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Mem No.: 04
Date: 09 2024 JAN


Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

PROVINCIAL LEGAL OFFICE

2nd INDORSEMENT
December 27, 2023

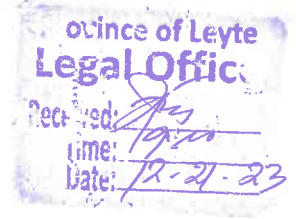
SANGGUNIANG PANLALAWIGAN
PROVINCE OF LEYTE
DEC 27 2023
J. P. A.

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 2023-08^v of the Sangguniang Bayan of Sta. Fe, Leyte, recommending for the declaration of its validity, pursuant to its power under Section 56 (C) of R.A. 7160, to the opinion of the Provincial Legal Office (PLO), an exercise of the power authorized under Section 447 (1)(vi)ⁱ of the Code.

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


ⁱ (vi) Protect the environment and impose appropriate penalties for acts which endanger the environment, such as dynamite fishing and other forms of destructive fishing, illegal logging and smuggling of logs, smuggling of natural resources products and of endangered species of flora and fauna, slash and burn farming, and such other activities which result in pollution, acceleration of eutrophication of rivers and lakes, or of ecological imbalance;

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte
OFFICE OF THE SANGGUNIANG PANLALAWIGAN



1ST INDORSEMENT
20 December 2023

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **MUNICIPAL ORDINANCE NO. 2023-08** of the **MUNICIPALITY** of **STA. FE, LEYTE**, entitled: **An Ordinance Institutionalizing The Implementation Of Bamboo Development Project Of The Municipality Of Santa Fe, Leyte And Providing Funds Thereof.**

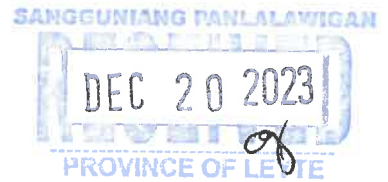

FLORINDA J. UYVICO
Secretary to the Sanggunian



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Santa Fe

SANGGUNIANG BAYAN SECRETARY

INDORSEMENT



RESPECTFULLY FORWARDED to the Sangguniang Panlalawigan of the Province of Leyte, Tacloban City, the herein attachment ***Municipal Ordinance No. 2023 – 08 (Series of 2023)*** of the Sangguniang Bayan, this Municipality entitled ***“An Ordinance Institutionalizing the Implementation of Bamboo Development Project of the Municipality of Santa Fe, Leyte and Providing Funds thereof”***, duly approved by said August Body on ***July 10, 2023***, hereby recommending your appropriate favourable action.


JULIUS XERXES M. OBENQUE
Sangguniang Bayan Secretary Designate

Copy Furnished:

- *The Municipal Mayor*
- *The Municipal Disaster Risk Reduction Management*
- *The PNP Station Commander*
- *All in Sta. Fe, Leyte*



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Santa Fe

SANGGUNIANG BAYAN SECRETARY

CERTIFICATION OF POSTING

TO WHOM IT MAY CONCERN:

This is to certify that copies of Municipal Ordinance of the herein attached “**Municipal Ordinance No. 2023 – 08 (Series of 2023)** of the Sangguniang Bayan, this Municipality, entitled “*An Ordinance Institutionalizing the Implementation of Bamboo Development Project of the Municipality of Santa Fe, Leyte and Providing Funds thereof*”, duly approved and/or enacted by said August Body on **July 10, 2023**, has been posted in at least three (3) conspicuous places in the municipality. One copy was posted at the bulletin board at the lobby of the municipal hall, one at the HRMO and one at the Municipal Gymnasium.

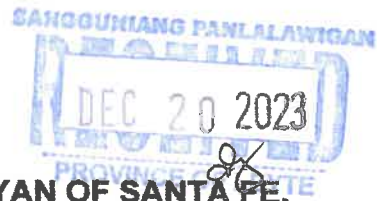
ISSUED this **12th** day of **July 2023** at Santa Fe, Leyte.


JULIUS XERXES M. OBENQUE
Sangguniang Bayan Secretary Designate



Republic of the Philippines
PROVINCE OF LEYTE
 Municipality of Santa Fe

SANGGUNIANG BAYAN



THE 45th REGULAR SESSION OF THE 12TH SANGGUNIANG BAYAN OF SANTA FE, LEYTE, HELD AT THE SB SESSION HALL, SANTA FE, LEYTE ON JULY 10, 2023.

MUNICIPAL ORDINANCE NO. 2023 – 08
Series of 2023

AN ORDINANCE INSTITUTIONALIZING THE IMPLEMENTATION OF BAMBOO DEVELOPMENT PROJECT OF THE MUNICIPALITY OF SANTA FE, LEYTE AND PROVIDING FUNDS THEREOF.

SPONSOR: HON. AMIEL P. ENAGE

CO-SPONSORS:

HON. RODEL L. AJETO

HON. RICARDO D. FAJARDO

HON. ALVIN D. PETILLA

HON. LARRY S. ARUTA

HON. GENY R. ESMERO

HON. BELEN C. CHUCA

HON. AGNES A. CHUCA

HON. MAE JO A. LANTAJO

HON. EDGARDO R. SALCEDA

WHEREAS, it is the prime duty of the government to protect and conserve national patrimony, advance the rights of the people to healthy environment, and commit to promote industrialization through industries that make use of human and natural resources in the manufacture of competitive products aligned with the requirements of both domestic and international markets;

WHEREAS, Republic Act 7160, otherwise known as the Local Government Code of 1991, provides the devolution of a certain extent to local government units the management of local environment and natural resources to include, but not limited to, rivers, creeks forest and watershed areas, among others;

WHEREAS, to protect the banks of water bodies from erosion, and to help preserve natural resources from destruction, development measures have to be undertaken to include planting of vegetations in these areas with durable and fast-growing plant species that could withstand natural destruction;

WHEREAS, studies show that bamboo, apart from the cheaper cost of production, is also an ideal renewable resource that when planted and managed properly can significantly contribute to the mitigation of climate change considering its carbon capture characteristics. Deeply-rooted bamboos planted along the banks of rivers, creeks and other water bodies can help prevent soil erosion and the sitting of these water bodies.

WHEREAS, on the economic aspect, bamboo can be a sustainable source of income of residents and other processors/manufacturers as it can be easily transformed into cash crop for its shoots and as a raw material input in the manufacture of various bamboo by-products;

Amiel P. Enage

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Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Santa Fe

SANGGUNIANG BAYAN

Continuation: Municipal Ordinance No. 2023 - 08
Dated July 10, 2023

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WHEREAS, Executive Order 879 created the Philippine Bamboo Industry Development Council (PBIDC) and set the development directions of the government for the bamboo sector considering both its economic as well as environmental contribution;

WHEREAS, in order to strengthen the raw material base for a sustainable supply of quality bamboo materials and to help mitigate climate change, establishment of bamboo nurseries and bamboo plantations in watershed areas covered by Community Based Forest Management as well as banks of water bodies should be instituted;

WHEREAS, there is a need for a municipal government of Santa Fe to enact an enabling Ordinance to address the aforementioned concerns, and for the effective implementation of the Bamboo Development Project of Santa Fe Leyte;

NOW THEREFORE, be it ordained by the Sangguniang Bayan of Santa Fe in session assembled to enact:

Section 1. Short Title. This Ordinance shall be known and cited as the “*Ordinance Institutionalizing the Bamboo Development Project of Santa Fe Leyte*”.

Section 2. Declaration of Policy. To promote environmental protection and to help accelerate development, it is hereby declared as a policy of the municipal government of Santa Fe to develop competitive, sustainable and environment-friendly industries that provide equal employment opportunities for all and raise the standard of living of Santafenhons. This can be achieved by supporting the Bamboo Development Project through the purposive and massive establishment of bamboo plantations in designated areas. Along this line, the Local Government shall extend support to all bamboo stakeholders, public or private, who shall implement the programs, projects and activities along the bamboo development value chain.

Section 3. Definition of Terms. As used in this Ordinance, the following terms shall mean:

- a. **Bamboo Development Project-** a project to upscale the bamboo industry through the establishment of bamboo nurseries and plantations along the banks of rivers and its tributaries and watershed areas;
- b. **Bamboo Industry Value Chain-** full range of activities (from propagation to processing) that are required to bring a product from its conception to its end use, including all the market channels available to all firms;
- c. **Communal Forest-** a tract of forest land set aside by the secretary of the DENR upon the recommendation of the concerned LGU for the use of the residents of the Municipality. The residents may cut, collect and remove forest products for their personal use in accordance with existing laws and regulations and subject to the provision that utilization of resources therein shall be in accordance with sustainable development;
- d. **Communal Bamboo Nursery-** a cooperative venture between and among community members who all play a part in running it and all benefit from it. As a larger unit more feasible than the individual level, it has more leverage in accessing inputs and selling its outputs. Collective facilities can be established for the benefit of all, such as central propagation facilities and machinery;

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- e. **Local Bamboo Farmer Producers-** local residents engaged in the implementation of the Bamboo Development Project in the Municipality;
- f. **Bamboo Plantations-Productions-** those intended for the production of shoots and culms for industrial uses;
- g. **Non-Governmental Organization (NGO)-** a non- profit group that functions independently of any government. NGOs are organized on community; national and international levels serve a social or political goal such as humanitarian causes on the environment;
- h. **Bamboo Plantations-** are intended for environmental protection. Harvest of culms will be limited for their maintenance;
- i. **Community-** a group of people living in the same place;
- j. **Riparian Zone-** interface between land and a river or stream;
- k. **Watershed Areas-** areas of land that feed all the water running under them and draining off of it into a body of water. It combines with other watersheds to form a network of rivers and streams that progressively drain into larger water areas; and,
- l. **Barangay Residents Farmers-** those identified to plant and grow or take care of the bamboos as stewards of the bamboo development projects in their respective areas.

Section 4. Key Actions for Implementation. The Municipality of Santa Fe shall undertake the following activities to implement this ordinance:

- a. Prepare a Comprehensive Development Plan for the municipality that incorporates identification of suitable land areas in all barangays along riparian zones, watershed areas and communal forests for the establishment of bamboo plantations;
- b. Conduct survey mapping and boundary demarcation for production, protection and plantation;
- c. Conduct social preparation and comprehensive capacity development for local bamboo beneficiaries;
- d. Organize, create and mobilize community and other non-government organizations/groups or private sectors in the areas in planting bamboo in the required and identified locations, and managing these plantations to ensure sustainability;
- e. Identify resident-farmers who shall establish and maintain communal bamboo Nurseries;
- f. Extend appropriate technical assistance and services to investors who will venture into bamboo nurseries and plantations particularly in private lands;
- g. Link with academe, national government agencies. Other local government units and private sector groups for technical and funding support;
- h. Conducts advocacy campaign to encourage more LGUs to replicate the project; and,
- i. Monitor and evaluate all initiatives undertaken relative to this ordinance.

Section 5. Bamboo Development Task Force. To carry out the provisions of this Ordinance, a Bamboo Development Task Force is hereby organized with the following composition and functions:

Kris L. P. R.

M. M. M.

J.

A. R.

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Republic of the Philippines
 PROVINCE OF LEYTE
 Municipality of Santa Fe

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5.1 Composition

- Chairperson - Municipal Environment and Natural Resources Officer
 Vice Chairperson - Committee on Environmental Protection and Waste Management

Chairman

Members:

- Punong Barangays in the identified locations or areas
- Municipal Social Welfare Development Officer
- Municipal Agriculture Officer
- Municipal Tourism Officer
- Head of accredited non-government organization

Advisory Board- Representatives of Government Institutions including academe.

5.2 Functions

- a. Prepare and implement a Localized Roadmap and action plan approved by the Municipal Mayor and as a basis for appropriating fund thereof.
- b. Conduct meetings for planning, consultation, updating, and reporting and other activities which may be deemed important to implement this Ordinance.
- c. Coordinate and collaborate with national government agencies, other local government units and/or non-government organizations for partnership and/or assistance to ensure effective implementation of the identified activities.
- d. In consultation with various stakeholders, prepare the Implementing Rules and Regulations within 60 days upon the approval of this Ordinance.
- e. With the assistance of the Punong Barangays, identify concerned barangay, resident-farmers in identified locations or areas who shall be stewards of Bamboo Development Project of the LGU.
- f. Submit a periodic status report of implementation to the office of the Mayor and the office of the Sangguniang Bayan.
- g. Perform such other functions as may be necessary to implement the intent of this Ordinance.

5.3 Meetings and Quorum of the Task Force. The Task Force shall meet once a month, or as necessary, on such a day and time as it may fix. The presence of at least a majority of all the members constitutes a quorum.

5.4 Secretariat. The Task force shall be assisted by the staff from Municipal Environment and Natural Resources Office who will serve as the Secretariat.

Section 6. Creation of Steward Group or Individual. It requires creating Steward for the government owned forest, mineral and agricultural land that is planned for the plantation of bamboo and provide fund thereof.

Section 7. Establishment of Bamboo Plantation. The purpose of this is for protection such as those along rivers and streams shall be exempted from harvesting but may be subjected to intermittent cutting for silvicultural treatment, provided that such is consistent with the existing rules and regulations and shall not impair the rehabilitation measures therein. It may therefore be encouraged for the development of bamboo in the following area and resources like forest lands, mineral lands, agricultural lands and private titled lands, and be managed based on the inherent capacity of these resources for the benefit of the people.

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Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Santa Fe

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Section 8. Funding. Funds to implement the different provisions of this Ordinance and the Bamboo Development Project the Municipality of Santa Fe shall be appropriated and derived from the Local Government Unit's 20% Development Fund to be based initially from the implementation plan prepared by the Task Force created for this purpose and same shall subsequently be regularly allotted in its Annual Appropriation. The Task Force may raise funds from other sources for specific activities or projects as may be authorized by law.

Section 9. Separability Clause. If any sections, phrase, sentence or portion of this Ordinance is held invalid or unconstitutional for any reason by any court of competent jurisdiction, such portion shall be deemed separate, distinct and independent provision, and such shall not affect the validity of the remaining portions thereof.

Section 10. Repealing Clause. All Ordinance and parts of Ordinances in conflict with the provisions of this ordinance are hereby repealed.

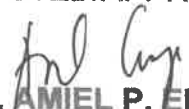
Section 11. Effectivity. This Ordinance shall take effect after three (3) consecutive weeks from its approval and publication by ways of posting copies on the bulletin board in the Municipal Building, Public Market, and all Barangay Halls.

ENACTED: This 10th day of July 2023 during the 45th Regular Session of the 12th Sangguniang Bayan at the Sangguniang Bayan Session Hall, Santa Fe, Leyte.

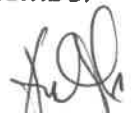
Let copies of this Ordinance be furnished to the Office of the Municipal Mayor Hon. Amparo H. Monteza, to the Municipal Disaster Risk Reduction and Management Office of this LGU, and to all others concerned for their guidance and appropriate action.

This ordinance is approved unanimously.


ATTESTED/APPROVED:



HON. AMIEL P. ENAGE
SB Member

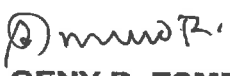

HON. EDGARDOR. SALCEDA
SB Member



HON. RODEL L. AJETO
SB Member


HON. RICARDO D. FAJARDO
SB Member


HON. ALVIN D. PETILLA
SB Member


HON. LARRY S. ARUTA
SB Member


HON. GENY R. ESMERO
SB Member


HON. BELEN C. CHUCA
Liga Pres. / SB Member



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Santa Fe

SANGGUNIANG BAYAN

Continuation: Municipal Ordinance No. 2023 - 05
Dated May 29, 2023

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HON. AGNES A. CHUCA
SB Member

HON. MAE JO A. LANTAJO
SK Federation President / SB Member

I HEREBY CERTIFY to the correctness of the foregoing resolution.

JULIUS XERXES M. OBENQUE
Secretary to the Sangguniang Bayan Designate

ATTESTED BY:

HON. EDUARDO N. TOREROS
Municipal Vice-Mayor
Presiding Officer

APPROVED BY:

HON. AMPARO H. MONTEZA
Local Chief Executive/Municipal Mayor

Date of Approval: _____