declared the fundamental policies of the Municipality to:

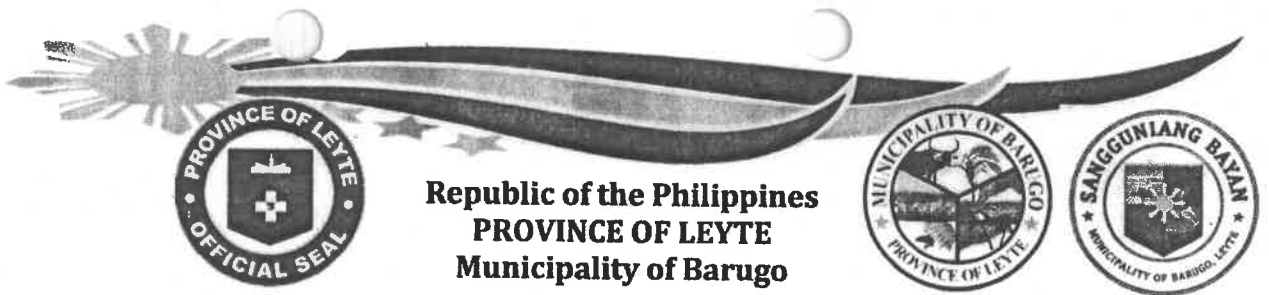
1. Advance the primary purpose of the state to achieve food security as the overriding consideration in the utilization, management, development, conservation and protection of fisheries and aquatic resources in order to serve the food needs of its population;

2. Promote the effective conservation and sustainable management of coastal and marine resources and habitats of the Municipality of Barugo using science and evidence-based approaches, participative decision-making and co-management, and active stakeholder collaboration and engagement;

3. Protect the rights of municipal fisherfolk in the preferential use of coastal and marine resources both inland, if necessary and in municipal waters;

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Municipality of Barugo

Page 3

Resolution No. 06, Ordinance No. 01, 2023

4. Adopt the precautionary principle and manage fishery and aquatic resources, in a manner consistent with the concept of an ecosystem-based approach to fisheries management and integrated coastal area management;
5. Ensure rational and sustainable management, development and conservation of fisheries and aquatic resources by adopting key management strategies, such as establishment and management of marine protected areas and fish sanctuaries, implementing closed fishing season, among others;
6. Provide appropriate support to its municipal fishery sector, including women, indigenous and youth sectors, through suitable post-harvest facilities and activities, adequate financial, production and links to markets, and other relevant services;
7. Allow people's full and active participation in the sustainable development, conservation, utilization and management of the coastal and aquatic resources and promote awareness of sustainable fisheries through appropriate education and training;
8. Ensure, for the benefit and enjoyment of the people, particularly the registered fisherfolk of Municipality/City of the judicious and wise utilization, protection, conservation and management on a sustainable basis of its coastal resources with the necessity of maintaining a sound ecological balance and protecting and enhancing the quality of the environment;
9. Promote gender equality and equity in the sustainable development, management, utilization and conservation of coastal fisheries;
10. Enhance local resilience to the adverse effects of natural disasters and/or climate change, through maintaining a sound ecological balance, by adopting an ecosystems-based adaptation approach, and by protecting and enhancing the quality of the environment;
11. Ensure sustainable financing mechanisms, including sufficient budgetary support and allocation of financial and human resources to fully support protection, maintenance, administration, and regulation of coastal and fisheries resources management.

SECTION 4 - APPLICATION OF THESE PROVISIONS

The provision of this Ordinance shall be enforced in:

- a. The Municipal Waters of Barugo, Leyte as defined under this ordinance;

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Municipality of Barugo

Page 4

Resolution No. 06, Ordinance No. 01, 2023

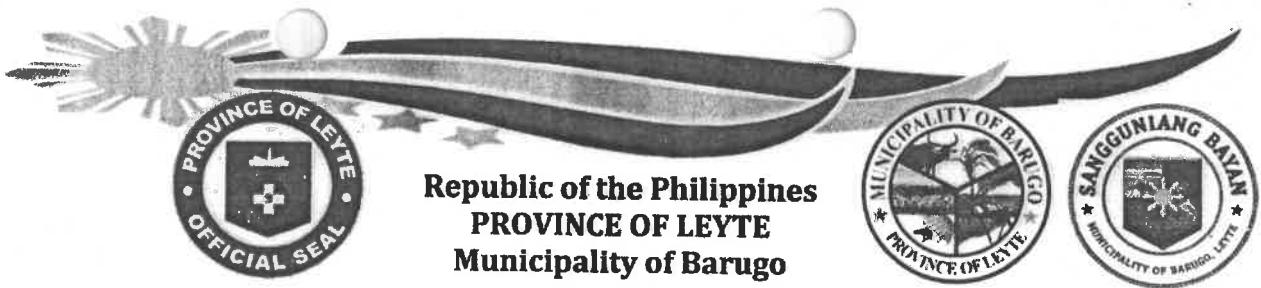
- b. All Aquatic fisheries resources whether in land or coastal areas, including but not limited to fishponds, fish pens/cages, and seaweed farms;
- c. All lands developed for agriculture business and activities related to fisheries, whether private or public

SECTION 5 - DEFINITION OF TERMS

1. **ANCILLARY INDUSTRIES** - Firms and companies related to the supply, construction, and maintenance of fishing vessels, gears, nets, and other fishing paraphernalia, fishery machine shops, and other facilities such as hatcheries, nurseries, feed plants, cold storage and refrigeration, processing plants, and the other pre- and post-harvest facilities.
2. **APPROPRIATE FISHING TECHNOLOGY** - Adaptable technology, both in fishing and ancillary industries, that is ecologically sound, locally sourced and labor intensive.
3. **AQUACULTURE** - Fishery industry including all forms of raising and culturing fish and other fishery species in fresh, brackish, and marine water areas.
4. **AQUATIC POLLUTION** - The introduction by human or machine, directly or indirectly, of substances or energy to the aquatic environment which will result or is likely to result in such deleterious effects as to harm living and non-living aquatic resources, pose potential and/or real hazard to human health, and/or hindrance to aquatic activities such as fishing and navigation, including dumping/disposal of waste and other marine litters, discharge of petroleum, residual products of petroleum, carbonaceous materials/substances, and other radioactive, noxious, or harmful liquid, gaseous, or solid substances, from many water, land, or air transport or other human-made structure. Deforestation, unsound agricultural practices such as the use of artificial fish feed, and wetland conversion, which cause similar hazards and deleterious effects, shall constitute as aquatic pollution.
5. **AQUATIC RESOURCES** - Fish, all other aquatic flora and fauna, and other living sources of the aquatic environment, including, but not limited to, salt and corals.
6. **ARTIFICIAL REEFS** - Any structure of natural or man-made materials placed in a body of water to serve as shelter and habitat, sources of food, breeding areas for fishery species, and shoreline protection.

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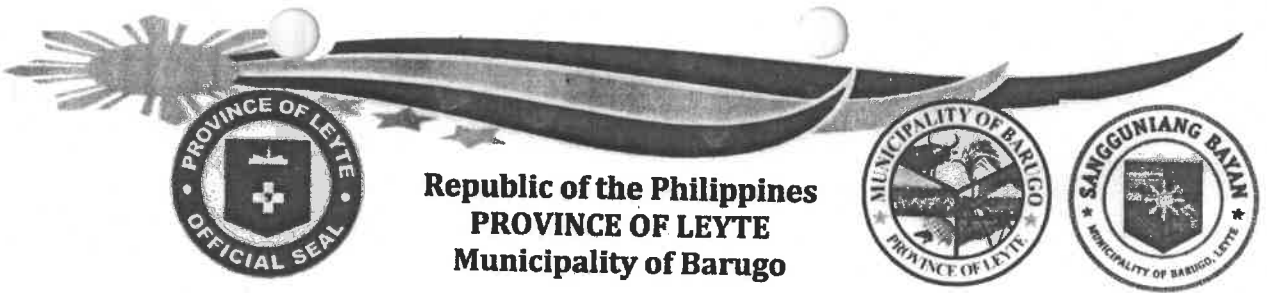
Page 5

Resolution No. 06, Ordinance No. 01, 2023

7. **BARANGAY FISHERIES AND AQUATIC RESOURCES MANAGEMENT COUNCIL (BFARMC)** - A FARMC created in and for individual barangay to assist and inform the functions of the MFARMC, and other functions which may be assigned by the SB or Barangay Government and as outlined in this Ordinance.
8. **BAY WATCH** - A formal organization of citizens empowered to support of the function of the FLET in fishery and environmental law enforcement, composed of all duly elected Barangay Chairman of the ten (10) Coastal Barangay and Officers of all Fisherfolk Cooperatives/Organizations who have undergone proper orientation conserving fisheries laws, rules, and regulations, and after being deputized by the Local Chief Executive.
9. **BUREAU OF FISHERIES AND AQUATIC RESOURCES (BFAR)** - An agency of the Philippine Government, under the Department of Agriculture, responsible for the development, improvement, management, and conservation of the Philippines' fisheries and aquatic resources, including all offices, services, centers, and divisions.
10. **CATCH CEILINGS** - Refer to the annual catch limits allowed to be taken, gathered, or harvested from any fishing area in consideration of the need to prevent overfishing and harmful depletion of breeding stocks of aquatic organisms.
11. **CLOSED SEASON** - The period during which the taking of specified fishery species by a specified fishing gear is prohibited in a specified area or areas in Municipal Waters.
12. **COASTAL AREA/ZONE** - The band of dry land and adjacent ocean space (water and submerged land) in which terrestrial processes and uses directly affect oceanic processes and uses, and vice versa; its geographic extent may include areas with a landmark liit of one (1) kilometer from the shoreline at high tide to include mangrove swamps, brackish water ponds, nipa swamps, estuarine rivers, sandy beaches, and other areas within a seaward limit of two-hundred (200) meters isobath to include coral reefs, algal flats, seagrass beds, and other soft-bottom areas.
13. **COASTAL BARANGAY** - Any of the ten (10) barangay which border directly Carigara Bay, inclusive of foreshore land and/or Municipal Waters, including the barangays of Balud, Canomantag, Domogdog, Duka, Minuhang, Minuswang, Poblacion District One/Three/Five, and Santarin; and any barangay which may fall under this definition in the future.

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Page 6

Resolution No. 06, Ordinance No. 01, 2023

14. COMMERCIAL FISHING - The taking of fishery species by passive or active gear for trade, business, or profit beyond subsistence or sports fishing, to be further classified as:

14.1 SMALL-SCALE COMMERCIAL FISHING - Fishing with passive or active gears and vessels of 3.1 gross tons (GT) up to Twenty (20) GT;

14.2 MEDIUM-SCALE COMMERCIAL FISHING - Fishing with passive or active gears and vessels of 20.1 gross tons (GT) up to One-Hundred Fifty (150) GT;

14.3 LARGE-SCALE COMMERCIAL FISHING - Fishing with passive or active gears and vessels of more than One-Hundred Fifty (150) GT.

15. COMMERCIAL SCALE - A scheme of producing a minimum harvest per hectare per year of milkfish or other species including those raised in pens, cages, and tanks, to be determined by the Department in consultation with the concerned sectors.

16. CORAL - The hard substance made up of the skeleton of marine coelenterate animals living in colonies where their skeletons form a stony (calcium carbonate) mass and the living polyps that excrete the skeleton thereof. They include: (a) entozoan coelenterates characterized as having a rigid axis of compact calcareous or horny spicules, belonging to the genus *Corallium* as represented by the red, pink, and white corals, which are considered precious corals; (b) entozoan coelenterates characterized by a thorny or horny axis, such as the order *Antipatharia* as represented by the black corals, which are considered semiprecious corals; and (c) ordinary corals which are any kind of corals that are neither precious nor semi-precious.

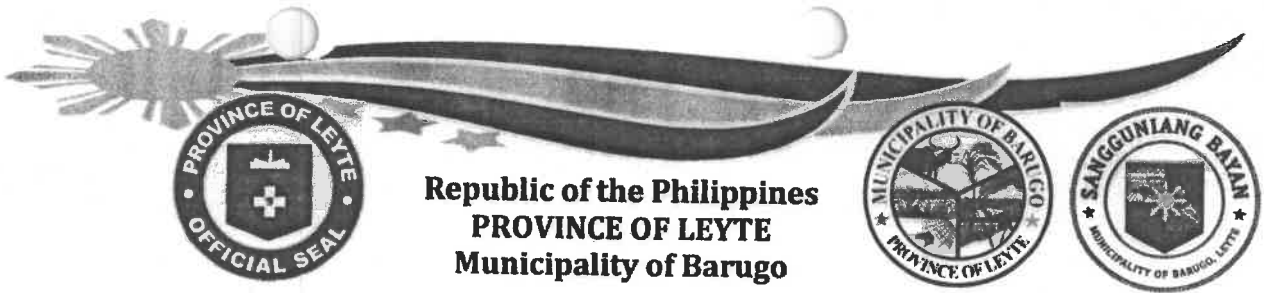
17. CORAL REEF - A natural aggregation of coral skeletons with or without living coral polyps.

18. DEMARCATED AREAS - Boundaries defined by markers and designed exclusively to specific individuals or organizations, and/or for certain specific and limited uses, such as: (a) refuges/sanctuaries/marine protected areas, (b) aquaculture and sea farming, (c) fish aggregating devices, (d) fixed and passive fishing gears, and (e) fry and fingerlings gathering.

19. DEPARTMENT - shall mean the Department of Agriculture (DA).

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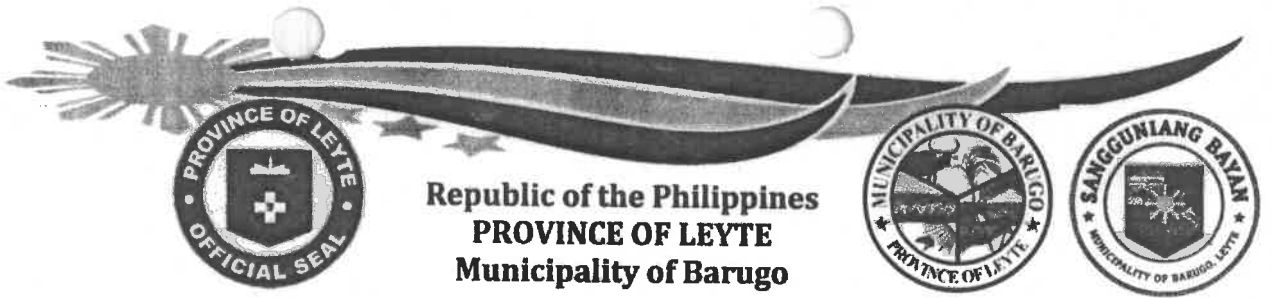
Page 7

Resolution No. 06, Ordinance No. 01, 2023

20. **DEPARTMENT OF AGRICULTURE (DA)** - The executive department of the Philippine Government responsible for the promotion of agricultural and fisheries development and growth; including all offices, services, and bureaus.
21. **ELECTROFISHING** - The use of electricity generated by batteries, electric-generator, and other source of electric power to kill, stupefy, disable, or render unconscious fishery species, whether or not the same are subsequently harvested.
22. **ENDANGERED, RARE, AND/OR THREATENED SPECIES** - Aquatic plants and animals, including varieties of corals and shellfish, in danger of extinction as provided by existing fishery laws, rules, and regulations, or in the Protected Areas and Wildlife Bureau of the Department of Environment and Natural Resources (DENR).
23. **FARMC** - Fisheries and Aquatic Resources Management Councils of all sorts.
24. **FARM-TO-MARKET ROADS** - Roads linking the fisheries production sites, fish landings, and other post-harvest facilities to major market and arterial roads and highways.
25. **FINE MESH NET** - Nets with mesh size of less than three (3) centimeters, measured between two (2) opposite knots of a full mesh when stretched or as otherwise determined by the appropriate government.
26. **FISH AGGREGATING DEVICE** - Is a permanent, semi-permanent or temporary structure or device made from any materials and used to lure fish. (FAO UN). Also used to attract pelagic fish such as marlin, tuna and other pelagic fish. They usually consist of buoys or floats tethered to the ocean floor with concrete blocks.
27. **FISH AND FISHERY/AQUATIC PRODUCTS** - Includes but not limited to fishes, mollusks, crustaceans, echinoderms, cnidarians, marine mammals, marine reptiles, algae, seagrasses, mangroves, and all other species of aquatic flora and fauna, and all other products of aquatic living resources in any form.
28. **FISH CAGE** - An enclosure which is either stationary or floating, made up of nets or screens sewn or fastened together and installed in water with an opening at the surface or covered, and held in a place by wooden/bamboo posts or various types of anchors and/or floats.

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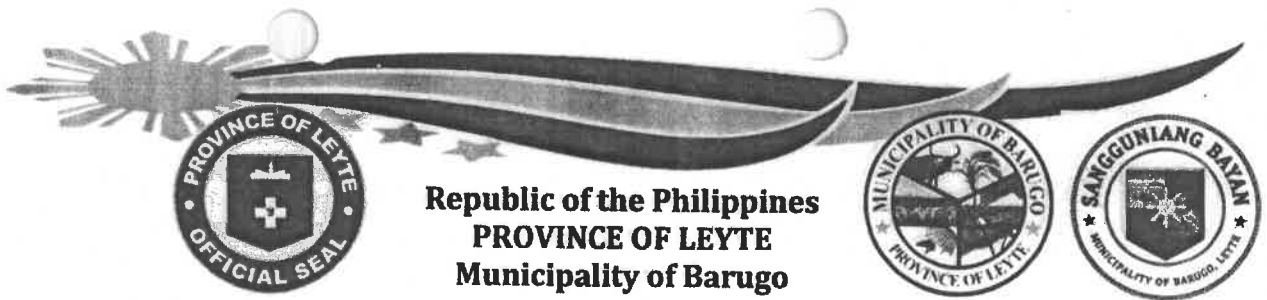
Page 8

Resolution No. 06, Ordinance No. 01, 2023

29. **FISH CORRAL ("BAKLAD")** - A stationary trap devised to intercept and capture fish consisting of rows of bamboo stakes, plastic nets, and other materials fenced with a split of bamboo matting or wire mattings, 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, or bags.
30. **FISH FINGERLINGS** - A stage in the lifecycle of a fish, measuring to from about six (6) to thirteen (13) centimeters, depending on the species.
31. **FISH FRY** - A stage in the lifecycle of a fish in which it has just been hatched, usually with sizes from one (1) to two-and-a-half (2.5) centimeters.
32. **FISH PEN** - An artificial enclosure constructed within a body of water for culturing fish or fishery/aquatic resources, made up of poles closely arranged in an enclosure with wooden materials, screen, or nylon netting to prevent escape of fish or fishery/aquatic resources.
33. **FISHERFOLK** - People directly or personally and physically engaged in taking and/or culturing and processing fishery and/or aquatic resources.
34. **FISHERFOLK COOPERATIVE** - A duly registered association of fisherfolk with a common interest, who have voluntarily joined together to achieve a lawful common social or economic end, making equitable contribution to the capital requirement and accepting a fair share of the risks and benefits of the undertakings in accordance with universally accepted cooperative principles.
35. **FISHERFOLK ORGANIZATION** - An organized group, people's organization, association, federation, alliance, or institution of fisherfolk which has at least fifteen (15) members, a set of officers, a constitution of bylaws, an organizational structure, and a program of action
36. **FISHERIES** - All activities relating to the act or business of fishing or culturing, preserving, processing, marketing, developing, conserving, and managing aquatic resources and the fishery areas, including the privilege to fish and/or take aquatic resources therein.
37. **FISHERY MANAGEMENT AREA**- A bay, gulf, lake, or any other fishery area which may be delineated for fishery and aquatic resource management purposes.

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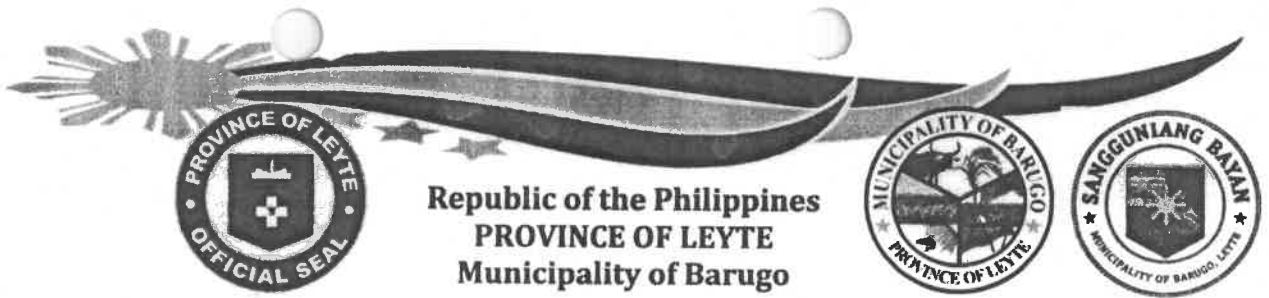
Page 9

Resolution No. 06, Ordinance No. 01, 2023

38. **FISHERY OPERATOR** - One who owns and provides the means of use of land, labor, capital, fishing gears, and/or vessels, but does not personally engage in fishing activities.
39. **FISHERY REFUGE/SANCTUARY OR MARINE PROTECTED AREA** - A designated area where fishing or other forms of activities which may damage the ecosystem of the area is limited or prohibited, and human access may be restricted entirely.
40. **FISHERY RESERVE** - A designated area where activities are regulated and set aside for educational and research purposes.
41. **FISHERY SPECIES** - All aquatic flora and fauna including, but not restricted to fishes, mollusks, crustaceans, echinoderms, cnidarians, marine mammals, marine reptiles, algae, seagrasses, and mangroves.
42. **FISHING** - The taking of fishery species from their wild state or habitat with or without the use of fishing vessels.
43. **FISHING GEAR** - Any instrument or device and its accessories utilized in the taking of fish and other fishery species.
- 43.1 **ACTIVE FISHING GEAR** - Characterized by gear movements and/or pursuit of the target species by towing, lifting, and pushing gears or surroundings, covering, dredging, pumping, and scaring the target species to impoundments, such as, but not limited to, trawl, purse seines, Danish seines, bag nets, paaling, drift gel net, and tuna long line.
- 43.2 **PASSIVE FISHING GEAR** - Characterized by the absence of gear and/or the pursuit of the target species, such as, but not limited to, hook fish pots, traps, and gill nets across the path of the fish.
44. **FISHING VESSEL** - Any boat, ship, or other watercraft, motorized or non-motorized equipped to be used for taking of fishery species, or assisting one (1) or more vessels in the performance of any activity relating to fishing, including but not limited to, preservation, supply, storage, refrigeration, transportation, and/or processing.

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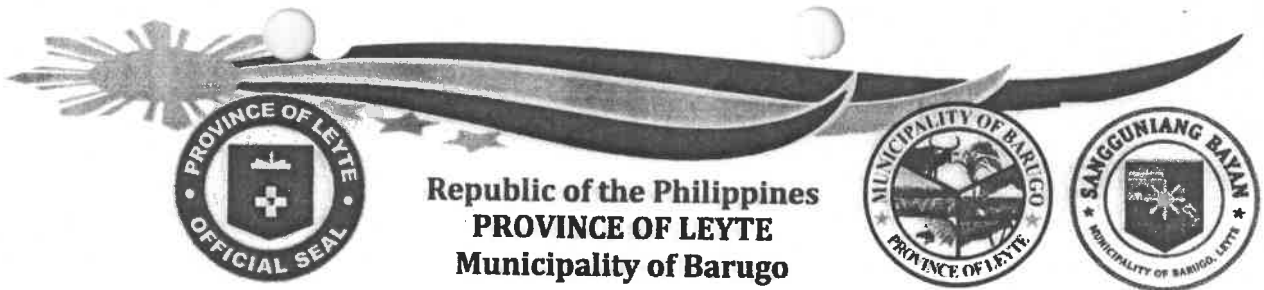
Page 10

Resolution No. 06, Ordinance No. 01, 2023

45. **FISHING VESSEL/GEAR LICENSE** - A permit to operate specific types of fishing boat/gear for a specific duration in areas beyond Municipal Waters for demurral or pelagic fishery resources.
46. **FISHING WITH EXPLOSIVES** - The use of dynamite, other explosives, or other chemical compounds that contain combustible elements or ingredients which upon ignition by friction, concussion, persuasion, or detonation of all or parts of the compound, will kill, stupefy, disable, or render unconscious any fishery species, it also refers to the use of any other substance and/or device which can cause an explosion that is capable of producing the said harmful effects on any fishery species or aquatic resources, and capable of damaging and altering the natural habitat.
47. **FISHING WITH NOXIOUS/POISONOUS SUBSTANCES** - The use of any substance, plant extracts or juice thereof, sodium cyanide and/or cyanide compounds, or other chemicals either in a raw or processed form, harmful or harmless to human beings, which will kill, stupefy, disable, or render unconscious any fishery species or aquatic resources, and capable of damaging and altering the natural habitat.
48. **FISHPOND** - A land-based facility enclosed with earthen or stone materials to impound water for growing fish and other fishery species.
49. **FISHWORKER** - A person regularly or not regularly employed in commercial fishing and related industries, whose income is either in wage, profit-sharing, or stratified-sharing basis, including those working in fish pens, fish cages, fish corrals/traps, fishponds, prawn farm, sea farm, salt beds, fish ports, fishing vessels, or fish processing and/or packing plants. Excluded from this category are administrators, security guards, and overseers.
50. **FOOD SECURITY** - Any plan, policy, or strategy aimed at ensuring adequate supplies of appropriate food at affordable prices. Food security may be achieved through self-sufficiency (i.e. ensuring adequate food supplies from domestic production), through self-reliance (i.e. ensuring adequate food supplies through a combination of domestic production and importation), or through pure importation.
51. **FORESHORE LAND** - A string of land margining a body of water; the part of a seashore between the low-water line usually at the seaward margin of a low tide terrace and the upper limit of wave wash at high tide, usually marked by a beach scarp or berm.

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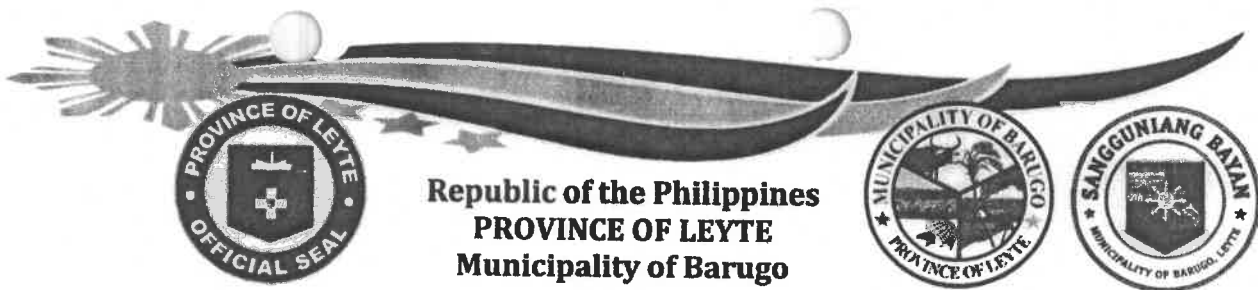
Page 11

Resolution No. 06, Ordinance No. 01, 2023

52. **FULLY-DEVELOPED FISHPOND AREA** - A clean leveled area enclosed by dikes, at least one (1) foot higher than the highest floodwater level in the locality and strong enough to resist pressure the highest flood tide; consists of at least a nursery pond, a transition pond, a rearing pond, or a combination of any or all said classes of ponds, and a functional water control system, and producing in a commercial scale.
53. **GROSS TONNAGE** – Includes on a vessel the underdeck tonnage, permanently enclosed spaces above the tonnage deck, except for certain exemptions. In broad terms, all the vessel's "closed-in" spaces expressed in volume terms on the basis of one-hundred (100) cubic feet (that equals one gross ton).
54. **INLAND FISHERY** - The freshwater fishery and brackish water fishponds.
55. **INTEGRATED FISHERIES AND AQUATIC RESOURCES MANAGEMENT COUNCIL (IFARMC)** - A FARMC created in bays, gulfs, lakes, and/or rivers and dams bounded by two (2) or more municipalities in order to facilitate cooperative management, enforcement, and other such functions amongst municipalities thereof which may be assigned by the concerned SB, and as outlined in this Ordinance.
56. **LAKE** - An inland body of water, an expanded part of a river, a reservoir formed by a dam, or a lake basin intermittently or formerly covered by water.
57. **LIMITED ACCESS** - A fishery policy by which a system of equitable resource use and allocation is established by law through fishery rights granting and licensing procedure as provided by this Ordinance.
58. **MANGROVES** - A community of intertidal plants including all species of trees, shrubs, vines, and herbs on coasts, estuaries, swamps, or borders of swamps.
59. **MAXIMUM SUSTAINABLE YIELD (MSY)** - The largest average quantity of fish or other aquatic species that can be harvested from a fishery stock/resource within a period (e.g. one year) on a sustainable basis under existing environmental conditions.

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Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Barugo

Page 12

Resolution No. 06, Ordinance No. 01, 2023

60. MIGRATORY SPECIES - Refers to any fishery species which in the course of their life could travel from freshwater to marine water, or vice versa, or any marine species which travel over great distances in marine waters as part of their behavioral adaptation for survival and reproduction:

60.1 ANADROMOUS - Species which migrate from marine to freshwater areas to spawn.

60.2 CATADROMOUS - Species which migrate from freshwater to marine areas to spawn.

61. MONITOR, CONTROL, AND SURVEILLANCE - Observation of marine resource use and extraction (e.g. fishing) in order to make management and policy decisions.

61.1 MONITORING - The requirement of continuously observing: (1) fishing effort which can be expressed by the number of days or hours of fishing, number of fishing gears, and number of fisherfolk; (2) characteristics of fishery resources; and (3) resource yields (catch).

61.2 CONTROLLING - The regulatory conditions (legal framework) under which the exploitation, utilization, and disposition of fishery resources may be conducted

61.3 SURVEILLING - The degree and types of observation required to maintain compliance with regulations.

62. MUNICIPAL FISHERFOLK - Persons who are directly or indirectly engaged in municipal fishing and other related fishing activities.

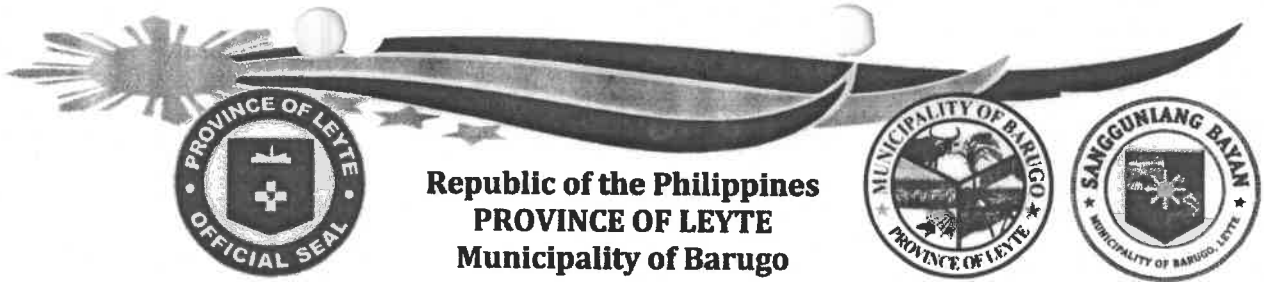
63. MUNICIPAL FISHING - Fishing within Municipal Waters using fishing vessels of three (3) gross tones or less, or fishing not requiring the use of fishing vessels.

64. MUNICIPAL FISHERIES AND AQUATIC RESOURCES MANAGEMENT COUNCIL (MFARMC) - A FARMC created in order to facilitate management, enforcement, and other such functions which may be assigned by the SB and as outlined in this Ordinance.

65. MUNICIPAL REGISTRY OF FISHERFOLK - List of Registered Fisherfolks including its crew members, fish workers such as people working in fish pens and fishery operators in the municipality.

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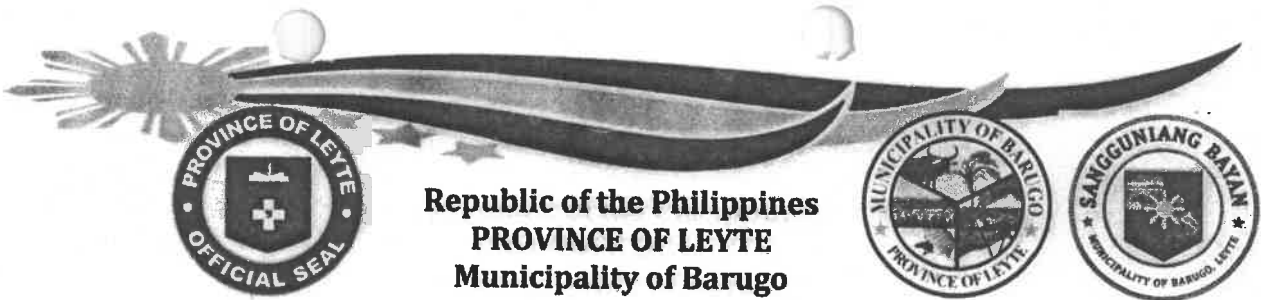
Page 13

Resolution No. 06, Ordinance No. 01, 2023

66. **MUNICIPAL WATERS** - Includes streams, lakes, inland bodies of water, and tidal waters within this Municipality which are not included within the protected areas as defined under R.A. 7586 (National Integrated Protected Areas System Act of 1992), but also marine waters included between two (2) lines drawn perpendicular to the general coastline from points where the boundary lines of the municipality touch to the sea at low tide and a third line fifteen (15) kilometers parallel from the general coastline, including offshore islands; where two (2) municipalities are so situated on opposite shores that there is less than thirty (30) kilometers of marine waters between them, the third line shall be equidistant from the opposite of the respective coastlines of the municipalities.
67. **NON-GOVERNMENT ORGANIZATION (NGO)** - An agency, institution, foundation or group of persons whose purpose is to assist organizations/associations/government various ways including, but not limited to, organizing, educating, training, research, and/or resource accessing.
68. **PAYAO** - A fish aggregating device consisting of a floating raft anchored by a weighted line with suspended materials such as palm fronds to attract pelagic and schooling species common in deep waters.
69. **PEOPLE'S ORGANIZATION** - A bona fide (i.e. registered with the Municipality) association of citizens with demonstrated capacity to promote the public interest and with identifiable leadership, membership, and structure. Its members belong to a sector(s) who voluntarily band themselves together to work for and by themselves for their own upliftment, development, and greater good (e.g. fisherfolk cooperative/organization).
70. **PERSON** - A natural or juridical entity such as an individual, association, partnership, cooperative, or corporation.
71. **POST-HARVEST FACILITIES** - Facilities including, but not limited to, fish port, fish landing, fish processing plants, ice plants and cold storages,
72. **SPAWNING GROUNDS** - Refers to areas in any body of water where fishes and other aquatic resources congregate for reproduction and/or gamete/zygote release.
73. **SUPERLIGHT** - A type of light using halogen or metal halide bulb, also called "magic light", which may be located above the sea surface or submerged in the water; it consists of a ballast, regulator, electric cable and socket; the source of energy comes from a generator, battery, or dynamo coupled with the main engine.

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Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Barugo

Page 14
Resolution No. 06, Ordinance No. 01, 2023

- 74. **TOTAL ALLOWABLE CATCH (TAC)** - The maximum harvest of a fishery species allowed to be taken during a given period from any fishery area, or a combination of fishery areas and/or fishery species, that would not normally exceed the MSY.
- 75. **TRAWL**-A type of active gear consisting of a bag or net, with or without boards to open its opening, which is dragged or towed along the bottom or through the water column to take fishery species by straining them from the water, including all variations and modifications of trawls (bottom, mid-water, and baby trawls) and tow nets.
- 76. **ADDITIONAL TERMS** - Additional terms and their definitions as used in Section 4 of R.A. 8550 and in its Implementing Rules and Regulations relevant to the use of its Municipal Waters but are not included in this Municipal Fishery Ordinance No_ [code] shall be construed as it has been included and applicable thereof.

ARTICLE II: MUNICIPAL FISHERIES

(UTILIZATION, MANAGEMENT, DEVELOPMENT, CONSERVATION AND ALLOCATION SYSTEM OF FISHERIES AND AQUATIC RESOURCES)

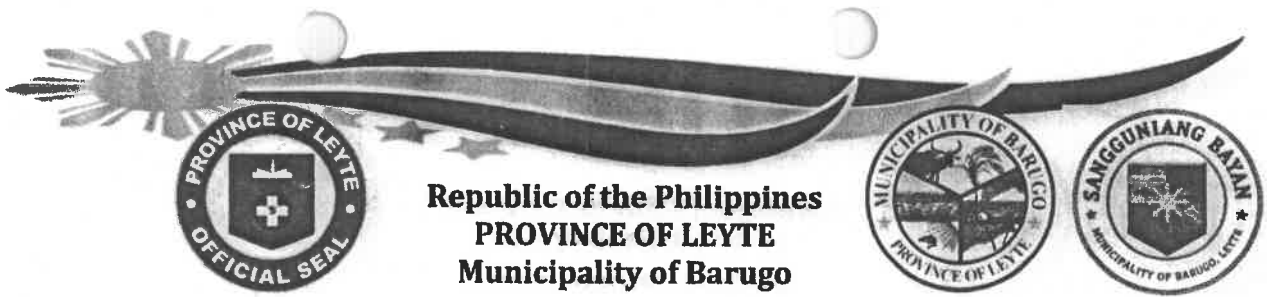
SECTION 1 - MUNICIPAL JURISDICTION

The Municipal Government of Barugo, Leyte shall have the jurisdiction over Municipal Waters as defined under Rule 3.1 of R.A. 8550. The Municipal Government shall be responsible for the management, conservation, development, protection, utilization, and disposition of all fish/fishery/aquatic products/resources within the Municipal Waters in consultation with the Municipal Fisheries and Aquatic Resources Management Council (MFARMC) created under Section 73 of R.A. 8550. In the management of Municipal Waters of the Municipality of Barugo, it shall coordinate with the FARMC, and the National Government to ensure that all implementation is consistent, and have taken into account the national laws and policies relevant to the management of municipal waters and shall enact corresponding ordinances and issue executive orders thereon;

SECTION 2 ESTABLISHING AND DELINEATING MUNICIPAL WATER BOUNDARIES AND DEPTHS THEROF OF THIS MUNICIPALITY

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Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Barugo

Page 15

Resolution No. 06, Ordinance No. 01, 2023

A sketch, nautical chart, or map establishing the Municipal Waters boundaries and depth of water of the LGU shall appear in a **ADDENDUM PAGE** upon compliance of the DENR Administrative Order Number 2001 - 17 "GUIDELINES FOR DELINEATING/DELIMITING MUNICIPAL WATERS" shall thereafter form an integral part of this **FISHERY ORDINANCE NO. 01 S. 2023**.

Division and Classification of Municipal Waters - The Municipal waters within the jurisdiction of this municipality shall be divided and classified as follows:

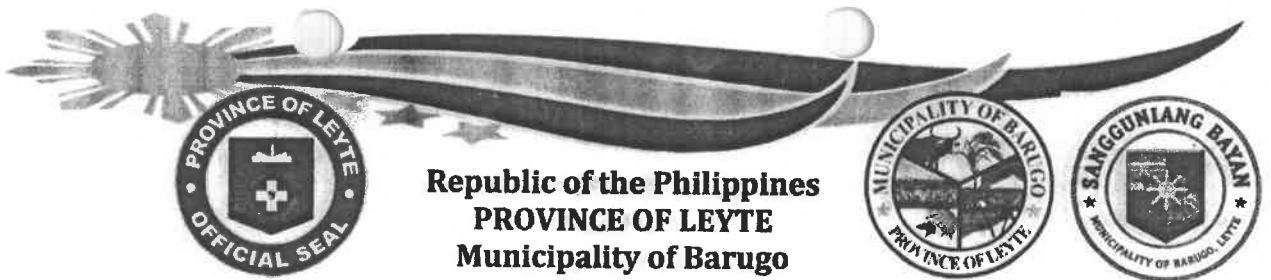
- A. Zone 1 - For Mussel and Oyster Belt Areas. - Barangay Santarin, Minuhang, Balud, and Duka
- B. Zone 2 - For the operation of Fish Corrals, Cages, Fish Pens – Brgy. Canomantag, Minuhang, Balud and Duka . Provided that the construction of fish corral, cages and fish pens are not within the restricted area of Fish Sanctuary and other marine protected areas.
- C. Zone 3 - For Seaweed Areas - From Barangay Balud to Barangay Duka
- D. Zone 4 - For Catching of other Species including jelly fish and sea cucumber – From Barangay Canomantag to Barangay Duka, provided that the activity is not within the restricted area of Fish Sanctuary and other protected areas.

SECTION 3 – USE AND USERS OF MUNICIPAL WATERS

All fishing-related activities in the Municipal Waters of Barugo, Leyte, as defined in this Ordinance, shall be utilized by the Municipal fisherfolk and fisherfolk organizations of this municipality whose members are listed as such in the Municipal Registry of Fisherfolk. Provided, That the grant of preferential rights shall be awarded to any resident and registered municipal fisherfolk or fisherfolk organization/cooperative that will be accredited by the *Sangguniang Bayan* through a resolution in accordance with the guidelines and rules as may be issued hereafter; Provided, however, that municipal fishers from adjacent municipalities may be allowed to use the municipal waters after securing fishery license or permit from the municipal government, after due consultation with the MFARMC and backed by technical study on the status of the municipal waters;

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Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Barugo

Page 16

Resolution No. 06, Ordinance No. 01, 2023

SECTION 4. REGISTRATION AND LICENSING OF MUNICIPAL FISHERS, MUNICIPAL FISHING VESSELS, AND FISHING GEARS.

All municipal fishers, municipal fisherfolk organizations or cooperatives, and municipal fishing vessels fishing and/or operating within the municipal waters of Barugo shall be required to register annually in accordance with existing guidelines and other guidelines and procedures as may be prescribed pursuant to this ordinance. The MAO will be the lead office of the LGU to process the registration and licensing of municipal fisherfolk, municipal fishing boats and fishing gears. The MAO will conduct mobile registration and licensing for far flung barangays, which will be a one stop shop for both registration and licensing with a unified application-based system and application form, that will be developed by MAO, after due consultation to the M/CFARMC.

- a. **Standard Registration Form** - The Local Government Unit will adopt the Standard Registration Form developed by BFAR thru FISHR and BOATR project.
- b. **Criteria for Registration** - Only the fisherfolk who met the following eligibility criteria shall be allowed to register with the MAO or:

1. A citizen of the Philippines;
2. A resident of the municipality of Barugo for at least 6 months;
3. Directly or indirectly engage in fishing activities with or without the use of municipal fishing boats

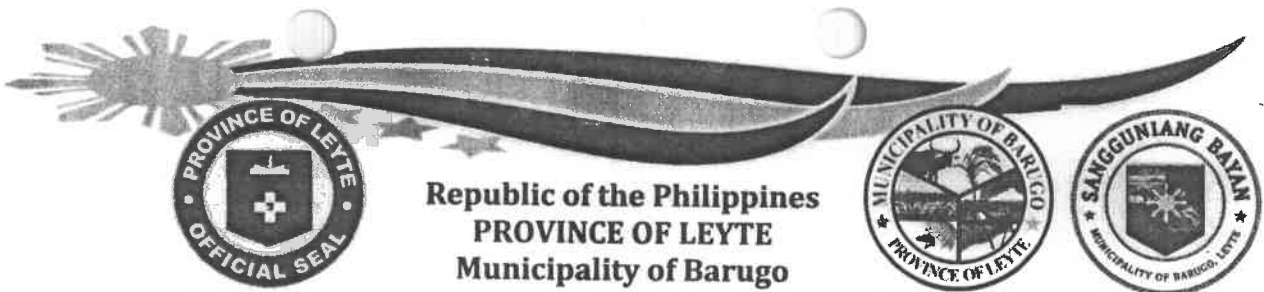
c. **Use of Registry** - The Registry of Municipal Fisherfolks shall serve as the basis for the identification of priority municipal Fisherfolks who shall be allowed to fish within the municipal waters, but registration is not equivalent to a permit to fish. The Municipality/City shall cause the annual publication of the Municipal/City Fisheries Registry by posting of the same in any conspicuous places or bulletin boards in the Municipal/City Hall and/or every coastal barangay as appropriate.

SECTION 5. REGISTRATION AND LICENSING REQUIREMENTS. Applicants for registration and license have to submit basic requirements such as the following:

1. Duly accomplished unified application form for fisherfolk, boat and gears
2. Community tax certificate;
3. Certification from the Barangay that he/ she is a bonafide resident and Directly or indirectly engage in fishing activities with or without the use of municipal fishing boats

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Page 17

Resolution No. 06, Ordinance No. 01, 2023

5. Philippine National Police Clearance, stating, among others, that the applicant is the legitimate owner of same vessel or boat; that the applicant is a bonafide registered fisherfolk; that he/she acquired it by way of purchase or by personally making or building by himself/herself or other person; that the same has never been used, caught or impounded for violation of fishery laws and ordinances; if caught, seized or impounded, the same has been released by the competent authority;
6. Certificate of Registration of Accreditation (for organizations cooperatives, partnership, firms or corporations); and
7. Official receipt of payments for necessary fees from the LGU
8. For the Construction of Fish Coral, Fish Cages, Fish Pens, oyster/mussel/ pearl and seaweed farm and similar structure:
 - a) Letter of Intent addressed to the Municipal Mayor
 - b) Recognition from Sangguniang Bayan thru SB Resolution
 - c) Detailed Structure Design duly approved by BFAR
 - d) Certificate of No Objection from the Barangay where the project is to be constructed.
 - e) Locational Clearance from the MPDO
 - f) Site Inspection Report from MAO

SECTION 6. ISSUANCE OF CERTIFICATE OF FISHERFOLK REGISTRATION.

All requirements shall be submitted to and processed by the MAO within the day. Provided that the MAO, upon checking and verifying all the documentary requirements and encoding the necessary information to the database, will issue a certificate of fisherfolk registration in the form of a fisherfolk identification card (ID). The ID Card will contain basic information such as name, age, barangay, municipality/city of residence and fishing gear type used. It will also bear a control number for monitoring purposes. The ID Card should also bear the seal of the municipality and the signatures of the Mayor and the MAO.

SECTION 7. ISSUANCE OF CERTIFICATE OF NUMBER AND BOAT

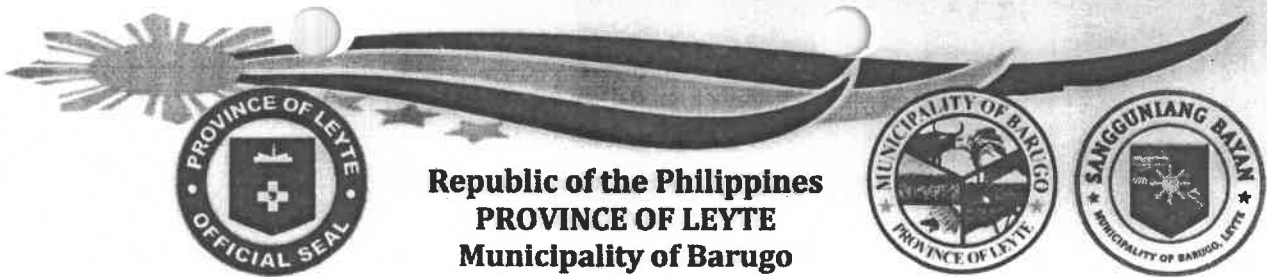
PERMIT TO OPERATE.

For purposes of registration as provided for in the preceding Section, the following requirements shall be followed:

- a) The MAO shall take action on the application for boat registration simultaneously with the application for fisherfolk registration and gears.

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Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Barugo

Page 18

Resolution No. 06, Ordinance No. 01, 2023

- b) If, in the review of the supporting documents of the application, the MAO found qualified pursuant to foregoing requirements, he/she shall issue the following documents, to be approved by the Mayor:
- b.1 Certificate of Admeasurements (CAD) –
 - b.2 Certificate of Number (CN)
 - b.3 Permit to Operate
 - b.4 Motorboat Operator's License
- c) The Certificate of Admeasurements shall be issued by the MAO only upon recommendation or certification by personnel of the Municipality duly trained as certified to by the Maritime Industry Authority (MARINA) which model form is hereby adopted.
- d) The Admeasurements shall be governed by a standard formula as follows:
- Metric GT = $\frac{TL \times TB \times TD \times 0.70}{283}$
 - English GT = $\frac{TL \times TB \times TD \times 0.70}{100}$
- e) The Certificate of Number (CN) shall be issued by the Municipal Mayor upon recommendation of the MAO and after payment of necessary fees as reflected in section 15. It shall indicate alphabetical and numeric codes to distinguish the homeport of the municipal fishing boat. One copy of which shall be furnished to the MARINA by the MAO.
- f) The Permit to Operate (PTO) shall be issued by the Municipal Mayor upon recommendation of the MAO and after payment of necessary fees as reflected in section 15..
- g) The Motorboat Operator's License (MBOL) shall be issued by the Municipal Mayor upon recommendation of the MAO after and after payment of necessary fees as reflected in section 15.
- h) The PTO and MBOL issued shall be good for one year and renewable for another one year, subject to compliance with the registration and licensing requirements of this ordinance.

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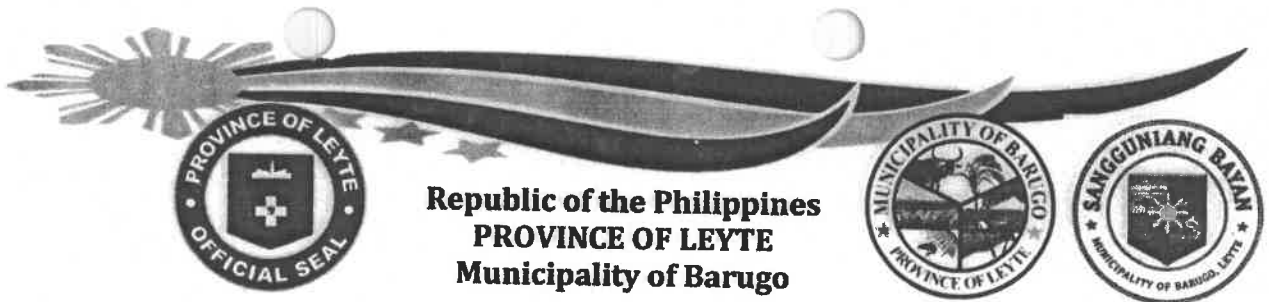
SECTION 8. COLOR CODING OF FISHING VESSELS/BOATS.

Prior to issuance of permit and license as required above, every fishing vessel/boat owned by any registered fisherfolk in the Municipality of Barugo three (3) gross tonnage and below shall be painted with colors corresponding to their respective barangay shown below and the registered number shall be clearly printed at both sides of the forward body of the fishing vessel or boat. Other Barangay may opt to what brgy they want to register

NAME OF BARANGAY	COLOR
1. Canomantag	Blue
2. Minuswang	Light blue
3. Santarin	Green
4. Poblacion District 1	Red
5. Poblacion District 3	Yellow
6. Poblacion District 5	Brown
7. Domogdog	Gray
8. Minuhang	White
9. Balud	Green
10. Duka ;	Light Green

SECTION 9. ISSUANCE OF PERMITS AND LICENSES .

Any person, cooperatives, partnerships, or corporations who are listed in the Registry of Resource Users or Fisher folks may be issued license for fishing gears upon payment of the prescribed fees to the Office of the Municipal Treasurer. The Municipal Mayor shall issue the fishing license subject to the recommendation of the MAO; Provided, further, that the Fishery License and/or the permit are non-transferable: *Provided, however,* that the licensee shall agree unconditionally to comply with all the laws, orders, policies, and rules and regulations governing fishing in the municipality. The licensee shall also assume responsibility for any and all of his acts in his fishing operation: *Provided, further,* that the Municipality of Barugo through the MAO shall maintain a registry of fishing vessels, boats, type of gears and other fishing paraphernalia.



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Barugo

Page 20

Resolution No. 06, Ordinance No. 01, 2023

SECTION 10. LICENSE TO OPERATE FISH TRAPS, PENS OR CORRALS, FISH CAGES, AND OTHER FACILITIES FOR THE CULTURE OF FISH AND OTHER FISHERY PRODUCTS. -

- a. All operators or owners of fish traps, pens or corrals, fish cages, and other facilities for the culture of fish and other fishery products shall be required to secure a license to operate such aquaculture and/or mariculture facilities, and pay the appropriate fees in accordance with schedule of fees in Section 15 hereof; Provided, That such fees shall be subject to amendment in consultation with the M/CFARMC.
- b. No Concessions, licenses, permits, leases and similar privileges for the establishment or operation of fish corrals, fish pens, fish cages, oyster/mussel/pearl and seaweed farm and similar structure in the municipal waters shall be granted to local municipal fisherfolk or to Fisherfolks association/ cooperative/ organization without due recognition and approval from the Sangguniang Bayan.

SECTION 11. RENEWAL OF PERMIT AND LICENSE.

The fishery permit and license issued pursuant to the foregoing provision shall be renewed annually in a manner as prescribed in this Code. The permittee shall have days prior to the expiration of the license and permit within which to renew his permit and license.

SECTION 12. ACTIONS ON THE APPLICATION FOR FISHING GEAR PERMIT.

The MAO, after conducting the screening and review of the documents in support of the applications, and upon consultation with the FARMC, shall recommend to the Municipal Mayor the issuance of the License and/or permit. Otherwise, the MAO shall reject the applications.

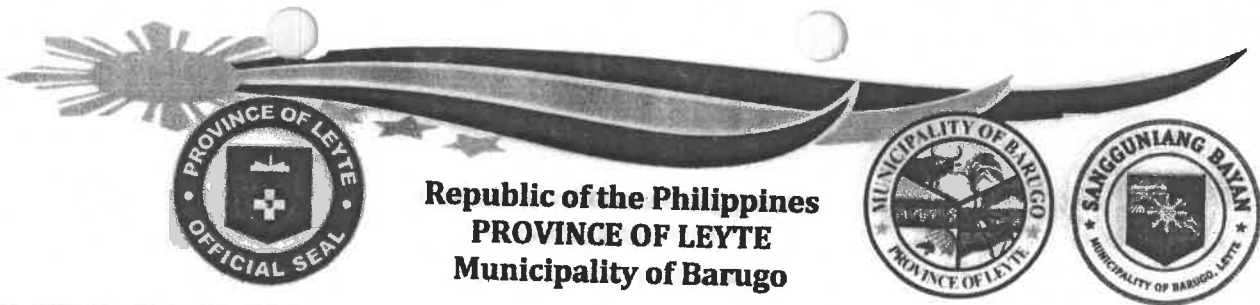
SECTION 13. GROUNDS FOR REJECTION OF APPLICATION AND REJECTION OF APPLICATION AND RENEWAL FOR PERMIT/LICENSE.

The following are the grounds for rejection of an application for a permit/license, to wit:

- a. Fraudulent, false and misleading statements in the application;
- b. Failure to pay the prescribed application fees and to fulfill other requirements; and
- c. The applicant committed an act or acts in violation of this Ordinance or fishery laws and rules and found guilty for either criminal or administrative offense, or such person shall have failed to comply with the conditions set forth in his application for permit or license.
- d. Such other instances analogous to any of the foregoing grounds.

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Republic of the Philippines
PROVINCE OF LEYTE
 Municipality of Barugo

Page 21

Resolution No. 06, Ordinance No. 01, 2023

SECTION 14. GROUNDS FOR CANCELLATION OF PERMIT OR LICENSE

The following are the grounds for the cancellation of permit/License, to wit:

- Fraudulent, false and misleading statements in the application;
- Failure to comply with the provisions of existing national laws and local ordinances;
- Construction and operation of fish pen or fish cage outside of designated areas;
- Abandonment and non-operation of the for 60 days and/or lack of interest of the permittee to continue;
- Failure to pay the necessary fees and other surcharges relative thereto;
- Non-construction of fish pen or fish cage within 60 days from the date of issuance of the permit to construct and operate;
- The applicant committed an act or acts in violation of this Ordinance or fishery laws and rules and found guilty for either criminal or administrative offense, or such person shall have failed to comply with the conditions set forth in his application for permit or license; and
- Such other instances analogous to any of the foregoing grounds.

SECTION 15. SCHEDULE OF FISHERY LICENSES, FEES, PERMITS AND OTHER CHARGES.

Privilege to occupy, produce, culture, capture or gather fish of any marine species or fishery products may be granted only upon payment of the corresponding fishery registration and license fees provided as follows:

SCHEDULE OF FEES

I. Fishing Vessel Registration Fee. – There shall be collected the following registration fees from the owner of each fishing vessel of three (3) gross tons and below being operated within the municipal waters of this Municipality:

Type	Registration Fee
Fishing Vessel (Marginal Fishermen)	Free
Private Fishing Vessel (for Hire)	P50.00
Commercial Fishing Vessel	P 100.00

II. Registration of motorized and non-motorized fishing engines for private/for hire and commercial fishing vessel

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	Annual fixed fees:
Motorized, inboard engine of sixteen (16) horsepower (HP) or above	P 500.00
Motorized, inboard engine of sixteen (16) HP or less	P 300.00
Motorized Outboard Engine	P 30.00 per Horse Power (HP)
Motorized, engine such as 3K, 4K, 5K & others	P 1,500.00

III. Municipal Fishing License Fees. – The municipal fishing license shall be granted to each registered municipal fisher upon payment of the corresponding municipal license fees at a rate not exceeding those fixed hereunder.

A. Fisherfolk using nets

Type of Gear Used	ANNUAL FEE
Light net ("sapiaw")	P 5.00 per square meter
Gill net	
Bottom set net ("palubog")	P 500.00 per unit
Drift gill net ("pamo""paanod").	P2 000.00 per unit
Blanket net ("kabiaw")	P 300.00 per unit
For Using Nets "Pamolinar" or Other Similar Gears:	P 500.00 per unit

B. Fisherfolk using traps/barriers

Type of Gear Used	ANNUAL FEE
Pots for squid ("bubo")	P 15.00 per unit
Pots for big fish ("bubo")	P 20.00 per unit
Pots for crab ("bentol")	P 5.00 per unit

C. Fisherfolk using hook and line

Type of Gear Used	ANNUAL FEE
Simple handline	P 15.00 per unit
Multiple Handline (undak)	P 20.00 per unit
Long line (kitang)	P 100.00 per unit
Troll line (subid)	P 25.00 per unit
Jigger (bulwat)	P15.00 per unit

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D. Fisherfolk using other fishing gears

Type of Gear Used	ANNUAL FEE
Hand-operated	
Spear gun ("pana") without compressor	P 15.00 per unit
Lights (not exceeding 200watts)	P1.00 per watt
Gathering of jellyfish and other species	P 500.00

E. Fish aggregating devices

Type of Gear Used	ANNUAL FEE
"arong"	P 100.00 per unit
Artificial reef	P 100.00 per module
"guma"	P 100.00 per unit

F. For Construction and Operation of Fish Corrals/ traps

	ANNUAL FEE
Fifteen (15) meters deep or more	P500.00
Ten (10) meters deep but not more than fifteen (15) meters deep	P300.00
Eight (8) meters deep but not more than ten (10) meters deep	P250.00
Less than three (3) meters deep but not more than eight (8) meters deep	P150.00

G. For Construction and Operation of Fish pen

	ANNUAL FEE
Less than 200 square meters	P50.00
201 – 500 square meters	P500.00
501above	P1000.00

H. For Construction and Operation of Fish cage

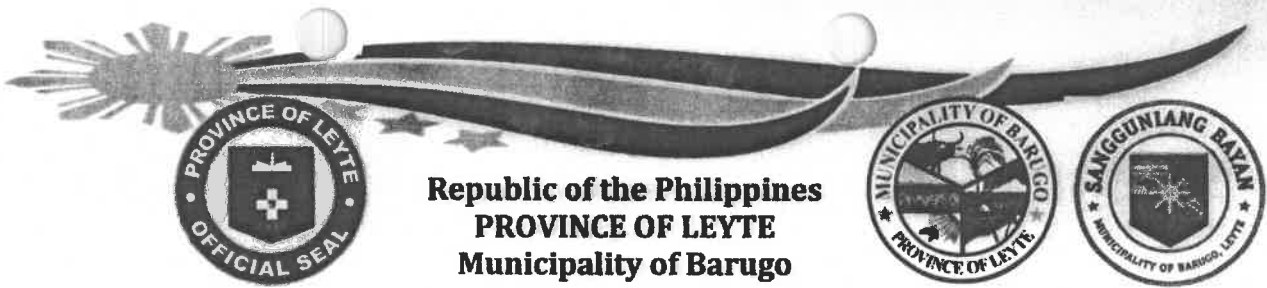
	ANNUAL FEE
Construction and operation of Fish cage	500 per cage

I. For Construction and Operation of Seaweeds farm

	ANNUAL FEE
Less that 1000 square meters	P50.00
1,001 to 5,000 square meters	P500.00
5,001 to 10,000 square meters	P1000.00
Above 10,000 square meters	P1500.00

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PROVINCE OF LEYTE
Municipality of Barugo**

Page 24

Resolution No. 06, Ordinance No. 01, 2023

J. For Construction and Operation of oyster/mussel/pearls farm

	ANNUAL FEE
Less than 1000 square meters	P50.00
1,001 to 5,000 square meters	P500.00
5,001 to 10,000 square meters	P1000.00
Above 10,000 square meters	P1500.00

K. For Construction and Operation of Fishponds

	ANNUAL FEE
Less than 100 square meters	P50.00
101 to 500 square meters	P500.00
500 to 1,000 square meters	P1000.00
Above 1,000 square meters	P1500.00

L. Operation of Artificial Reef (AR)

	Annual Fee
a. Less than 25 pcs of AR	P 50.00
b. 26 pcs to 50 pcs of AR	P100.00
c. More than 50 pcs of AR	P500.00

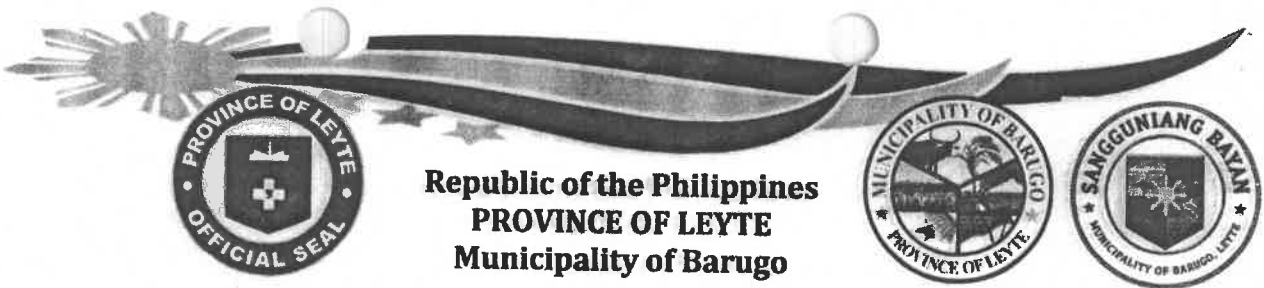
IV. OTHER FEES.- For the use and access to the coastal and fisheries resources within its municipal waters, the Municipality/City shall require the following:

1. Accreditation and registration of tourist operators, including dive guides and other professionals – All dive guides, instructors, dive masters, 'spotters', and the like who are duly certified SCUBA divers practicing their trade in the Municipality shall be required to seek accreditation and registration in the Municipality by presenting proof of certification as dive professionals from reputable international or domestic accreditation groups upon the payment of annual fees.. Foreign national dive professionals should present proof that they are residents of and allowed to work in the Philippines before they can be accredited. In addition to the fees, any person or entity that will engage in commercial filming or sound recording, shall be required to register, pay and pay a recording fee and provide a copy of the videotape or sound recording to the Municipality.

2. Accreditation and registration of commercial establishments/resorts – all commercial establishments and/or resorts shall be required to seek accreditation and registration of their commercial activities within the coastal and marine areas subject to the payment of a fee per year.

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PROVINCE OF LEYTE
Municipality of Barugo**

Page 25
Resolution No. 06, Ordinance No. 01, 2023

3. Conservation Fee - A conservation fee shall be collected daily from any person using the coastal and marine resources of the Municipality whether for swimming, snorkeling, or any other leisure activity; *Provided*, That municipal residents who can present identification as such are exempted from such fee unless they avail of private resort facilities in which case they shall also be charged conservation fees.

4. Diver's Fee – All divers, whether undertaking an introductory dive or otherwise, using the coastal and marine resources of the Municipality are required to pay per diving day, or opt to pay for unlimited dive days in a given year.

	FEE PER DIVER
A. PER DAY	P50.00
B. PER YEAR	P1500.00

Upon recommendation of the M/CFARMC, all academic and/or research institutions and other related groups which intend to undertake research and monitoring within the coastal area and municipal waters of Barugo, Leyte shall be required to secure permit from the Municipal Agriculturist Office (MAO) to conduct academic research subject to the terms and conditions as may be provided in the implementing rules and guidelines; *Provided*, That all research outputs shall be submitted to the Municipality within one year from completion or publication.

Schedule of other fees Accreditation and Registration Fees

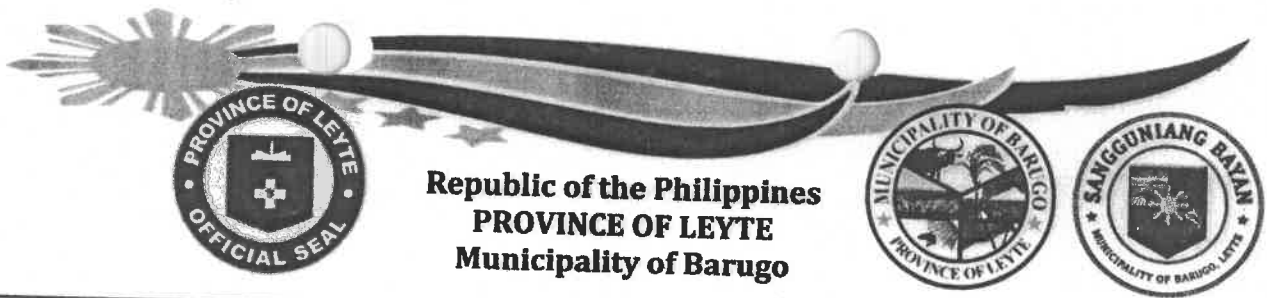
	ANNUAL FEE
A. Commercial Filming and recording	P 1500.00
B. Conservation Fee	P 50.00
D. Mooring Fee	P50.00

SECTION 16- MAYOR'S PERMIT

All fisherfolks, business owner or operators engaging in any fishing and/or fishery/aquatic resources activity secure and pay Mayors permit to wit: shall be subjected to the following annual license fees:

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PROVINCE OF LEYTE
Municipality of Barugo

Page 26

Resolution No. 06, Ordinance No. 01, 2023

	Mayors Permit FEE
A. Fishing using Nets such as Palubog, fish traps (bobo)	P200.00
B. fishing using fishpens or corrals, fish cages, Fish Pond and other facilities for the culture of fish and other fishery products.-	P 2,000.00

SECTION 17 - REPORT OF FISH CAUGHT / PRODUCTION

Any individual or entity who has obtained a fishery grant or license to take/catch or culture in the municipality shall submit to the Fishery Officer at the Municipal Agriculture Office their monthly fish caught production report on the second week of the preceding month. Non-compliance / submission of the said report shall be sufficient ground for the cancellation of his/her permit or license.

SECTION 18 - SUPPORT TO THE MUNICIPAL FISHERFOLK

The municipal government (LGU) shall provide support to the municipal Fisherfolk to appropriate technology and research, credit, insurance, production and marketing assistance and other services such as, but not limited, to training for additional / supplementary livelihood.

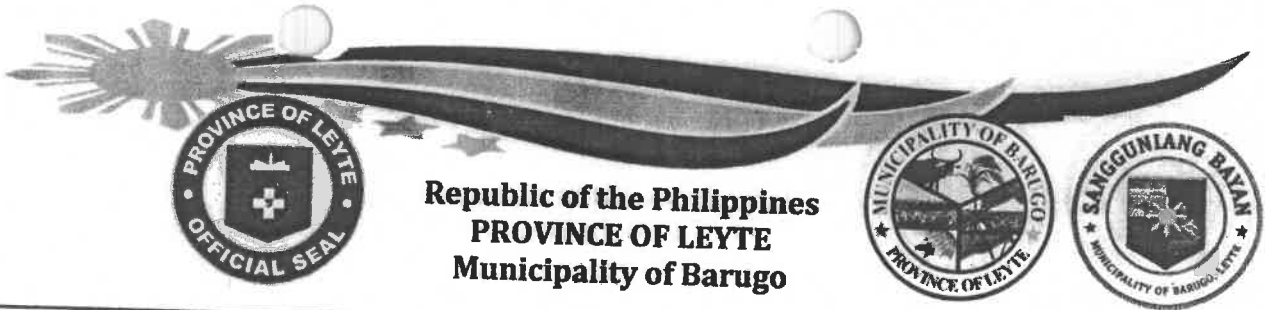
SECTION 19 - TRANSPORT OF FISH AND OTHER FISHERY PRODUCTS

No person / entity shall transport fish products derived from the municipal waters of this municipality without first securing permit to transport from the Municipal Agriculture Office and paying the corresponding fees prescribe for the purpose.

A. AUXILIARY INVOICE. - All fish and fishery products must have an auxiliary invoice to be issued by the Municipality through the Municipal Agriculturist Office prior to their transport to and/or from their point of origin within the municipality from and/or to their point of destination in the Philippines, including those for export purposes upon payment of the prescribed fee to be determined in the implementing rules and regulations in order to defray administrative costs therefor; *Provided*, That the municipal government, in the issuance of such auxiliary invoices for the transport of fish and fishery products, must likewise provide a monthly summary thereof to the Provincial Fisheries Office; *Provided, however*, That no auxiliary invoice shall be issued to culture pearls, products transported or unloaded by Philippine Registered fishing vessels, products caught or gathered in violation of fisheries laws or declared as health hazard; *Provided further*, that the Municipality shall not accept any fishery products coming from other regions, Provinces and municipalities without auxiliary invoice.

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Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Barugo

Page 27

Resolution No. 06, Ordinance No. 01, 2023

SCHEDULE OF TRANSPORT FEES

	Amount
A. MILK FISH (BANGUS)	-P15.00 /40kls
B. PRAWNS	-P20.00/40kls
Shrimp	-P15.00/40kls
C. SHELLFISH	-P5.00/40kld
D. FINGERLINGS	-P20.00/1000 pcs

B. FISH CAUGHT THROUGH ILLEGAL FISHING, That the Municipality shall ensure that no fish caught through illegal fishing shall be issued an auxiliary invoice; *Provided*, that the LGU personnel authorized to issue Auxiliary invoice shall also undergo the mandatory training on the detection of fish caught through the use of explosives.

SECTION 20. PROHIBITIONS

20.1 UNAUTHORIZED FISHING OR ENGAGING IN OTHER NAUTHORIZED FISHERIES ACTIVITIES:

No Person or entity shall exploit, occupy, produce, breed, culture, capture, or gather fish, fry or fingerlings, shellfish, or any fishery products or engage in any fishery activities within the municipal waters of the municipality of Barugo, Leyte without a license, lease or permit issued approved by the municipal mayor.

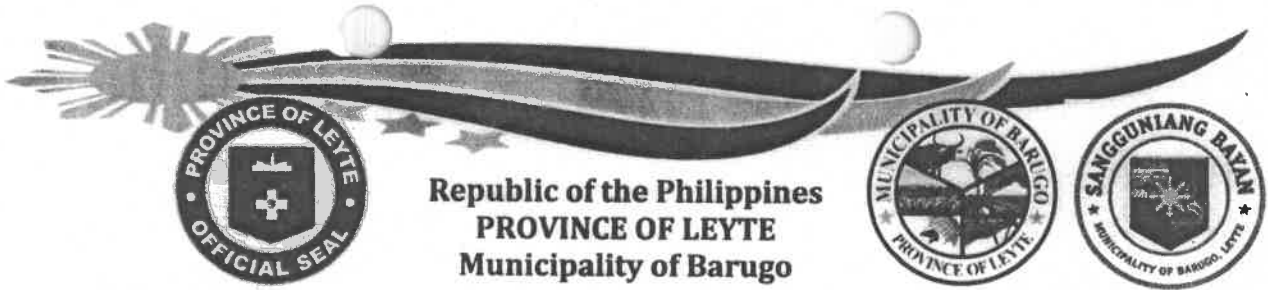
Discovery of any person or entity in the municipal water or the municipality as defined by this ordinance and RA 8550 where he has no permit or registration documents for a municipal fishing vessel shall constitute a prima facie presumption that the person/ entity and/or vessel s is engage in authorized fishing. *Provided*, that fishing for daily food sustenance or for leisure which is not for commercial occupation or livelihood purposes, maybe allowed.

Pursuant to RA 8550, it shall be unlawful for any commercial fishing vessel to fish within the municipal water. Any commercial fishing boat captain or the three (3) highest officers of the boat or fish worker who commits any of the above prohibited acts upon conviction shall be punishable under this ordinance and other fishery laws.

It shall be unlawful for any person not listed in the registry of municipal Fisherfolks to engage in any commercial fishing activity in the municipal waters of the municipality. Any person found guilty violating this provision of this ordinance shall be punished by a fine of five hundred (PhP 500.00) pesos and confiscation of fish catch.

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20.2 USE OF FINE MESH NET

It Shall be unlawful to engage in fishing using nets with size of less than three (3) centimeters measured between two (2) opposite knots of a full mesh when stretched. Provided, pursuant to Fishery Administrative Order (FAO) No.155 s. 1986 as amended by FAO No. 155-1 s. 1994. It shall be unlawful for any person, association, corporation, partnership, or cooperative to fish in municipal waters with the use of fine mesh nets: Provided, However, that this prohibition shall not apply to the catching of the following species of fish:

- a. Padas (Siganidae), bangus fry (Chanos chanos), sugpo fry (Penaeidae), banak fry (Mugilidae), glass eels and elvers (Angulidae, and ipon (Gobidae);
- b. Marine aquarium/ornamental fishes; and
- c. other species which by their nature are small but already mature such as, but not limited to alamang (Acetes spp.), tabios/sinarapan (Mistichthys luzonensis), dilis (Engraulidae), dulong (Engraulidae and Gobiidae), hipon tagunton (Caridae) and snails (Ampularia luzonica and Vivipora spp.) "And Provided, further, That this prohibition shall not apply to purse seines, ring nets and bagnets with a minimum limit of 1.9 cm. (17 knots) mesh size, until after a new FAO providing for and appropriate or optimum mesh for each type of fishing gear has been developed by the Bureau of Fisheries and Aquatic Resources.

20.3 USE OF ACTIVE GEARS

This shall cover the use of active gear of fishing boats whether municipal (3 gross tons or less) or commercial (more than 3 gross tons), but not of the fisherman such as cast net, spear, crab/shrimp lift net, hook and line, pole and line, multiple handlines, troll line, jig, man pushnet, cover pot, scoop net/seine, bottom and drift gillnet, drift filter net, kitang longline and beach seine.

Active Fishing Gear - refers to fishing devices characterized by gear movements and/or pursuit of fish by towing, lifting and pushing the gear, surrounding, covering, dredging, pumping and scaring it to impoundments such as:

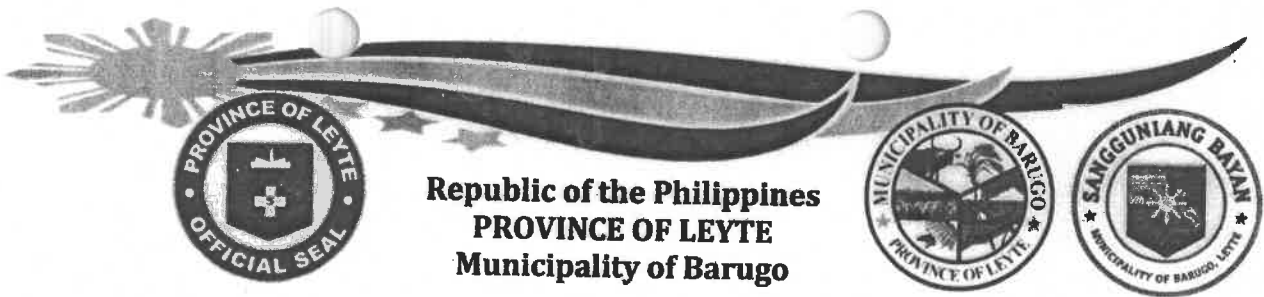
- 1. Trawl (all kinds) -----Galadgad, Norway
- 2. Purse Seine -----Pangulong
- 3. Danish Seine -----Hulbot-hulbot, pahulbot-hulbot,
Likisan, liba-liba, palisot,
patangko, bira-bira, buli-buli,
hulahoop, zipper, lampornas, etc.
- 4. Ring net----- kubkob, pangulong, kalansisi

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Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Barugo

Page 29

Resolution No. 06, Ordinance No. 01, 2023

5. Round haul seine-----sapyaw, lawag
6. Motorized push net-----sudsod
7. Bagnet----- Basnig, saklit

Provided, that other active gear which may be found to be destructive to fisheries and aquatic resources may later on be added to this list through revision of this ordinance.

It shall be unlawful to operate municipal and commercial fishing boats utilizing active gear as enumerated above hereof in catching fish in municipal waters.

20.4. BANNING FISHING BY MEANS OF " MURO - AMI" AND THE LIKE DESTRUCTIVE TO CORAL REEFS AND OTHER MARINE HABITAT

It shall be unlawful for any person, natural or juridical, to fish in with gear method that destroys coral reefs, sea grass beds, and other fishery marine life habitat as may be determined by the department. "Muro - Ami" and its variation, and such similar gear and methods that require diving, other physical and mechanical acts to pound the corral and other habitat to entrap, gather or catch fish and other fishery species are also prohibited.

The operator, boat captain, master fishermen, recruiter or organizer of fish workers and all fish workers aboard who violates this provision shall suffer a penalty of three (3) months to six (6) months imprisonment and a fine pf PhP 2,500.00 each, or both such fine and imprisonment at the discretion of the court without prejudice to the confiscation of the catch and gear used.

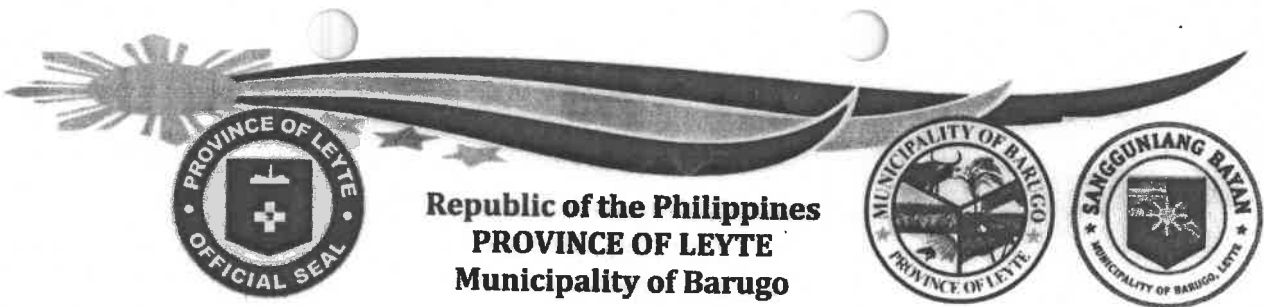
20.5 FISHING THROUGH EXPLOSIVES, NOXIOUS OR POISONOUS SUBSTANCE AND/OR ELECTRICITY.

1. It shall be unlawful for any person to catch, take or gather or cause to be caught, taken or gather, fish or any fishery species in the municipal waters of Barugo, Leyte with the use of explosives, electricity, noxious or poisonous substance such as but not limited to sodium cyanide which will kill, stupefy, disable or render unconscious fish or fishery species, except for research, educational or scientific purposes only with the approval from the Department of Agriculture and properly endorsed by the Local Government Unit of Barugo, Leyte. It she likewise so be unlawful for any person, corporation or entity to possess, deal in selling in any manner which have been illegally caught, taken or gathered.

Pursuant to RA 8550, Section 88, the discovery of explosive devices such as dynamites and chemical compounds which contains combustible elements, noxious/poisonous substance, or equipment or device for electro- fishing in any

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Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Barugo

Page 30

Resolution No. 06, Ordinance No. 01, 2023

fishing vessel or in the possession of any fisherfolk, operation, fishing boat, officials, or fish workers shall constitute prima facie evidence, that the same was used for fishing in violation of this ordinance and RA 8550, section 88.

2. Pursuant to RA 8550, Section 88, Actual use or mere possession of explosive, noxious/poisonous substance or electro - fishing device for illegal fishing is deemed illegal .

3. Pursuant to RA 8550, Section 88, dealing in, selling or any manner disposing of for profit, illegally caught/gathered fishery species is deemed illegal.

4. In all cases enumerated above, the explosives, noxious/poisonous substances and electrical devices, as well as fishing vessels, fishing equipment and catch shall be forfeited in favor of the municipality.

20.6 ILLEGAL USE OF SUPERLIGHTS

Pursuant to Sections 44 and 93 of R.A. 8550, It shall be unlawful to operate municipal and commercial fishing boats using superlights while fishing/operating in municipal waters. Provided further that the Municipal Mayor may issue special permit to Fisherfolks using fishing light or light attractor of not more than 500 watts/

20.7 FISHING IN MARINE PROTECTED AREAS, FISHERY REFUGE, FISHERY RESERVES AND SANCTUARIES

It shall be unlawful to enter, pass or fish in fishery areas declared by the municipality as marine protected areas, fishery refuge, fishery reserve and sanctuaries; Provided that no fishing in any form/kind of activity shall be allowed within one-hundred (100) meters from the boundary of any reef or artificial reef project or declared sanctuaries. Provided further that small boats used by marginal fishermen shall be allowed to pass near the abovementioned fishery areas only in cases of extreme emergency during typhoon.

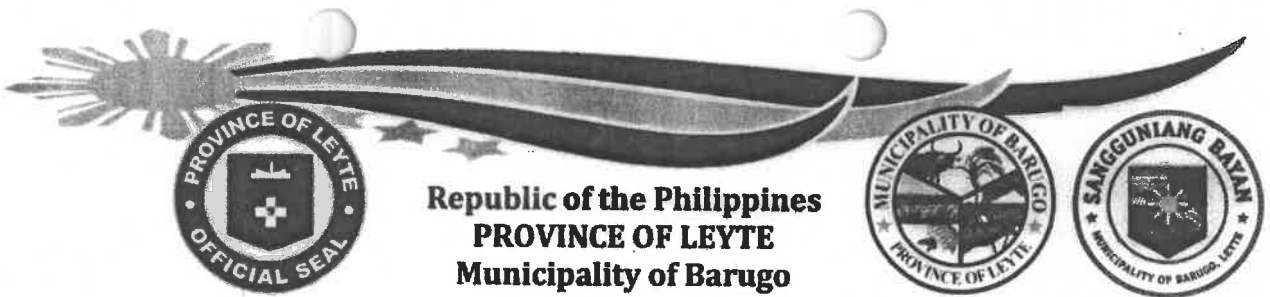
20.8 CONSERVATION OF RARE, THREATENED AND ENDANGERED FISHERY SPECIES

Pursuant to FAO 208 s. 2001, it shall be unlawful for any person, natural or juridical, to take or catch or cause to be taken or caught the following fishery/aquatic species and other species as identified by CITES.

20.9 CATCHING, GATHERING, SELLING AND PURCHASING MATURE MILKFISH OR "SABALO"

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Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Barugo

Page 31

Resolution No. 06, Ordinance No. 01, 2023

It shall be unlawful for any person to catch, gather, capture, possess, sell or purchase mature milkfish or "Sabalo" and other breeders / spawners, eggs or fry.

20.10 CORAL EXPLOITATION AND EXPORTATION

It shall be unlawful for any person or corporation to gather, possess, sell or export ordinary, precious and semi-precious corals whether in raw or in processed form. However, the Department of Agriculture through the Director of Fisheries and Aquatic Resources may issue a special permit to research institutions to gather any coral in limited quantities for scientific or research purposes, except those coral species listed in the CITES appendix.

The confiscated corals shall either be returned to the sea or donated to schools and museums for educational and scientific purposes or disposed through other means most favorable to the Government.

20.11. UNREGULATED FISHING

It shall be unlawful for any person to engage in unregulated fishing in the municipal water of Barugo, Leyte. Upon summary findings of administrative liability, the owner/operator and fish workers aboard of the municipal fishing vessel who commit unregulated fishing within the municipal waters.

20.12. FISHING IN OVER EXPLOITED FISHERY MANAGEMENT AREAS

Upon the recommendation of BFAR, it shall be unlawful to any person to fish in fishery management areas declared as over exploited.

20.13. FISHING DURING CLOSED SEASON

Upon the recommendation of BFAR It shall be unlawful to any person to fish in fishery management areas declared as over exploited.

20.14. VIOLATION OF HARVEST CONTROL RULES

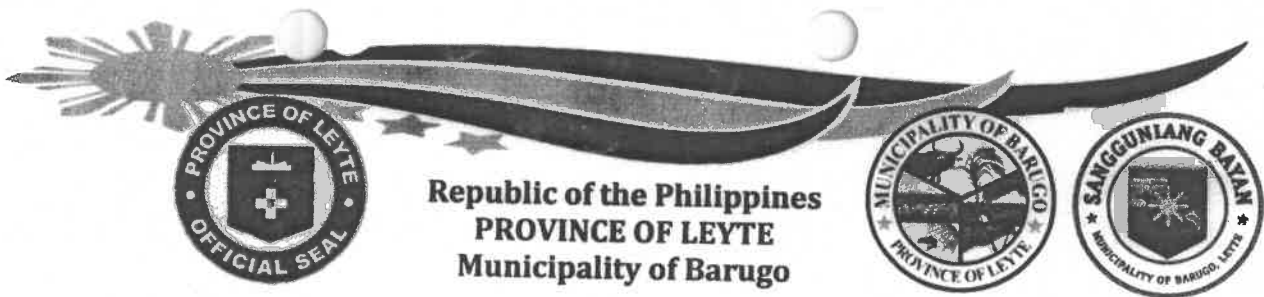
It shall be unlawful for any person to fish in the municipal waters in violation of harvest control rule set by the Bureau of Fisheries and Aquatic Resources.

20.15. GATHERING AND MARKETING OF REGULATED SHELL FISHES OR OTHER AQUATIC SPECIES.

It shall be unlawful for any person to take, sell, transfer, or many person to take, sell, transfer, or have in possession, commercially transport, export forward or ship out or for any fish which is sexually mature or other species identified or port forward or ship out or for any purpose any shell minimum size or above the maximum quantities prescribed for the per species.

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Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Barugo

Page 32

Resolution No. 06, Ordinance No. 01, 2023

20.16. USE OF COMPRESSORS.

It shall be unlawful for any individual who is engaged in fishing activities to use or cause to be used a compressor as a breathing apparatus for fishing activities. The discovery of a compressor in a fishing boat or vessel while engaged in fishing activities shall constitute prima facie evidence that the boat operator, fish worker or the person on board that boat or vessel will use the same. Compressors shall be used only for research and educational purposes only.

20.17. FISHING WITHIN THE FISH SANCTUARY. AND MARINE PROTECTED AREAS.

It shall be unlawful for any person, whether natural or juridical, to conduct or cause to be conducted, any fishing operation or take, catch or gather, destroy or kill any fish or fishery/aquatic products within the fish sanctuary and other marine protected areas. Fishing or in any manner is allowed outside the 100 meters buffer zone from the sides of the fish sanctuary and other marine protected areas.

SECTION 21. PENALTIES FOR SECTION 20

It shall be unlawful to engage any and all acts deemed considered as illegal as enumerated above hereof in catching fish in municipal waters.

1st Offense – a fine of PhP 2,500.00 to each fisherfolk involved and confiscation of fishing gear used in the illegal activity in favor of the municipal government.

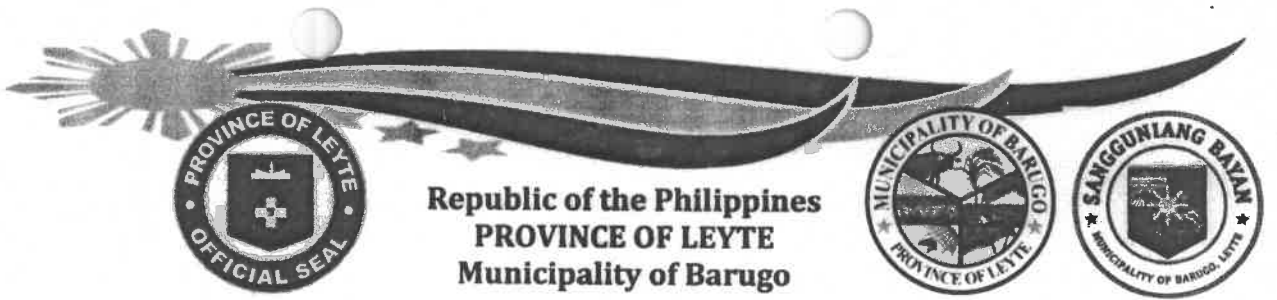
2nd Offense - a fine of PhP 2,500.00 to each fisherfolk involved, confiscation of Boat and fishing gear used in the illegal activity in favor of the municipal government or imprisonment from two (1) months to six (3) months, both such fine and imprisonment in the discretion of the court.

3rd Offense - a fine of PhP 2,500.00 to each fisherfolk involved, confiscation of boat and fishing gear used in the illegal activity in favor of the municipal government and cancellation of registration or imprisonment from two (3) months and 1 day to six (6) months, both such fine and imprisonment in the discretion of the court.

Provided, that if the offense is committed by a commercial fishing vessel, the boat captain / acting boat captain, master fishermen and all crews aboard in the fishing vessel shall be subjected to the penalties provided herein. Provided

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Page 33

Resolution No. 06, Ordinance No. 01, 2023

further, that the owner operator of the commercial fishing vessel, who violates this provision, shall be subjected to the same penalties provided herein

All fish catch and fishing paraphernalia used in the commission of the illegal fishing operation shall be confiscated and forfeited as deemed in favor of the Local Government Unit to be disposed of in accordance with law. Also, all abandoned paraphernalia used in the commission of the illegal fishing operation shall be confiscated. However, in the event that somebody appears and claims to be the owner of the abandoned fishing paraphernalia, he/she shall be presumed to be the illegal fisher, unless proven to the contrary. The illegal fisher shall be prosecuted in accordance with the provision of the article.

SECTION 22. OTHER OFFENSES

The following fishery activities and other related activities shall be considered as offenses against this ordinance:

- a. Unreported Fishing - Failure to submit monthly fish caught or production. The license, lease or grantee of a fishing privilege within the municipal waters of Barugo, Leyte who fails to submit their consolidated monthly fish caught / production
- b. Falsifying, concealing or tampering with vessel markings, identity or registration - It shall be unlawful for any person to falsify, conceal vessel identity or lack of registration, or tamper with the vessel markings, identity or registration.
- c. ***Concealing, tampering or disposing of evidence relating to an investigation of a violation*** - It shall be unlawful for any person to conceal, tamper or dispose evidence relating to an investigation of a violation. The offender shall be punished with suspension of license and an administrative fine of Thousand Five Hundred Pesos (PhP 2,500.00)
- d. Obstruction to navigation or flow or ebb of tide in any stream, rivers, lake and in any part of the municipal water. - It shall be unlawful for any person, lessee, licensee or permittee, to undertake or place any construction which will obstruct the free navigation in any part of the municipal waters such as stream, river, lake flowing through or adjoining fish pens, fish traps and fishponds or impede the flow of the tide to and from the area. Any obstruction made in violation thereof shall be removed upon the order of the Local Chief Executive in coordination with other government agencies concerned at the expense of the lessee, licensee or occupants thereof, whenever applicable. Provided further that no construction of fish pens, fish cages, fish traps, fish corrals and any similar facilities within 100.

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Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Barugo



Page 34

Resolution No. 06, Ordinance No. 01, 2023

- meters (upstream and downstream) from any government structures such as bridges, dams, and any similar government structures.
- e. Aquatic pollution - Aquatic pollution, as defined in this ordinance shall be unlawful. Violation of this provision, pursuant to RA 8550, Section 102,
 - f. Undertaking activities that would cause damage to the resources within the various zones as identified in Section 2 hereof;
 - g. Removing, damaging or stealing marker buoys established by the Local Government Unit and any government institutions;
 - h. Fishing and/or operating in municipal waters by municipal fishers, municipal fisherfolk organizations or cooperatives, and municipal fishing vessels without registration, including those in adjacent municipalities, in violation of Section 7 hereof;
 - i. Operating municipal fishing vessels in municipal waters without complying with the color and letter coding as an identification scheme in violation of Section 8 hereof;
 - j. Acting or practicing trade as dive guides, instructors, dive masters, 'spotters', and the like without securing the necessary accreditation and registration in violation of Section 15, par. IV hereof;
 - k. Operating commercial establishments and/or resorts without the necessary accreditation and registration of their commercial activities in violation of Section 15, par V hereof;
 - l. Using the coastal and marine resources of the Municipality whether for swimming, snorkeling, or any other leisure activity without the payment of the necessary conservation fee in violation of Section 15 hereof;
 - m. Using and/or utilizing fish aggregating device or "payao" by any operator or owner of commercial fishing vessels, installing fish aggregating device outside the designated areas, or installing more than the required number of fish aggregating device in violation of Section 15 hereof;
 - n. Operating aquaculture and/or mariculture facilities or undertaking aquaculture and/or mariculture activities in violation of the prescribed guidelines or failure to meet the minimum standards set by BFAR;

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Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Barugo



Page 35

Resolution No. 06, Ordinance No. 01, 2023

- o. Failure to register or secure a license to operate aquaculture and/or mariculture facilities by operators or owners of fish traps, pens or corrals, fish cages, and other facilities for the culture of fish and other fishery products in violation of Section 10 hereof;
- p. Constructing or operating municipal fish ports and facilities without the necessary permits and environmental compliance certificate as required by existing environmental laws and regulations in violation of Section 48 hereof;
- q. Transporting of fish and fishery products without the necessary auxiliary invoice in violation of Section 19 hereof.

SECTION 23. PENALTIES for SECTION 22.

All above-mentioned offenses shall have uniform penalties depending on the frequency of the commission of the offense:

- (a) First Offense: Fine ranging from P500.00 but not more than P1,000.00 at the discretion of the Court.
- (b) Second Offense: Fine ranging from P1,000.00 to P2000.00 or imprisonment for 10 days but not more than 1 month or both at the discretion of the Court.
- (c) Third Offense: Fine ranging from P2,000.00 but not more than 2,500.00 or imprisonment for 1 month and 1 day but not more than 2 months or both at the discretion of the Court and/or Cancellation or denial for renewal of license as the case may be.

ARTICLE III

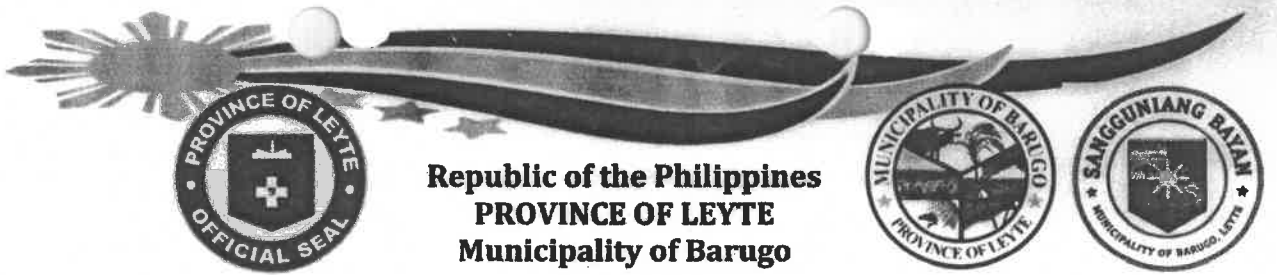
FISH SANCTUARY, RECOGNITION OF FISHERY PROJECTS, MARINE PROTECTED AREAS (MPAS) AND GUIDELINES ON THE ESTABLISHMENT, MANAGEMENT AND UTILIZATION OF ARTIFICIAL REEFS (ARS)

SECTION 1: FISH SANCTUARY -

The Local Government Unit of Barugo hereby adopts the establishment of the "Barugo Fish Sanctuary" for the protection and conservation of the fisheries and aquatic resources in Barugo . Leyte, pursuant to Sections 7 and. 32 of Presidential Decree No. 704, as amended, for the information and guidance of all concerned as provided in Fishery Administrative Order number 180 series of 1991.

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Municipality of Barugo**

Page 36
Resolution No. 06, Ordinance No. 01, 2023

1.1 Site and Coverage. - The "Barugo Fish Sanctuary" is that body of marine waters consisting of some seventy-eight (78.0) hectares, situated in Jalaba Point, Barangay Balud, within the jurisdiction of the Municipality of Barugo, Leyte, enclosed by imaginary straight lines drawn and connecting the following points:

Lines	Bearing	Distance
1 - 2	N45 -00W	1,500.00m
2 - 3	N45 - 00E	500.00m
3 - 4	S45 - 00e	1,575.00m
4 - 1	S45 - 00W	500.00m

Points	Latitude	Longitude
1	14°21'25"	124°46'06"
2	14°22'00"	124°45'30"
3	14°2'12"	124°45'42"
4	14°21'39"	124°46'18"

SECTION 2. ESTABLISHMENT OF MARINE PROTECTED AREAS (MPAs) -

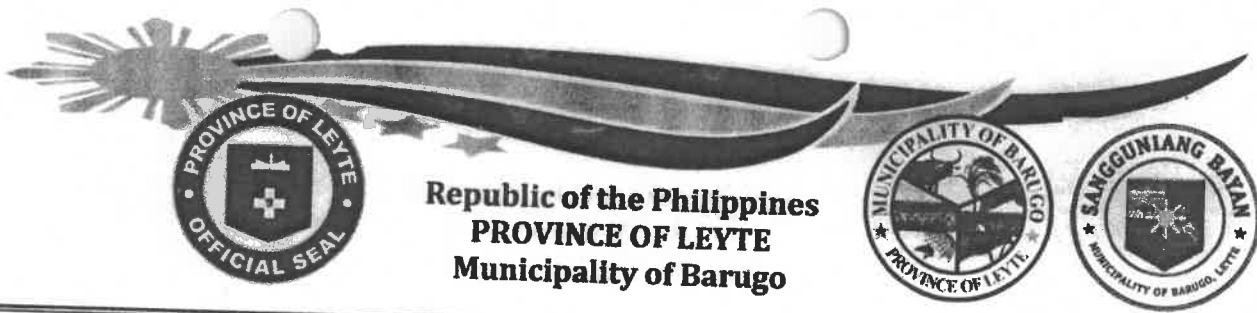
Under this ordinance, all coral areas within the municipal water is hereby established as marine protected areas for the protection and conservation of fishery and aquatic resources of this municipality.

Site and Coverage. - A coral area is an underwater ecosystem characterized by reef-building corals. Reefs are formed of colonies of coral polyps held together by calcium carbonate. Most coral reefs are built from stony corals, whose polyps cluster in groups. These are found within the jurisdiction in the Municipality of Barugo, Leyte with the following coordinates and its local names to wit:

Local Name	North	East	North	East	North	East
HIMANGLOS	11.33581°	124.72424	11.33719	124.72382	11.33753	124.72469
	11.3356°	124.72328	11.33745	124.72421	11.33679	124.72355
	11.33591	124.72308	11.33754	124.72449	11.3362°	124.72314
HULANGKOB	11.33931	124.72208	11.34131	124.72415	11.34288	124.72149

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Municipality of Barugo

	11.35089 °	124.7164°	11.35085 °	124.71864 °	11.35038 °	124.71613 °
	11.35136 °	124.71701 °	11.3503°	124.71831 °	11.35064 °	124.71593 °
	11.35168 °	124.71761 °	11.35006 °	124.71792 °	11.35087 °	124.71582 °
PIYO	11.3606°	124.72158 °	11.36258 °	124.72189 °	11.3629°	124.71914 °
	11.36103 °	124.72201 °	11.3632°	124.72157 °	11.36221 °	124.71915 °
	11.36139 °	124.72219 °	11.36391 °	124.72114 °	11.36161 °	124.71938 °
	11.36176 °	124.72217 °	11.36414 °	124.72046 °	11.36115 °	124.72006 °
GABRIEL	11.37031 °	124.72144 °	11.37218 °	124.72358 °	11.37252 °	124.72065 °
	11.37103 °	124.72245 °	11.37355 °	124.72329 °	11.37197 °	124.72056 °
	11.37132 °	124.72289 °	11.37361 °	124.72263 °	11.37097 °	124.72078 °
	11.37179 °	124.72347 °	11.3732°	124.72141 °	11.37055 °	124.72099 °
MINUHANG	11.36921 °	124.73767 °	11.36854 °	124.73938 °	11.36664 °	124.73985 °
	11.36902 °	124.73867 °	11.36837 °	124.73963 °	11.3667°	124.73911 °
	11.36886 °	124.73887 °	11.36789 °	124.74023 °	11.36689 °	124.73876 °
	11.36869 °	124.73911 °	11.36718 °	124.74048 °	11.36805 °	124.7383°
SINAURAN	11.37544 °	124.73703 °	11.37738 °	124.73681 °	11.37719 °	124.73497 °
	11.37627 °	124.73739 °	11.37758 °	124.73628 °	11.37682 °	124.73485 °
	11.3766°	124.73736 °	11.37769 °	124.73595 °	11.37635 °	124.73495 °
	11.37699 °	124.73719 °	11.37755 °	124.73534 °	11.376°	124.73518 °

SECTION 3. ESTABLISHMENT OF THE PROPOSED CO-MANAGE FISH SANCTUARY -

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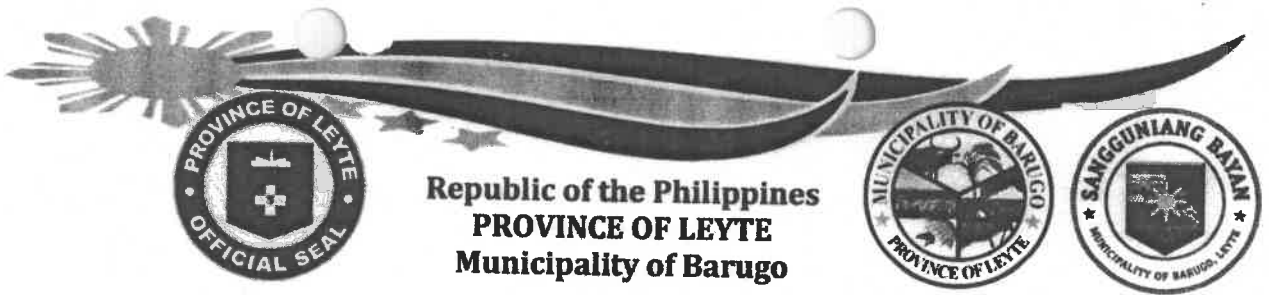
SECTION 4. RECOGNITION OF THE FISHERY PROJECTS.

Within the municipal waters of Barugo, all fishery projects may it be private, locally or nationally funded must be recognized by the Sanggunian Bayan of Barugo. No individuals / Corporations or Fisherfolks Organization shall install projects without the concurrence from the legislative body. Necessary permits must be secured before the installation of fishery projects. Fisherfolks Association engaging in fishery projects must have DOLE or SEC registration and recent accreditation from sanggunian bayan. List of Organization with fishery project in the municipal waters to wit:

Name of Organization	Address	Type of Project	Site / Location	
			North	East
Carigara Bay Fisherfolks Association	Brgy. Minuhang	Lambaklad	11.3583	124.75628
			11.36016	124.75722
			11.36057	124.75752
			11.36102	124.75784
			11.36168	124.75812
			11.36256	124.75802
			11.36342	124.7577
			11.35429	124.75727
			11.36494	124.75669
			11.36457	124.75421
			11.3643	124.75378
			11.3634	124.75398
			11.36279	124.75435
			11.36052	124.75565
11.35967	124.7561			
Brgy. Santarin Fisherfolks Association	Brgy Santarin	Wing Project Oyster	11.334315	124.726537
			11.3340663	124.725245
			11.335523	124.724975
MAMSA	Brgy. Minuhang	Wing Project Oyster	11.336173	124.725748
			11.343915	124.747535
			11.34459	124.749952
			11.344592	124.74998
			11.346302	124.74996
			11.349453	124.748288
			11.348307	124.745842
			11.344355	124.746892

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Municipality of Barugo

Page 41

Resolution No. 06, Ordinance No. 01, 2023

Private individual/ Corporations or Fisherfolks Organization shall have the right to develop, preserve and protect the marine resources within their area of jurisdiction. The latter will serve then as the Fishery Law Enforcers provided that they undergo training and proper documentation issued by the Local Chief Executive. Passage of bancas within the project area is allowed provided that their purpose is for transit only.

Private individual/ Corporations or Fisherfolks Organization who wish to apply for any fishery projects within the municipal waters of Barugo must secure recognition from the sangguniang bayan before the installation of the proposed projects.

SECTION 5. ESTABLISHMENT OF ARTIFICIAL REEF (AR)

5.1. Authority to Issue Permits - Municipal Mayor shall issue permits to establish and operate ARs pursuant to the approved Municipal/Fishery Ordinance.

5.2. Priority in the Grant of AR Permit – The priority in the grant of an AR permit shall be given the following order:

1. Resident municipal/city fisherfolk cooperative /organization
2. Resident municipal fisherfolk/POs
3. Provincial fishery association/federations

5.3. Gratuitous Permit - A gratuitous permit for the establishment of ARs that adhere to these guidelines shall be granted to the following:

1. Accredited academic and research institutions
2. Local Government Units (LGUS)
3. National government agencies

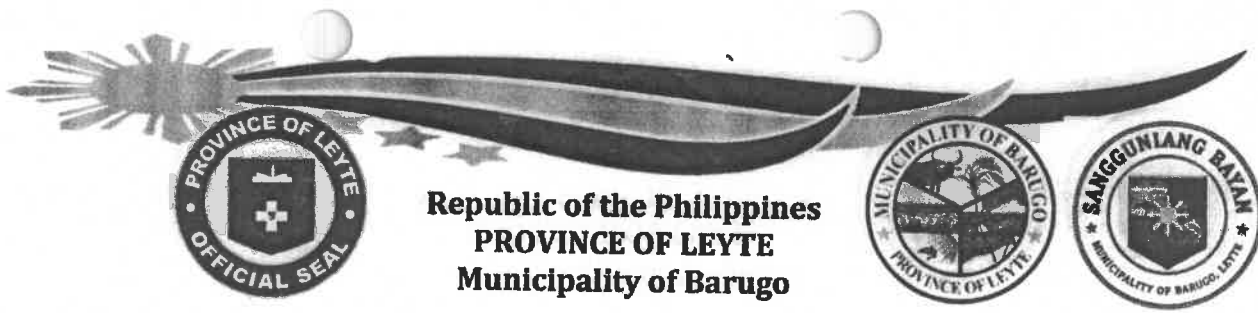
However, in case of conflict over the area applied for under this Section with those provided in Section 6 of this Order, the order of priority stated in the latter shall prevail.

5.4. Application Procedures - The following steps shall be followed in the processing of an application for an AR permit:

- a. Prior to the filing of an application for an AR permit, the proponent shall formally seek the technical assistance of the DA-BFAR in collaboration with the DENR to determine the suitability and feasibility of the proposed site for AR deployment.

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Municipality of Barugo

Page 42

Resolution No. 06, Ordinance No. 01, 2023

- b. If found suitable, the DA-BFAR shall require the proponent to submit a proposed management and operation plan of the area applied for. (A pro-lo shall be prepared by the DA-BFAR),
- c. The proponent shall be advised to file his application with the together with the following documents:
 - 1. A photocopy of SEC or CDA registration, Constitution and by fisherfolk cooperative/organization/association duly approved Securities and Exchange Commission (SEC) and/or by the government agency mandated to certify or register the same.
 - 2. An updated list of members and their respective addresses.
 - 3. A proposed management and operation plan indicating the name, technical description and sketch plan of the proposed site, deployment scheme and materials to be used in the construction of ARs.
 - 4. Certificates of suitability of the site and feasibility of the proposed management and operation plan duly issued by the Regional DA-BFAR and DENR.

5.6. Criteria for Site Selection of ARs – The criteria for site selection of ARs are as follows:

- a. The site where ARs are to be installed should not be less than one (1) kilometer away from existing natural reefs, if any, and five hundred (500) meters away from existing ARs.
- b. It should be near an alternative food source (e.g. seagrass beds), constructed on a flat, barren area of relatively good visibility and at depth protected from wave action but still accessible to members of the Association (i.e. 15-25 m)
- c. It should be deployed outside designated navigational sea lanes and does not obstruct traditional navigational routes of local fishermen going to and from the fishing ground or pose as a navigational hazard to ships and other sea crafts.

5.7 Materials for the Construction of ARs - The materials for the construction of ARs shall include, but not be limited to the following:

- a. Concrete blocks or culverts
- b. Limestone or rocks

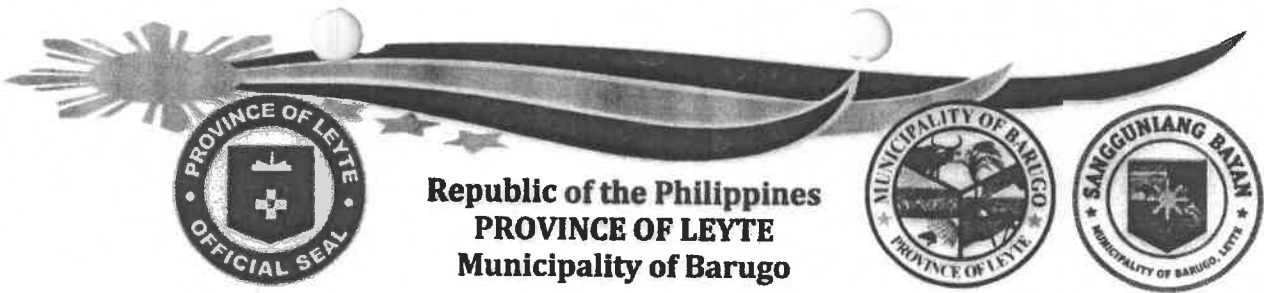
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PROVINCE OF LEYTE
Municipality of Barugo

Page 43

Resolution No. 06, Ordinance No. 01, 2023

A moratorium on the use of scrap tires and junk vehicles or sea crafts for ARs shall be observed pending completion of further studies by the DENR on their environmental impact. Other materials not included above are subject to prior approval by the DENR and DA-BFAR.

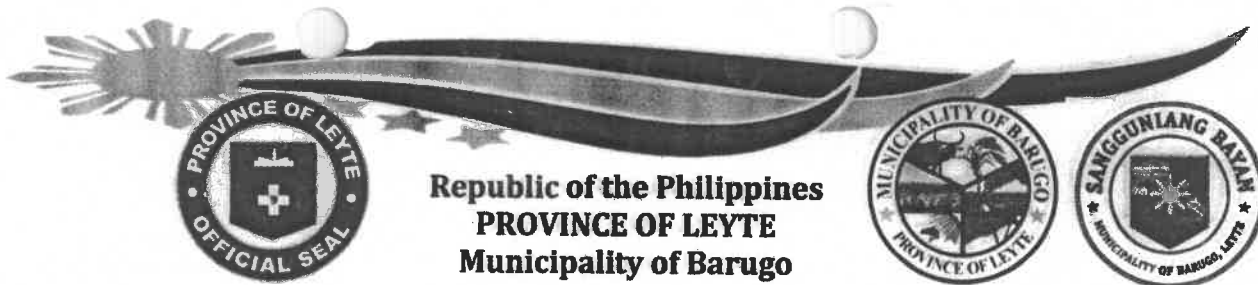
5.8. Management and Operation of ARs -- The management and operation of the ARs. shall be the primary responsibility of the cooperative/organization, association (permittee) who shall abide by all the terms and conditions of the permit including effective compliance with the following measures:

- a. Commercial fishing is prohibited within the area technically described in the AR and 200 meters away from the boundary lines of the said permit;
- b. Subsistence fishing with the use of hook and line shall be allowed for members of the cooperative/organization/association who shall be bound by time and catch limitations and other restrictions that may be prescribed by the Association in coordination with the DENR and DA-BFAR;
- c. Subsistence fishing with the use of hook and line shall be allowed for Association and resident fisherfolk non-members provided that certain restri look and line shall be allowed for members of the imposed by the Association;
- d. Subsistence fishing shall be allowed one (1) year after the establishment of the A only after coordinated stock assessment findings conducted by the DA-BFAR in coordination with the DENR;
- e. The permittee shall submit a quarterly report to the Office the Municipal/City Mayor, copy furnished the DA-BFAR and DENR, on the status of the AR, including volume of catch by species, composition and sizes and estimated market value thereof;
- f. The permittee shall assist the national and local government agencies concerned in the conservation, management and protection of both municipal and offshore fishery and aquatic resources;
- g. ARs shall be firmly anchored/secured for safety reasons;
- h. The "core zone" covered by the AR permit shall be properly demarcated by buoys or other suitable materials.

5.9. Monitoring and Evaluation of ARs - The DA-BFAR and DENR Regional Offices in close coordination with DILG and the Department of National Defense Regional Offices, shall:

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PROVINCE OF LEYTE
Municipality of Barugo

Page 44

Resolution No. 06, Ordinance No. 01, 2023

- a. Conduct an inventory of existing ARs in terms of number, location and status, including volume, catch statistics, species/composition/sizes and catch per unit effort (CPUE).
- b. Gather baseline data on initial recruitment, standing stock and other relevant scientific information and observations six (6) months after the installation of ARs.
- c. Evaluate annually the socio-economic benefits derived from the ecological impact of ARs.
- d. Investigate recruitment movements from natural reefs to ARs or vice versa and study trophic relationships in refuges or in feeding and breeding areas.

5.10. Penalties - Non-Compliance in the above-mentioned provisions shall be fined of not more than 2,500.00 and cancellation/ revocation of permits.

ARTICLE IV

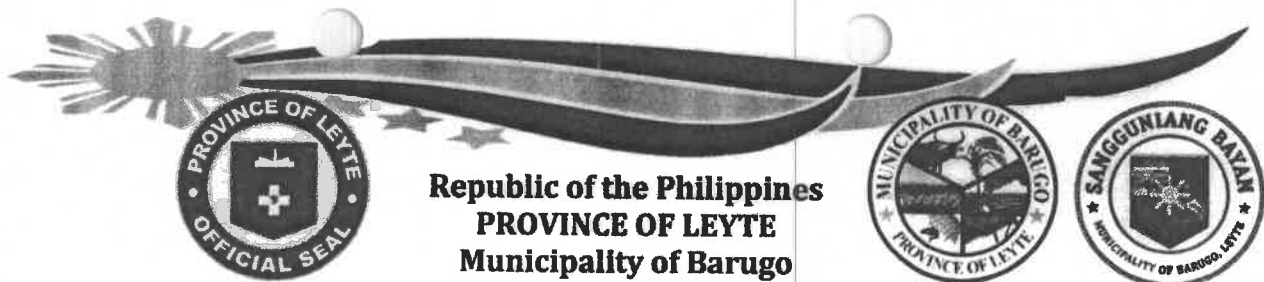
FISHERY ORGANIZATION

SECTION 1 - FISHERIES LAW ENFORCEMENT TEAM (FLET)

- A. FLET members deputized by the Municipal Mayor are hereby authorized to enforce this ordinance and all laws, rules, and regulations governing fishing, fishery and sustainable resources activity in this municipality. The FLET is hereby created to compose of the following:
 - a. Representatives of accredited Fisherfolk Organizations within the municipality.
 - b. Officers and members of the MFARMC/BFARMC
 - c. Sangguniang Bayan Chairman Committee on Fisheries
 - d. Municipal Agricultural Officer, and Fisheries Technician
 - e. Representative from Philippine National Police Officer
 - f. Representative from the Coast Guard
- B. Provided that FLET shall appoint personnel, who shall undergo orientation of all fishery laws, rules, and regulations, and after satisfactory completion of the requirements of such training shall be deputized by the Municipal Mayor as "Fishery Law Enforcer or Bantay Dagat" thru executive order,
- C. Incentives of Fishery Law Enforcer – FIFTY percent (50%) percent of the collected fines shall be allocated as incentives to all Fishery Law Enforcers OR Bantay Dagat as logistical support for their endeavor.
- D. With the endorsement from the Sangguniang Bayan Member Committee on Agriculture and Fisheries together and from the municipal Agriculturist the Municipal Mayor shall issue a Mission Order to each Bantay Dagat members every month .

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Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Barugo

Page 45

Resolution No. 06, Ordinance No. 01, 2023

- E. Members Bantay Dagat thru its leader shall ensure the completeness of all documents before and after the operation.
- F. Any untoward act/s made by the Bantay Dagat member that will degrade the organization shall be the basis for delisting from the roster of the enforcers and a lifetime ban from being a member of Bantay Dagat .

SECTION 2 - MUNICIPAL BAY WATCH

In support to the function of the FLET, a Municipal Bay Watch shall be created which composed of all duly elected Barangay Chairman of the ten (10) Coastal Barangay and Officers of all Fisherfolk Cooperatives/Organizations who have undergone proper orientation conserving fisheries laws, rules, and regulations, and after being deputized by the Local Chief Executive

Members of the Municipal Bay Watch shall conduct surveillance and monitor illegal fishing activities in their respective Barangay and relay such information to the Philippine National Police, FLET, Municipal Government, and Municipal Agriculture Office. They are empowered to enforce fishery laws and other environmental laws in their respective area of jurisdiction.

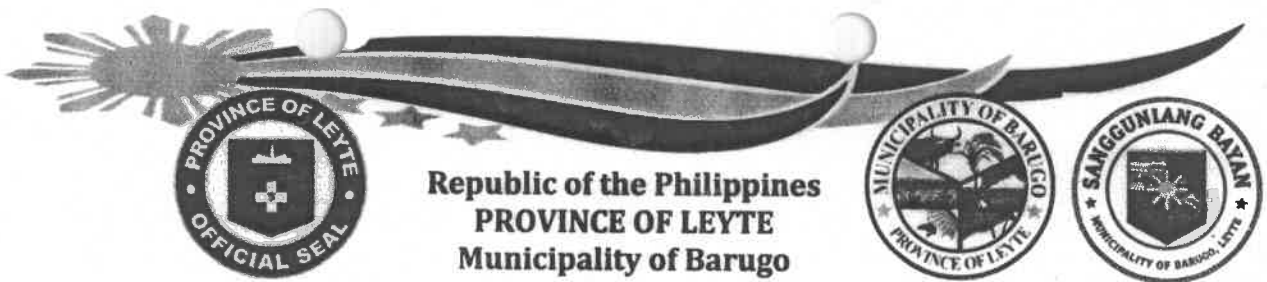
SECTION 3 - Creation of Fisheries and Aquatic Resources Management Councils (FARMCs). - To institutionalize the major role of the fisherfolk and other resource users in the planning and formulation of policies and programs for the management, conservation, protection and sustainable development of fisheries and aquatic resources, FARMCs shall be established at the Municipal and Barangay level.

The FARMCs shall be consulted by the LGU in:

1. The management, conservation, development, protection, utilization and disposition of all fish and fishery/aquatic resources within their respective municipal waters;
2. The enactment of appropriate ordinances;
3. The determination of license fees of fishery activities in municipal wat The FARMCs may also recommend the appropriate license fees that will be imposed;
4. The establishment of catch ceiling limitations in municipal waters for conservation and ecological purposes.
5. The establishment of closed seasons in municipal waters. The FARMCs may also recommend the establishment of closed seasons in fisheries management areas and other areas reserved for the use of municipal fisherfolk;
6. Authorizing or permitting small and medium commercial fishing vessels to operate within the ten-point one (10.1) to fifteen (15) kilometer area from the shoreline in municipal waters, through a public hearing;

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Page 46

Resolution No. 06, Ordinance No. 01, 2023

7. The formulation of necessary mechanisms for inclusion or exclusion procedures in limiting entry into the municipal waters that shall be most beneficial to the resident municipal fisherfolk. The FARMCs may likewise recommend such mechanisms;
8. The designation/establishment of zones for the construction of fish pens, fish cages, fish traps and other structures for the culture of fish and other fishery products.
9. Determination of defined migration paths of migratory fish species;
10. The establishment of post-harvest facilities for fishing communities.
11. Recommending to the Department that portion of the municipal waters for declaration as fishery reserves for special or limited use, for educational, research and/or special management purposes; and
12. The establishment and designation of areas for fishery refuges and sanctuaries.

Submit to the LGU the list of priorities for consideration in determining priorities among those who will be allowed to fish in municipal waters.

Assist the LGU in maintaining a registry of municipal fishing vessels by type of gear and other boat particulars.

Be coordinated with by the BFAR in the development, conservation, protection, utilization and management of fisheries and aquatic resources. The FARMCs shall also be coordinated with by the BFAR in:

1. The establishment of a monitoring, control and surveillance system;
2. The determination of overfished areas or areas in danger of being overfished or in need of regeneration in municipal waters, and
3. The settlement of conflicts in resource use and allocation.

1. The MFARMCs shall be formed by fisherfolk organizations/cooperatives and NGOs in the municipality and be assisted by the Local Government Units (LGU) and other government entities.

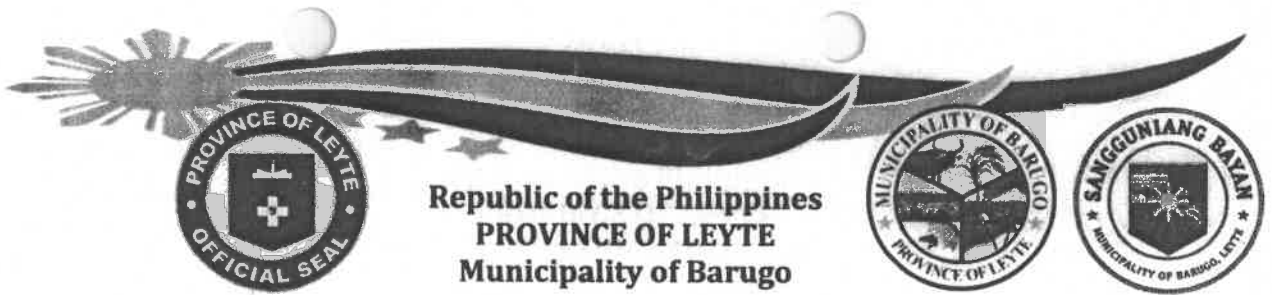
1.1 Composition of the MFARMC.

The regular member of the MFARMCs shall be composed of:

- a. Municipal/City Planning Development Officer;
- b. Chairperson, Agriculture/Fishery Committee of the Sangguniang Bayan;
- c. representative of the Municipal/City Development Council;
- d. representative from the accredited non-government organization;
- e. representative from the private sector;

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Page 47

Resolution No. 06, Ordinance No. 01, 2023

- f. representative from the Department of Agriculture;
- g. One (1) fisherfolk representatives from 10 coastal barangay;
- h One (1) fish worker and
- i. representative from youth and women sector.

The Council shall adopt rules and regulations necessary to govern its proceeding and election.

1.2 Officers of the MFARMCs. - The MFARMCs shall constitute the following officers that shall come from among the Councils regular fisherfolk members: Chairperson, Vice Chairperson, Secretary, Treasurer, Auditor, Press Relations Officer and Sergeant-at-Arms.

1.3 Functions of the MFARMC - The MFARMC shall have the following functions:

- a. Assist in the preparation of the municipal fisheries development plan and submit such plan to the Municipal Development Council. The MFARMC shall also evaluate implementation of the plan and submit recommendations for effective implementation.
- b. Recommend the enactment of municipal fishery ordinances to the sangguniang bayan through its Committee on Fisheries.
- c. Assist in the enforcement of fishery laws, rules and regulations in municipal waters.
- d. Advise the sangguniang bayan on fishery matters through its Committee on Fisheries.
- e. Perform such other functions which may be assigned by the Sangguniang Bayan/ Panlungsod.
- f. Be coordinated with the DENR in determining which abandoned, undeveloped, or unutilized fishponds covered by FLAs can be reverted to their original mangrove state.
- g. The EARMC may recommend to the Department that portion of the municipal waters to be declared as fishery reserves for special or limited use, for education, research and/or special management purposes.

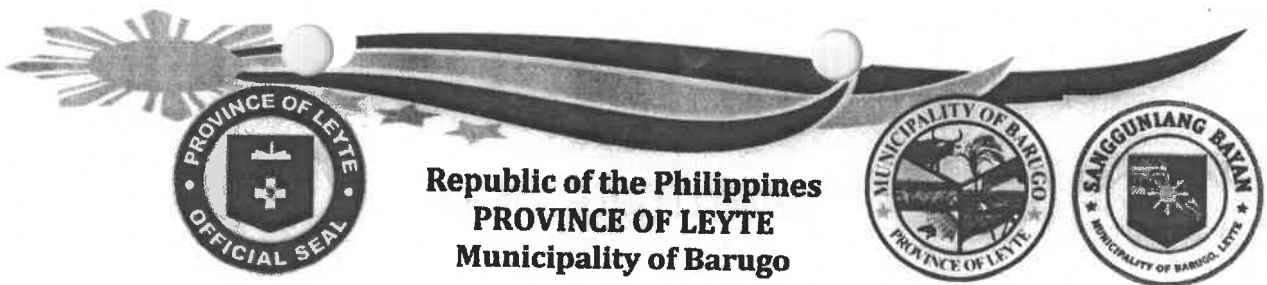
2. Creation of BFARMC. - The LGUs may create Barangay Fisheries and Aquatic Resources Management Councils (BFARMC). The BFARMCs shall serve in an advisory capacity to the LGU.

2.1 Functions of the BFARMC. - The BFARMC shall have the following functions:

- a. Assist in the preparation of the Barangay Development Plan and submit such plan to the Barangay Development Council;

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Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Barugo

Page 48

Resolution No. 06, Ordinance No. 01, 2023

- b. Recommend the enactment of municipal fishery ordinances to the Sangguniang Barangay through its Committee on Fisheries;
- c. Assist in the enforcement of fishery laws, rules and regulations in municipal waters; and
- d. Advise the Sangguniang Barangay on fishery matters through its Committee on Fisheries.

2.2. Composition of the BFARMCs and LFARMCs. - The regular members of the BFARMC/LFARMC shall be composed of:

- a. Chairperson of the Sangguniang Barangay Committee on Agriculture/Fisheries.
- b. Representative from the Barangay Development Council.
- c. Representative from an accredited non-government organization.
- d. Representative from the private sector.
- e. At least eight (8) representatives of the fisherfolk/fishworkers including the youth and women sectors.

ARTICLE V

PROTECTION, PRESERVATION, DEVELOPMENT AND MANAGEMENT OF MANGROVES RESOURCES

SECTION 1. Policy and Objectives. - Mangroves have multi-uses. As such, the utilization, development and management of mangrove resources shall involve as many uses as possible for the benefit of the greater number of users. To sustain optimum productivity, it shall be the policy of the Local Government unit of Barugo to conserve, protect, rehabilitate and develop the remaining mangrove resources of the municipality; give preference to organizations, associations or cooperatives over individual users in the utilization and development of the mangrove resources; stop the wanton exploitation of the mangrove resources; and enhance the replenishment of the denuded areas through natural or artificial means.

SECTION 2. Conversion of Mangrove Areas into Fishponds - Conversion of thickly vegetated mangrove areas into fishponds shall no longer be allowed. All mangrove swamps released to the Bureau of Fisheries and Aquatic Resources which are not utilized, or which have been abandoned for five (5) years from the date of such release shall revert to the category of forest land in accordance with existing laws and regulations.

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Page 49

Resolution No. 06, Ordinance No. 01, 2023

SECTION 3. Fishponds in Mangrove Forest Reserves and Wilderness Areas. — In accordance with the national policy fishponds will not be allowed within mangrove forest reserves and wilderness areas. However, in cases where legally acquired productive fishponds are found within such areas, and the government opts to revert them to the category of forest lands and if public interest so dictates, the operator would be justly compensated.

SECTION 4. Cutting of Trees within FLA Areas. - No cutting of trees within existing Fishpond Lease Agreement (FLA) areas shall be allowed without the benefit of a permit from the Department of Environment and Natural Resources. The trees cut in FLA areas through a permit shall be turned over to the DENR for disposition through public bidding. FLA holders are given the right to equal the highest bidder, in which case the bid is automatically awarded to him.

SECTION 5. Cutting of Trees in Mangrove Plantations. - Mangrove plantation developers shall be allowed to cut the planted trees found within their respective plantations through clearcutting by strips system, whether such is intended for personal or commercial purposes: Provided, That they secure a permit from the immediate office of the DENR.

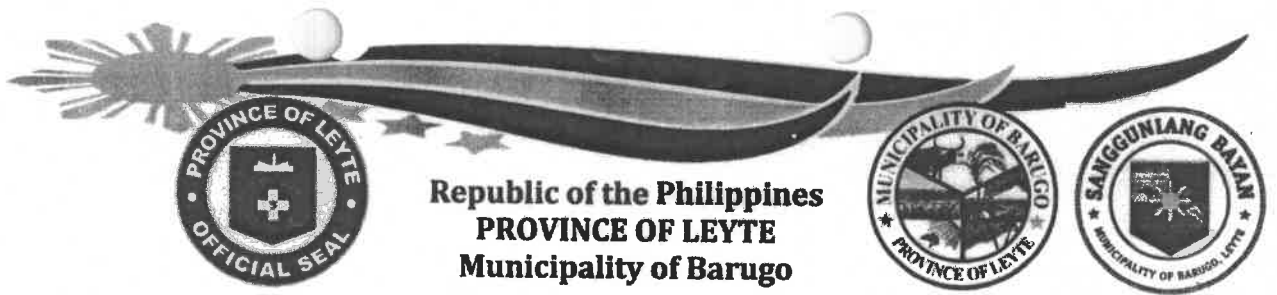
SECTION 6. Banning the Further Zonification of Mangrove Forest for Fishpond Development and/or the Release of Mangrove Forestlands Previously Zonified as Such. - In consonance with the Department order no 98 -17 of the Department of Environmental and Natural Resources the following guidelines shall be followed:

1. The ban shall cover the further release of zonified mangrove forest for fishpond development.
2. No further zonification activities shall be allowed in all mangrove areas.
3. Conduct inventory of mangrove areas zonified for fishpond purposes to determine, among others, the status of fishpond development therein. Areas not yet developed or no longer used for fishponds shall be reverted back to forest land for rehabilitation
4. Likewise, determine the extent and status of the mangrove forests that are not subjected to zonification for fishpond purposes.

SECTION 7. Swamplands and Mangrove Forests. - Strips of mangrove forest bordering numerous islands which protect the shoreline, the shoreline roads, and even coastal communities from the destructive force of the sea during high winds and typhoons, shall be maintained and shall not be alienated. Such strips must be kept free from artificial obstruction so that flood water will flow unimpeded to the sea to avoid flooding or inundation of cultivated areas in the upstream. All mangrove swamps set aside for coast-protection purposes shall not be subject to clear-cutting operation.

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Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Barugo

Page 50

Resolution No. 06, Ordinance No. 01, 2023

SECTION 8. Roads and Other Infrastructure. - Roads and other infrastructure in forest lands shall be constructed with the least impairment to the resource values thereof. Government agencies undertaking the construction of roads, bridges, communications, and other infrastructure and installations inside forest lands, shall coordinate with the Bureau, especially if it will involve the utilization or destruction of timber and/or other forest resources, or watershed disturbance therein, in order to adopt measures to avoid or reduce damage or injury to the forest resource values.

SECTION 9. Recreation. - The Municipality in coordination with DENR shall, in the preparation of multiple-use management plans, identify and provide for the protection of scenic areas in all forest lands which are potentially valuable for recreation and tourism, and plan for the development and protection of such areas to attract visitors thereto and meet increasing demands therefor.

The construction and operation of necessary facilities to accommodate outdoor recreation shall be done by the Municipality with the use of funds derived from rentals and fees for the operation and use of recreational facilities by private persons or operators, in addition to whatever funds may be appropriated for such purposes.

SECTION 10. Prohibitions and Penalties.

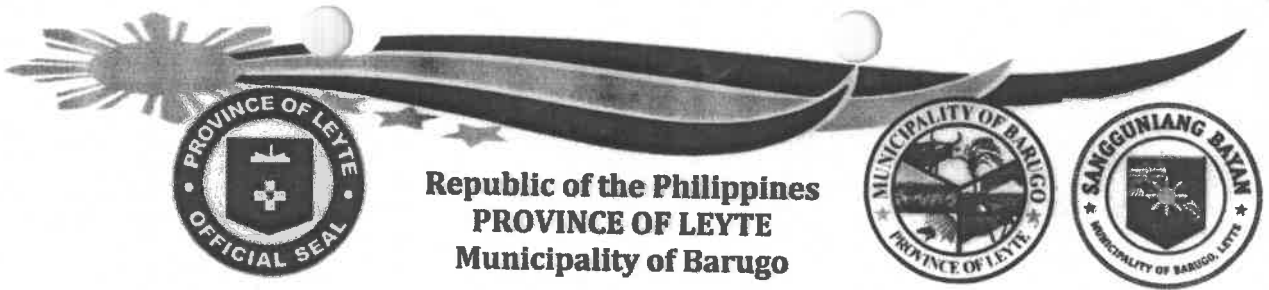
1. Cutting, Gathering and/or collecting Timber, or Other Forest Products Without License. - Any person who shall cut, gather, collect, removed timber or other forest products from any forest land, or timber from alienable or disposable public land, or from private land, without any authority, or possess timber or other forest products without the legal documents as required under existing forest laws and regulations, shall be punished with the penalties imposed under Article IV of PD 705: Provided,

That in the case of partnerships, associations, or corporations, the officers who ordered the cutting, gathering, collection or possession shall be liable, and if such officers are aliens, they shall, in addition to the penalty, be deported without further proceedings on the part of the Commission on Immigration and Deportation.

2. Unlawful Occupation or Destruction of Forest Lands and Grazing Lands. - Any person who enters and occupies or possesses, or makes kaingin for his own private use or for others, any forest land or grazing land without authority under a license agreement, lease, license or permit, or in any manner destroys such forest land or grazing land or part thereof, or causes any damage to the timber stand and other products and growth found therein, or who assists, aids or abets any other person to do so, or sets a fire, or negligently permits a fire to be set in any forest land or grazing land, or refuses to vacate the area when ordered to do so, pursuant to the provisions of Section 53 hereof shall, upon conviction, be punished with penalties under Article IV of PD 705.

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Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Barugo

Page 51

Resolution No. 06, Ordinance No. 01, 2023

**ARTICLE VI
FISH LANDING POINTS / COMMUNITY FISH LANDING CENTER(CFLC)**

SECTION 1. Each Coastal Barangay shall have at least one (1) Boat Landing , duly designated by the thru Barangay Ordinance as recommended by the Municipal Agriculture Office to be an ideal site and as authorized by the Local Chief Executive.

SECTION 2. The Office of the Municipal Agricultural Officer shall submit to the Local Chief Executive and to the Philippine National Police Chief of Police a completed list of all Fish Landings not later than .

SECTION 3. Commercial fishing vessels shall strictly load or discharge their catch of fish, fishery/aquatic products and/or cargoes at designated Community Fishing Landing Center as identified by the Municipality.

SECTION 4. COMMUNITY FISH LANDING CENTER.

The Community Fish Landing Center (CFLC) is a project of the Bureau of Fisheries and Aquatic Resources (BFAR) in collaboration with the National Anti-Poverty Commission (NAPC), the Philippine Fisheries Development Authority (PFDA), the Local Government Unit (LGU), the Fisherfolk Organization (FFO) and fisherfolk community, and other partner agencies. The project is a commitment of the government to the country's poverty alleviation through construction of the shared facility and provision of other post-harvest facilities and equipment such as stainless fish stalls and freezers to reduce post-harvest losses and improve socio-economic condition of the poor fishing community.

" CLFC is intended to improve the lives and livelihood of municipal fisherfolk through:

- a) Providing better post-harvest handling and processing systems, and faster access to markets to reduce post-harvest losses and increase incomes;
- b) Sharing of knowledge and information, to improve the quality of the products and increase the fisherfolk's fair share in the value of the products;
- c) Providing access to vital services to ensure clean, safe and legitimate fishing practices, including post-harvest handling and processing technologies, registration and licensing, weather and disaster warning, and the like;
- d) Enhancing sustainable fisheries management with the help of science-based monitoring of the condition of the fishing grounds and fish stocks at the local level;
- e) Facilitating organizational development and strengthening of fisherfolk, including women so they can effectively participate in decision-making processes and avail of the services that affect their welfare;
- f.) Providing incentives for aggregating the harvests of small-scale fishers to increase market value and market access.

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The CFLC is envisioned to provide the fishing community with a simple and cost effective support infrastructure that will serve the following functions:

- a) Trading hub for fresh catch and processed products;
- b) Post-harvest handling and processing center;
- c) Training center for skills development, including data collection for fisheries management;
- d) Information hub for relevant services (such as registration and licensing of fishers, boat and gear) and hazard warnings;
- e) Hub for community meetings and events.

The said facility will be initially co-managed by the LGU and the identified FFO or federation of FFO at the initial stage of its operation and eventually the management responsibility will be turned-over to the FFO.

SECTION 5. FEES ON THE USE OF CFLC

Aside from being the center for fish landing and trading, the facility shall also serve as headquarters of the FFO. The Management may adopt applicable services enumerated below. The decision on the collection of service fees including corresponding amount is a prerogative of the Management in consultation with the fisherfolk.

Services and Fees Matrix

Services	Type of Fee/ Revenue	Description	Rate	Prospect/clients
Training Center	Space rental	CFLC area for use as event venue for meeting/ trainings/ seminars	PhP 500.00/ day	Govt agencies, NGOs, Private
Trading/ Auction	Trading/Auction fee Space rental	A trading or auction area is designated for brokers/ traders/ buyer – seller to engage in buying and selling of fish and fishery commodities in	PhP 20.00/ day	Traders, Brokers, Vendors,

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		the trading hall/ areas		
Processing Area	Space rental	Rooftop area for use as drying area for fish and fishery products	PhP 50.00/ day	Dried Fish Processor
Event venue for special Occasion	Space rental	Bayad sa venue kung may kasal at birthday	PhP 500.00/ day	Individuals / Families
Other services (e.g. toilet)	Toilet fee	Bayad sap ag gamit ng CR	PhP 5.00	Individuals
Ice supply	Sales	Production of Ice from freezer available in the CFLC	PhP 3.00/ pc	Individuals
Daungan ng maliliit na mangingisda	Parking fee	Bayad para sa mga dumadaong na mga banca	PhP 5.00/ banca	Fishermen
Paggamit ng kuryente	Charging fee	Bayad para sa mga nag papa charge (eg cp, flashlight, emergency light, radio)	PhP 10.00/ unit	all

SECTION 6. TERMINATION OF CONTRACT:

Violation in any provision on the part of FFO signed in the memorandum of agreement by both parties shall be the basis of termination of contract on the management of the CFLC.

ARTICLE VII

OTHER PROVISIONS

SECTION 1. COASTAL CLEAN UP –

1. Observance of International Coastal Clean Up. The Municipality together with the Barangay LGUS shall conduct coastal clean in observance of the international coastal cleanup every 2nd Saturday of the month of September.
2. Monthly Coastal, creeks and Rivers/ Lakes Clean Up. The Municipality, thru this ordinance encourages all Barangay along coastal waters and Barangays with creeks, rivers and lakes to ensure the cleanliness and mitigate the effect of flooding.

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PROVINCE OF LEYTE
Municipality of Barugo



Page 54

Resolution No. 06, Ordinance No. 01, 2023

SECTION 2. FINANCING AND SOURCES OF FUNDS. -

The Municipality/City shall ensure the Annual allocation of budget for the implementation of this Ordinance, including specific budget allocations for Livelihood Assistance, Capacity Development, coastal law enforcement, regular benefits and remuneration of Bantay Dagat/ among others.

For this purpose, the amount of not less than of Seven Hundred Fisty Thousand Pesos (P750,000.00) is hereby appropriated yearly to support the implementation of this Ordinance.

SECTION 3. MANGROVE REFORESTATION - in accordance with the approved FLUP, the municipality together with the Barangay LGUs shall allocate ample fund for the mangrove reforestation planted in the coastal area as identified by the Municipal Agriculture Office and the Municipal Environment and Natural Resource Office.

SECTION 4 - REPLEALING CLAUSE

All ordinances, rules, and regulation, or part thereof, inconsistent or in conflict with the provisions of this Ordinance shall be deemed repealed or amended accordingly.

SECTION 5 - SEPARABILITY CLASE

If any portion or provision of this Fishery Ordinance shall be declared unconstitutional or invalid by competent authority, those portions not affected thereby shall continue in full force and effect.

SECTION 6 - EFFECTIVITY

This Ordinance shall take effect after three (3) consecutive weeks of publication as provided for by R.A. 7160, otherwise known as the Local Government Code of 1991.

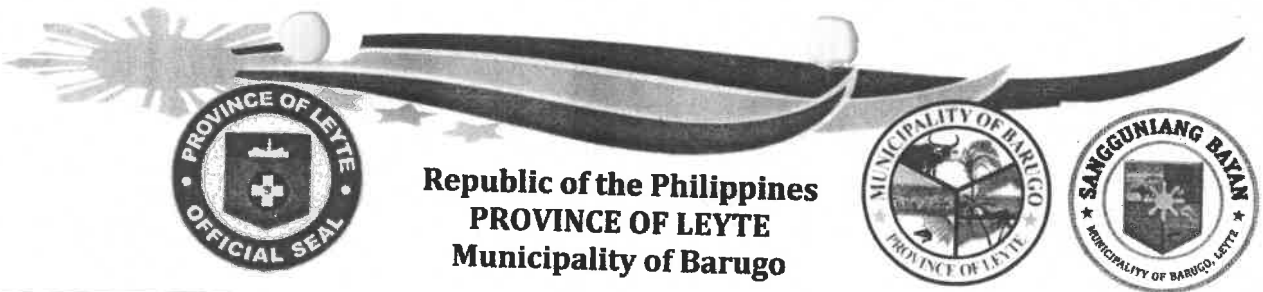
ON MOTION of Hon. Domingo E. Adrales, jointly seconded by Hon. Wayne B. Avestruz and Hon. Eduardo C. Calzita, resolve, as it is hereby resolved, to pass this resolution enacting an ordinance amending the Fishery Law Ordinance of the municipality of Barugo, Leyte.

RESOLVED FURTHER, to furnish copies of this resolution to Hon. Carlo P. Loreto, Vice Governor, the Honorable Members of the Sanguniang Panlalawigan of Leyte, Mrs. Dinah DG. Avorque, Municipal Treasurer, Engr. Polcomar P. Canonce, Municipal Assessor and to all other offices concerned for their information and guidance.

UNANIMOUSLY APPROVED, this 9th day of January 2023, in Barugo, Leyte.

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Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Barugo

Page 55
Resolution No. 06, Ordinance No. 01, 2023

I hereby certify to the correctness of this foregoing ordinance.

DANILO V. AVORQUE
SB Secretary

HON. DON A. DEHAYCO
SB Member

HON. WAYNE B. AVESTRUZ
SB Member

HON. EDUARDO C. CALZITA
SB Member

HON. NIKKOS RHET V. ASTORGA
SB Member

HON. CLINIO A. BALAIS
SB Member

HON. JEFFREY P. CAÑEZAL
SB Member

HON. JESUS B. CABANACAN
SB Member

HON. DOMINGO E. ADRALES
SB Member

HON. MARL OSCAR A. DE GUZMAN
ABC President

HON. JAKE ANDRIAN C. GERONA
SK Federation President

ATTESTED BY:

HON. JOSEPHINE C. TIU
Municipal Vice Mayor
Presiding Officer

APPROVED BY:

HON. ARON C. BALAIS, MD, FPCEM
Municipal Mayor