

15

Item No.: 15
Date: JUN 06 2023

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

PROVINCIAL LEGAL OFFICE

SANGGUNIANG PANLALAWIGAN
19 May 2023
Quini
PROVINCE OF LEYTE

2nd INDORSEMENT
May 18, 2023

5-19-23

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 25, S.2023-2025 of the Sangguniang Bayan of Villaba, Leyte, recommending for the declaration of its validity, pursuant to its power under Section 56 (C) of R.A. 7160, the same being, to the opinion of the Provincial Legal Office, and exercise of the power authorized under Section 447 (5) (iv) of the code, regulating the sale and preparation of fish and other food stuffs for public consumption, provided that penalties and fees imposed in the violation of said ordinance shall not be oppressive, excessive or unjust, pursuant to section 186 of the same code.

ATTY. JOSE RAYMUND A. ACOL
Asst. Provincial Legal Officer

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
11 May 2023



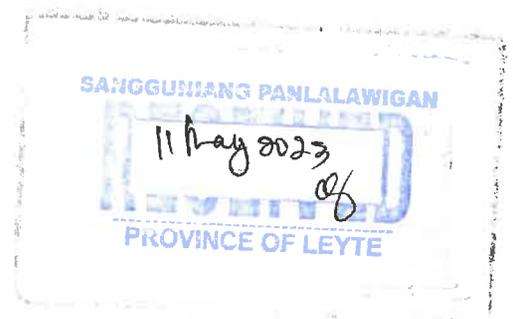
The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **MUNICIPAL ORDINANCE NO. 25, S. 2023-2025** of the **MUNICIPALITY OF VILLABA, LEYTE**, entitled: **AN ORDINANCE ENACTED TO REGULATE FISH PEDDLERS IN THE MUNICIPALITY OF VILLABA AND IMPOSING PENALTIES FOR THE VIOLATION THEREOF.**


FLORINDA JILL S. UYVICO
Secretary to the Sanggunian



May 10, 2023

THE SANGGUNIANG PANLALAWIGAN MEMBERS
New Provincial Government Complex
Campetic, Palo, Leyte



Honorable Sangguniang Panlalawigan Members:

We respectfully transmit herewith Fifteen (15) copies of:

Municipal Ordinance No. 25, S-2023-2025 "AN ORDINANCE ENACTED TO REGULATE FISH PEDDLERS IN THE MUNICIPALITY OF VILLABA AND IMPOSING PENALTIES FOR THE VIOLATION THEREOF" for review and approval.

God bless and more power.

Very truly yours,


MC QUIRIE P. UMPAD
Secretary to the Sangguniang Bayan

SANGGUNIANG PANLALAWIGAN
 11 May 2023
 Province of Leyte

MUNICIPAL ORDINANCE NO. 25, 2023-2025

AN ORDINANCE ENACTED TO REGULATE FISH PEDDLERS IN THE MUNICIPALITY OF VILLABA AND IMPOSING PENALTIES FOR THE VIOLATION THEREOF

Introduced by: Hon. FELIPE S. CASAS, SR.
 SB Member, Chairman Committee on Agriculture.

WHEREAS, Section 447 of Republic Act No. 7160 allows the Sangguniang Bayan as a legislative body of the Municipality, to enact ordinances, approve resolutions and appropriate funds for the general welfare of the municipality and its inhabitants pursuant to Section 16 of the Code;

WHEREAS, Fish Vendors occupying and renting Fish Stalls in the public market are complaining that their sales are affected and reduced due to the presence of the peddling fish vendors in the Poblacion area of the Municipality;

WHEREAS, peddling of fish and other fishery products in the poblacion shall be strictly prohibited, which covers, Barangay Poblacion Del Sur, Barangay Poblacion Del Norte, Barangay Suba and Barangay Fatima;

WHEREAS, the barangays not mention above are free to peddle their fish and other fishery products anywhere they wish to market;

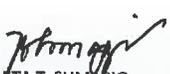
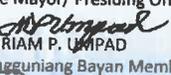
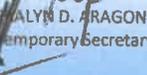
WHEREAS, Section 149 of the Local Government Code of 1991 authorizes the Local Government Units (LGU) to impose charges to violators of any ordinance;

NOW THEREFORE, in view of the foregoing, be it **ORDAINED** by the Sangguniang Bayan of Villaba in session assembled that.

ARTICLE 1
General Provisions

Section 1-TITLE- This Ordinance shall be known as "An Ordinance Enacted to Regulate Fish Peddlers in the Municipality of Villaba and Imposing Penalties for the Violation Thereof and for Other Purposes.

Section 2-COVERAGE- This ordinance shall only govern to all Fish Peddlers within the Poblacion area of the Municipality of Villaba, Province of Leyte, which covers only

 DENNIS L. SY Vice Mayor/ Presiding Officer	 VIOLETA T. SUMAPIG Sangguniang Bayan Member	 FELIPE S. CASAS, SR. Sangguniang Bayan Member	 ROGELIO J. BAY Sangguniang Bayan Member
 MERIAM P. UMPAD Sangguniang Bayan Member	 NIEL ALBERT S. INOPIO Sangguniang Bayan Member	 ROQUE MACOMPRA Sangguniang Bayan Member	 MARIANO F. DE CLARO ENB President
 EMY MARIA N. ENEVOLDSEN Sangguniang Bayan Member	 FEDERICO ENSO Sr. Federation Vice President	 ERALYN D. ARAGON Temporary Secretary to the Sangguniang Bayan	
 ENGR. CARLOS G. VELOSO Municipal Mayor			

Barangay Poblacion Del Sur, Barangay Poblacion Del Norte, Barangay Suba and Barangay Fatima.

SECTION 3-Definition of Term – words and phrases used in this Ordinance are conceptually and operationally defined as:

1. Fish Vendor – are those persons engaged in buy and sell and peddle within the población area of the municipality of Villaba
2. Public Fish Vendors – are those persons selling fish in their respected assigned area in the public market.
3. Fish – are those marine products sold in the market for human consumption. This includes all fish and other aquatic species such as crustaceans crabs, prawns, shrimp.
4. Fish Buyers – are those persons who buy fish for their consumption.
5. Fish Peddlers- are those persons selling fish anywhere in the jurisdiction of the municipality of Villaba and or neighboring Towns in the Province of Leyte.
6. Peddling – selling to be consuming public along the Municipal streets of the Poblacion area.

ARTICLE II FISH VENDOR REGISTRATION

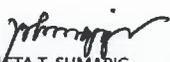
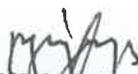
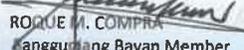
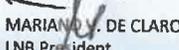
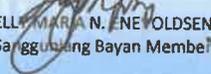
SECTION 4 – REGISTRATON – Any person who wish to peddle fish in the upland area of the municipality of Villaba shall secure a registration permit from the Municipal Agriculture's Office; secure a barangay clearance and pay the registration fee in the amount of (P 200.00) pesos to the Municipal Treasurer every year thereafter.

However, any person who sells fish in the Poblacion area of this Municipality through peddling shall be prohibited.

ARTICLE III PENALTIES for Violations

SECTION 5– PENALTIES – Fish Peddlers who did not secure registration permit from the municipal agriculture's office and also did not pay the registration fee as stipulated in Section 4, The selling of fish in the restricted area should be fined accordingly Five Hundred Pesos (Php 500.00) for the first offense, One Thousand Pesos (Php 1,000.00) for the second offense and Two Thousand Pesos (Php 2,000.00) for the third and succeeding offenses;

Peddlers caught violating this Ordinance shall have their goods confiscated and their weighing scales impounded in the Treasurer's Office. However, if said peddler can pay the penalty immediately, the goods and weighing scale shall be released immediately.

 DENNIS L. SY Vice Mayor/ Presiding Officer	 VIOLETA T. SUMAPIG Sangguniang Bayan Member	 FELIPE CASAS, SR. Sangguniang Bayan Member	 ROGELIO SAAY Sangguniang Bayan Member
 MERIAM P. AMPAD Sangguniang Bayan Member	 NIEL ALBERT B. INOPIQUEZ Sangguniang Bayan Member	 ROQUE M. COMPRA Sangguniang Bayan Member	 MARIAM L. DE CLARO LNB President
 ELLA MARIA N. FENE OLDSSEN Sangguniang Bayan Member	 FEDERICO ENSAY SK Federation Vice President	 ERALYN D. ARAGON Temporary Secretary to the Sangguniang Bayan	
 ENGR. CARLOS G. VELOSO Municipal Mayor			

All agricultural products confiscated and not paid can be donated to the detained person in the prison jail in the Municipality or to the Evacuees detailed in the Evacuation Center.

SECTION 6 – REPEALING CLAUSE – All existing municipal Ordinances, Resolutions, Executive Orders, rules and regulations thereof, which are inconsistent with this Ordinance are hereby amended, repealed modified accordingly;

SECTION 7 – SEPARABILITY CLAUSE – Should any part or provision of this ordinance be found unconstitutional or invalid by a court of law, such part or provision shall be covered from this ordinance and such action shall not affect the enforceability of the remaining parts or provisions,

SECTION 8 – EFFECTIVITY CLAUSE - this ordinance shall take effect upon its approval and after this shall have been posted in three (3) conspicuous places in accordance with the posting requirements of the Local Government Code.

On motion for approval by the Hon. Felipe S. Casas, Sr., SB Member, duly seconded en masse, this ordinance was approved.

This Ordinance was approved by the Sangguniang Bayan on March 13, 2023.


ERALYN D. ARAGON
Temporary Secretary to the Sanggunian

ATTESTED:


DENNIS L. SY
Vice Mayor/Presiding Officer


VIOLETA T. SUMAPIG
Sangguniang Bayan Member


NIEL ALBERT B. INOIQUEZ
Sangguniang Bayan Member


MERIAM P. UMPAD
Sangguniang Bayan Member


ROQUE M. COMPRA
Sangguniang Bayan Member


FELIPE S. CASAS, SR.
Sangguniang Bayan Member


ELLY MARIA N. ENEVOLDSEN
Sangguniang Bayan Member


ROGELIO J. BAAY
Sangguniang Bayan Member


FEDERICO ENSOT
SK Federation President


MARIANO V. DE CLARO
LNB President

APPROVED:


ENGR. CARLOS G. VELOSO
Municipal Mayor

COMMITTEE REPORT NO. 1, S-2023-2025
(Committee on Agriculture)

Fish Vendors of the Municipality of Villaba

The Chairman, Committee on Agriculture conducted a public hearing for the Fish Vendors of the Public Market and Fish Peddlers peddling fish in the restricted area of Villaba, the public hearing started at 10:00 in the morning this was attended by Hon. Roque M. Compra, the Vice Chairman of the committee, Municipal Administrator Mr. Teddy L. Vapor, Representative from the Police Station of the Municipality, Mrs. Ruth Segovia from the Municipal Agriculture's Office and to all Fish Vendors Peddling Fish in the Municipality.

The Chairman, presented the prepared Ordinance by merely reading the content, after reading, the Chairman asked the participants for any comments, suggestions on the restricted area for peddling fish in the jurisdiction of the Municipality.

The area of restriction was made clear to them and so, some of the participants requested the Municipal Administrator to provide a place in the Public Market for them to sell their fish procured from the Fishermen, the agreement was made and to be finalized this coming Monday March 13, 2023, the implementation of this Ordinance will start as soon as it is approved by the members of the Sangguniang Bayan and after this shall be posted in 3 conspicuous places in accordance with the postal requirements of the Local Government Code.

This will be further disseminated by the Municipal Administrator to commence the implementation for their information and guidance,

There being no other concern, the Public Hearing was adjourned at exactly 11:30 in the morning of March 10, 2023.

Prepared by:


HON. FELIPE S. CASAS, SR.
Chairman, Committee on Agriculture

NOTICE TO THE PUBLIC

[MARCH 6, 2023]

SUBJECT: PUBLIC HEARING ON THE PROPOSED ORDINANCE, ENTITLED: “AN ORDINANCE ENACTED TO REGULATE FISH PEDDLERS IN THE MUNICIPALITY OF VILLABA AND IMPOSING PENALTIES FOR THE VIOLATION THEREOF.”

The Sangguniang Bayan is inviting all **concerned citizens** affected by the proposed ordinance to attend the **Public Hearing** on **March 10, 2023 (9:00AM)** at **Sangguniang Bayan Session Hall**.


MC QUIRIE P. UMPAD

Secretary to the Sanggunian



Hermosilla Drive, District 28, Ormoc City
Contact Nos. (053) 561-0809 & 09285549820
e-mail: easternvisayasmail@gmail.com

Republic of the Philippines)
City of Ormoc)S.S.

AFFIDAVIT OF PUBLICATION

I, JIMA ZANDRA VERGARA, being first duly sworn, deposes and says: that I am the Managing Editor of the EASTERN VISAYAS MAIL, a newspaper edited and published in the City of Ormoc and circulated in the cities of Ormoc, Tacloban Maasin and Calbayog, and in the islands of Leyte, Samar and Biliran, the rest of the Visayas islands, Mindanao, Manila and Luzon;

That the publication captioned:

Republic of the Philippines
Province of Leyte
Municipality of Villaba
MUNICIPAL ORDINANCE NO. 25, 2023-2025

AN ORDINANCE ENACTED TO REGULATE FISH PEDDLERS IN THE MUNICIPALITY OF VILLABA AND IMPOSING PENALTIES FOR THE VIOLATION THEREOF

APPROVED:
(SGD)ENGR. CARLOS G. VELOSO
Municipal Mayor

was published in said newspaper for (1) one consecutive weeks in its EV Mail _____
EV Mail April 17-23, 2023 issues.

That I am executing this affidavit to attest to the fact of the foregoing statements. Affiant further sayeth naught.

IN WITNESS WHEREOF, I have hereunto affix my signature this APR 25 2023 day of _____, 20__ in Ormoc City.


JIMA ZANDRA J. VERGARA
Affiant

VERIFICATION

SWORN AND SUBSCRIBED before me this APR 25 2023 day of _____ with affiant exhibiting his Tax Identification Number 932-314-846-000 issued on July 9, 2016 at Ormoc City, Leyte, Philippines.

Doc No. : 226
Page No.: 46
Book No.: XLV
Series of 20 23

ATTY. ADELITO M. SOLIBAGA JR.
Notary Public for the City of Ormoc,
Municipalities of Kawaja, Matag-ob,
Merida and Isabel
NC No. ORM-22-12-038, NC issued on 01/01/2023
Valid until December 31, 2024,
PTR No. 7450208-11-03/2023, Ormoc City
IBP No. 255920, D29/20221, Leyte
Roll of Attorney No. 51625
TIN 20-693-130
MCLE Compliance No. VI-0014640
Valid until April 14, 2025

Respectfully returned to the Sangguniang Kabataan of Leyte