



Republic of the Philippines  
**PROVINCE OF LEYTE**  
Provincial Capitol  
Palo, Leyte

Item No.: 08  
Date: 05 2024 AUG

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**PROVINCIAL LEGAL OFFICE**



**2<sup>nd</sup> INDORSEMENT**

July 16, 2024

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through SP Secretary, the attached Ordinance No. 8, S. 2023 of the Sangguniang Bayan of Capoocan Leyte.

**Issues/concerns for review/recommendation/legal opinion is/are as follows:**

- Ordinance No. Ordinance No. 8, S. 2023 entitled: An Ordinance Amending Municipal Ordinance No. 4, S 2021, otherwise known as "The Municipal Fishery Ordinance of Capoocan, Leyte."

**REVIEW/RECOMMENDATION/LEGAL OPINION:**

This office is of the opinion that the subject Ordinance is within the corporate powers of the local government unit particularly covered under Section 447 of the Local Government Code.

Under Section 16 of Republic Act No. 8550 as amended by Republic Act No. 10654 or the Amended Philippine Fisheries Code, municipal/city governments shall have jurisdiction over municipal waters, and shall be responsible with the management, conservation, development, protection, utilization and disposition of all fishery and aquatic resources within their respective municipal waters.

Likewise settled in the case of *Constantino v. Desierto*<sup>1</sup>, it is within the power of the Local Council to repeal or amend its prior acts either expressly, or by the passage of an essentially inconsistent resolution. Hence recommending for the declaration of its validity.

We hope to have assisted you with this request.

Please note that the opinion rendered by this Office are based on facts available and may vary or change when additional facts and documents are presented or changed. This opinion is likewise without prejudice to the opinions rendered by higher and competent authorities.

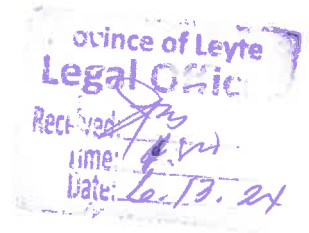
**ATTY. JOSE RAYMUND A. ACOL**  
*Asst. Provincial Legal Officer*

<sup>1</sup> 288 SCRA 654


Republic of the Philippines  
**PROVINCE OF LEYTE**  
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**OFFICE OF THE SANGGUNIANG PANLALAWIGAN**

**1<sup>ST</sup> ENDORSEMENT**  
**11 June 2024**



Respectfully indorsed to the **PROVINCIAL LEGAL OFFICE** the  
herein **MUNICIPAL ORDINANCE NO. 8 SERIES 2023** of the **MUNICIPALITY OF**  
**CAPOOCAN, LEYTE,** for review and recommendations.

  
**FLORINDA JILL S. YVICO**  
*Secretary to the Sanggunian*

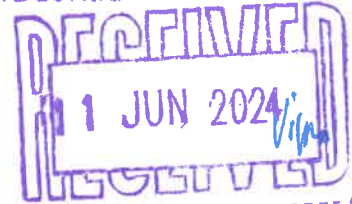
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Republic of the Philippines  
PROVINCE OF LEYTE  
Municipality of Capoocan  
**Office of the Sangguniang Bayan**

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SANGGUNIANG PANLALAWIGAN



May 29, 2024

**THE HONORABLE BODY**

Sangguniang Panlalawigan  
Legislative Building  
Capitol Grounds  
Tacloban City

Dear Gentlemen / Mesdames:

Good Day!

Submitting herewith, **ORDINANCE NO. 8, Series of 2023, "AN ORDINANCE AMENDING MUNICIPAL ORDINANCE NO. 4 S. 2021, OTHERWISE KNOWN AS, "THE MUNICIPAL FISHERY ORDINANCE OF CAPOOCAN, LEYTE"**", with the following attachments:

1. Minutes of the Public Hearing
2. Public Hearing Attendance
3. Certification that the proposed ordinance was posted at conspicuous places.
4. Certification that a Public Hearing was conducted regarding the proposed ordinance.

For your review and approval.

Earliest and favorable action shall be gratefully acknowledged.

Respectfully yours,

  
**JUDE R. DELA TORRE**

*Secretary to the Sanggunian*



Republic of the Philippines  
PROVINCE OF LEYTE  
Municipality of Capoocan  
Office of the Sangguniang Bayan  
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SANGGUNIANG PANGALAYAN



SANGGUNIANG BAYAN OF THE MUNICIPAL GOVERNMENT OF CAPOOCAN, LEYTE IN ITS 93<sup>rd</sup> REGULAR SESSION HELD ON APRIL 2, 2024 AT THE MUNICIPAL SESSION HALL LEGISLATIVE BUILDING

## ORDINANCE NO. 8, SERIES OF 2023

### AN ORDINANCE AMENDING MUNICIPAL ORDINANCE NO. 4 S. 2021, OTHERWISE KNOWN AS, "THE MUNICIPAL FISHERY ORDINANCE OF CAPOOCAN, LEYTE"

BE IT ENACTED by the *Sangguniang Bayan* of the Municipality of Capoocan, Province of Leyte in Regular Session duly assembled that:

#### ARTICLE I

#### TITLE, PURPOSE, DECLARATION OF POLICY, DEFINITION OF TERMS AND ACCRONYMS

##### SECTION 1 - TITLE

This ordinance shall be known as the **Municipal Fishery Ordinance of the Municipality of Capoocan, Leyte.**

##### SECTION 2 - PURPOSE

2.1 To protect the right of fisherfolks, especially of the local communities with priority to municipal fisherfolks, 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, 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; and

2.4 For other relevant purposes.

##### SECTION 3 - DECLARATION OF POLICY

It shall be the policy of the Municipality of Capoocan, Leyte to ensure sustainable management, protection, and conservation of its resources in order to achieve food security and sustainability of the fishery products needed by the people for their daily food sustenance.

#### SECTION 4 - APPLICATION OF THESE PROVISIONS

The provisions of this Ordinance shall be enforced in:

- a. The Municipal Waters of Capoocan, Leyte as defined under this ordinance;
- 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.
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 thirteen (13) 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. **BOAT OPERATOR** – One who is responsible for the actual operation of the boat, to include the boat captain and his crew.

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10. **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.
11. **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.
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 limit 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 and both to include coral reefs, algal flats, sea grass beds, and other soft-bottom areas.
13. **COASTAL BARANGAY** – Any of the thirteen (13) barangay which border directly Carigara Bay, inclusive of foreshore land and/or Municipal Waters, including the barangay of Balud, Poblacion I, Poblacion II, Culasian, Pinamopoan, Cabul-an, Talisay, Tolibao, Guinadiongan, Libertad, Potot, Gayad, Talairan and any barangay which may fall under this definition in the future.
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 semi-precious 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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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.
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 fisherfolks 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.
38. **FISHERY OPERATOR/OWNER** – 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, sea grasses, 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 movements and/or the pursuit of the target species; such as, but not limited to, hook-and-line, 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.

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 contains 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 o 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.
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 at 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.
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**- where registered fisherfolks are listed at the registry system of the Municipal Agriculture Office and BFAR.
66. **MUNICIPAL WATERS** – Includes streams, lakes, inland bodies of water, tidal waters and fish ponds 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/governments in 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. fisherfolks 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.
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 shall be construed as it has been included and applicable thereof.

**ARTICLE II**  
**MUNICIPAL FISHERIES**

**SECTION 1 - MUNICIPAL JURISDICTION**

The Municipal Government of Capoocan, Leyte shall have the jurisdiction over Municipal Waters as defined under Rule 3.1 of R.A. 8550 as amended by Republic Act No. 10654. 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 as amended by Republic Act No. 10654.

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

OYSTER BELT AREAS/ LAMBAKLAD – (Zone 1, 2, 3, 4 and 5)

ERECTION OF FISH CORALS – (Zone 6, 7, 8, 9, 10 and 11)

SEAWEEDES AREA – (Zone 6, 7, 8, 12, and 13)

- ZONE I - Balud - From Nauguisan Bridge to Pinamitinan Bridge
- ZONE 2- Poblacion I - From Pinamitinan Bridge up to Migalang Street at the water reservoir
- ZONE 3 - Poblacion II - From water reservoir/Migalang Street up to Sitio Guisok
- ZONE 4 - Culasi-an - From Sitio Guisok up to Nipa Dako
- ZONE 5 - Pinamopoan - From Nipa Dako to Minotong Creek
- ZONE 6 - Cabul-an - From Minotong Creek to Sitio Badiang
- ZONE 7 - Talisay - End of Sitio Badiang to Bombongon Creek
- ZONE 8 - Tolibao - Bombongon Creek to Managasnas
- ZONE 9 - Guinadiongan - End of Managasnas to Dakal
- ZONE 10 - Libetad - End of Dakal- up to Ogpong Creek
- ZONE 11 - Potot - Ogpong Creek to Lungib
- ZONE 12 – Gayad - End of Lungib to Rawis Sumabong
- ZONE 13 – Talairan - End of Rawis to Sandayong

Zone 3 and 4 - For Catching of other Species including jelly fish and sea cucumber (*From Barangay Poblacion 2 to Barangay Culasian, provided that the activity is not within the restricted area of Fish Sanctuary and other protected areas*).

**SECTION 2 - USER OF MUNICIPAL WATERS**

All fishing-related activities in the Municipal Waters of Capoocan, Leyte, as defined in this Ordinance, shall be utilized by the municipal fisherfolks and fisherfolks organizations of this municipality whose members are listed as such in the Municipal Registry of Fisherfolks.

**SECTION 3 - GRANTS AND PRIVILEGES**

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 except to local municipal fisherfolks and their cooperative/organization whose members appears in the Municipal Registry of Fisherfolks.

**SECTION 4 - EXCLUSIVE FISHERY PRIVILEGE**

Operating fish corrals/traps, fish pens, fish cages, mussel/oyster/pearl/seaweed farm or gathering/catching / of fish fry or any specie for propagation be considered as exclusive fishery privileges which shall be granted to the highest bidder in public bidding held according to the provision of this ordinance. Organization/cooperative of local marginal fishermen whose members appears in the registry of Municipal Fisherfolks shall have preferential right to such privileges.

The Sangguniang Bayan shall grant to the highest qualified bidder of exclusive fishery privilege with the approval of the Municipal Mayor for a period of five (5) years; Provided, that these grants of exclusive fishery privileges shall be under such conditions that one tenth (1/10) of the area of each zone is set aside as municipal reserved for demonstration and research purposes.

**SECTION 5 - ISSUANCE OF INDIVIDUAL LICENSES**

The Municipal Mayor is authorized to grant the privilege of constructing/establishment of fish corrals/traps/cages, oyster/mussel/pearl and seaweed farms, and catching of fish fry within a defined area or portion thereof at the annual rate/fees not exceeding fixed hereunder:

	<b>ANNUAL FEE</b>
<b>1. Fish corrals/traps constructed/erected in the seas</b>	
Fifteen (15) meters deep or more	<b>P1,000.00</b>
Ten (10) meters deep but not more than fifteen (15) meters deep	<b>P800.00</b>
Eight (8) meters deep but not more than ten (10) meters deep	<b>P500.00</b>
Less than three (3) meters deep but not more than eight (8) meters deep	<b>P300.00</b>
<b>2. Operation of fish pen/cage</b>	
Two-hundred (200) square meters per individual	<b>P500.00</b>
One-hundred (100) square meters per association/cooperative/corporation	<b>P500.00</b>
<b>3. Operation of seaweeds farm</b>	
Two-thousand (2,000) square meters per individual	<b>P100.00</b>
Ten-thousand (10,000) square meters per association/cooperative/corporation	<b>P1,000.00</b>
<b>4. Operation of oyster/mussel/pearls farm</b>	
Fifty (50) square meters per individual	<b>P100.00</b>
Two-hundred fifty (250) square meters per association/cooperative/corporation	<b>P800.00</b>

**SECTION 6 - ESTABLISHING AND DELINEATING MUNICIPAL WATER BOUNDARIES AND DEPTHS THEREOF OF THIS MUNICIPALITY. See "ANNEX A" for the TECHNICAL DESCRIPTION OF THE MUNICIPAL WATERS OF THE MUNICIPALITY OF CAPOOCAN, PROVINCE OF LEYTE (Department of Environmental and Natural Resources, NATIONAL MAPPING AND RESOURCE INFORMATION AUTHORITY, NAMARIA-MW-LYT-025, Series of 2002 dated 17 February 2003).**

**SECTION 7 - REGISTRY OF MUNICIPAL FISHERFOLK, MARGINAL FISHERMEN, FISHING VESSEL/ FISHING BOATS BY TYPE AND GEAR USED AND OTHER BOATS.**

The Municipal Mayor through the Municipal Agriculture Office shall maintain a registry of Municipal Fisherfolks, marginal fishermen who are fishing or may desire to fish in Municipal Waters for the purpose of determining priorities among them, of limiting entry into the municipal waters, monitoring fishing activities,

and/or related purposes. Likewise, the Municipality shall also maintain registry of Fishing vessel/ fishing boats by type of gear used and other boats with the assistance of BFARMC and MFAMC and shall then to the Municipal Mayor such list of priorities for consideration.

- a. **Standard Registration Form.** The Local Government Unit will adopt the Standard Registration Form developed by BFAR thru FISHR and BOATR project. **Attached herewith is the Standard Form in Annex B.**
- b. **Criteria for Registration.** Fisherfolks/ Fishermen must be resident of at least at least one year in the municipality.
- 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.

Such list of registries shall be updated as necessary, and shall be posted in the Barangay Hall or other strategic locations where it shall be open to public inspection for the purpose of validating the correctness and completeness of the list. The Municipal Mayor, in consultation with the BFARMC and MFARMC shall formulate the necessary mechanism for "INCLUSION AND EXCLUSION PROCEDURES" that shall be most beneficial to the resident Municipal fisherfolks. The MFARMC may likewise recommend such a mechanism.

#### SECTION 8 - REGISTRATION OF MUNICIPAL FISHERFOLK

- a. There shall be an annual registration of **fisherfolks, fishing vessels and types of gears** within this municipality. It shall be done by every Barangay. The Secretary of the BFARMC shall keep the record of the Registry of fisherfolks, fishing vessels and gears within the jurisdiction of the concerned Barangay.
- b. The Secretary of the MFARMC shall keep a complete record of the Registry of fisherfolks, fishing vessels and gears of all barangay within the municipality.
- c. The Secretary of the MFARMC shall submit copies of the Registry of fisherfolks, fishing vessels and gears from all relevant Barangay for the information and dissemination to the following agencies on or before the 31<sup>st</sup> of January of the following year:
  1. Municipal Mayor
  2. Municipal Planning and Development Office
  3. Municipal Treasurer
  4. Municipal Agriculture Office
  5. PNP Chief of Police
  6. BFARMC
  7. MFARMC
  8. Barangay Council
  9. One copy to be posted at a prominent place of the Barangay Hall

- d. However, those fisherfolks, fishing vessels and gears of Barangay Balucanad, Nauguisan, Manloy, Lemon, Visares, Sto Nino, San Joaquin and Balugo may choose which Coastal Barangay they prefer to register within the Municipality of Capoocan, Leyte.

#### SECTION 9 - REGISTRATION OF FISHING VESSELS

Registration of Fishing Vessels and / or Fishing Boats and Passenger Boats - Owners/operators of fishing vessels/ boats of three (3) gross tons or less, engage in fishing or fishery/aquatic products or not, such as

but not limited to vessels for private use or hire, are required to register and secure a Municipal Certificate of Registration from the Municipal Agriculture Office, renewable every year on or before January thirty-first (31) and shall pay the following registration fee annually to the Municipal Treasurer's Office:

Vessel	Registration Fee
Fishing Vessels / Fishing Boats	PhP 500.00
Passenger Boats	PhP1,000.00

2. In addition, the BFARMC Treasurer shall collect an annual BFARMC Clearance Fee of P100.00 from the owner/operators of fishing vessels of three (3) gross tons or less for the issuance of a BFARMC Clearance Certificate certifying the owner's residency at the Barangay he/ she is registered. This amount shall be deposited with the Barangay Treasurer as a "TRUST FUND" for the BFARMC.

**BFARMC Certification/ Clearance Fee – P 100.00 Annual Fixed Fee**

3. Non-motorized single crew fishing vessel ("baloto") using paddle is exempted, provided that the registered fisherfolk shall pay the corresponding license issued and duly approved by the Municipal Mayor.

**SECTION 10 - REGISTRATION OF MOTORIZED AND NON-MOTORIZED FISHING ENGINES**

**Annual Fixed Fees:**

Motorized, inboard engine of sixteen (16) horsepower (HP) or above (single Piston)	- P 300.00
Motorized, inboard engine of fifteen (15) HP or less (Single Piston)	- P 200.00
Motorized Outboard Engine	- P1,500.00
Motorized, engine such as 3K, 4K, 5K, 4DR5, 4D30, 4D32 & others	- P 750.00

**SECTION 11 -FOR EFFECTIVE REVENUE COLLECTION**

For an effective Municipal Revenue collection of fishing and fishery/aquatic resources taxes, fees, and charges/penalties within the Municipal jurisdiction, a Memorandum of Agreement shall be entered into by and between the Local Government Unit of Capoocan and the Barangay to deputize the Barangay Treasurer to act as a collection agent, and such, to give incentives to the Barangay to work more for an effective collection, with the following sharing schedule:

Barangay Share	-	40% of gross receipts/ collection
Municipal Share	-	60% of gross receipts/ collection

*Remittance of the collected revenues from BLGUs to the Local Government Unit of Capoocan shall be on a monthly basis.*

**SECTION 12 - MAYOR'S PERMIT: LICENSE TO OPERATE FISHING VESSELS OF THREE TONS OR LESS**

The owner, operators, and lessee of fishing vessels, as defined in Section 19 of R.A. 8550, of three (3) gross tons or less, engaged in fishing and/or fishery/aquatic resources activity or not, such as but not limited to vessels for private use or for hire, shall be subjected to the following annual license fees:

Municipal Certificate of Registration fee (including Fisherman ID)	-	P500.00
Mayor's permit	-	P300.00
BFARMC Clearance Certificate	-	P100.00

Fishery Inspection Fee	-	P100.00
MFRAMC Permit	-	P150.00

**SECTION 13 - LICENSE PERMIT FEE FOR FISHING GEARS**

The privilege of taking or catching fish and/or any fisheries/aquatic resources/products in the Municipal Waters of the Municipality of Capoocan, Leyte with nets, traps, and other "passive fishing gears" with or without using thereof fishing vessels of three (3) gross tons or less, shall be granted under a license permit issued by the Municipal Mayor to any persons, cooperative, partnership, association, or corporation qualified under Section 8 of this Ordinance, upon proper inspection by the Municipal Agriculture Office, and payment of the corresponding annual License Fee required in the General Schedule:

1. Fisherfolk using nets		
Light net ("sapiaw")		P1.00 per linear meter
Gill net		
Bottom set net ("palubog")		P0.50 per linear meter
Drift gill net ("pamo" paanod")		P1.00 per linear meter
Blanket net ("kabiaw")		P1.00 per linear meter
"Pamolnaw and Panamban"		P1.00 per linear meter
2. Fisherfolk using traps/barriers		
Pots for squid ("bubo")		P20.00 per unit
Pots for big fish ("bubo")		P20.00 per unit
Pots for crab ("bentol")		P15.00 per unit
3. Fisherfolk using hook and line		
Simple handline		P5.00 per unit
Multiple Handline (undak)		P5.00 per unit
Long line (kitang)		P50.00 per unit
Troll line (subid)		P5.00 per unit
Jigger (bulwat)		P15.00 per unit
4. Fisherfolk using other fishing gears		
Hand-operated		
Spear gun ("pana") without compressor		P15.00 per unit
Lights		
Electric light (not exceeding 200watts)		P2.00 per watt
Battery operated		P50.00 per unit
5. Fish aggregating devices		
"arong"		P200.00 per unit
Artificial reef		P200.00 per module
"guma"		P200.00 per unit
6. Gathering of jellyfish and other species		P 500.00 per year

7. Under Article 1. Municipal Fisheries, Section 18, Users of Municipal Waters, Rule 18.2 Fishing Methods and Gears. For purposes of Section 18 (b) and Rule 18.1.b (2) of the RA 8550 as amended by RA 10654. In addition to passive gears, small commercial fishing vessel may be allowed to use active gears such

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us Ring Net or "Kubkuban" that do not touch the sea bottom. And provided that the vessel use is not more than 3.0 GT and they can only operate 10.1 kilometers away from the shoreline.

**SECTION 14 - PREFERENTIAL PRIVILEGE GRANTED TO MARGINAL FISHERFOLK**

Marginal Fishermen engaged in marginal fishing in the Municipal Waters shall be granted the privilege to take, gather, or catch fish, using "passive fishing gear", upon payment of the following annual fees, pursuant to Section 16, Rule 16.2 of R.A. 8550 as amended by Republic Act No. 10654 in securing of their individual fisherfolks license:

BFARMC clearance P 30.00

**SECTION 15 - 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 of the preceding month report on the second week of the following month. Noncompliance / submission of the said report shall be sufficient ground for the cancellation of his/her permit or license.

**SECTION 16 - SUPPORT TO THE MUNICIPAL FISHERFOLK**

The municipal government (LGU) shall provide support to the municipal Fisherfolks to extension of appropriate technology and research, credit, insurance, production and marketing assistance and other services such as, but not limited, to training for additional / supplementary livelihood. And if possible financial assistance to fisherfolks organizations or association.

**SECTION 17 - 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 at the Municipal Treasurer`s Office prescribe for the purpose.

**SCHEDULE OF TRANSPORT FEES**

A. MILK FISH (BANGUS)	P20.00 per foam per 50 kilos
B. PRAWNS	25.00 per foam per 50 kilos
C. SHELLFISH	20.00 per foam per 50 kilos
D. FINGERLINGS	20.00 per foam per 50 kilos
E. BLUE CRAB, KING/MUD CRAB, CRUZAN CRAB	25.00 per foam per 50 kilos
F. ASSORTED DEMERSAL AND PELAGIC FISH	20.00 per foam per 50 kilos

**SECTION 18 - PROHIBITIONS**

**18.1. UNAUTHORIZED FISHING OR ENGAGING IN OTHER UNAUTHORIZED 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 Capoocan, 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 as amended by Republic Act No. 10654, 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 vessels is engaged in an unauthorized 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 as amended by Republic Act No. 10654, 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 punished by a fine of Two Thousand Five Hundred Pesos (PhP2,500.00) per officer and crew member aboard the vessel and an imprisonment of six (6) months, confiscation of catch and all fishing gears and recommendation to the BFAR / Municipal Mayor for revocation of the license.**

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 this municipality. **Any person found guilty violating this provision of this ordinance shall be punished by a fine of Two Thousand Five Hundred Pesos (PhP2,500.00) pesos per person onboard and confiscation of fish catch and fishing paraphernalia.**

### 18.2. 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 (Gobiidae);
- 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 bag nets 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.

Violation of this section shall subject the offender to a fine of PhP 2, 500.00 or imprisonment from six (6) months or both such fine and imprisonment in the discretion of the court. All fishing gears (e. g. nets & etc.) used in the illegal activity shall be confiscated in favor of the **municipal government**. 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 further, that the owner operator of the commercial fishing vessel, who violates this provision, shall be subjected to the same penalties provided herein.

### 18.3. 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 handline, troll line, jig, man push net, 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,<br>likisan, liba-liba, palisot, patangko, bira-bira, buli-buli, hulahoop, zipper, lampornas, etc. |
| 4. | Drive-in net -----       | pa-aling, kayakas, tumbok                                                                                                         |
| 5. | Round haul seine -----   | sapyaw, lawag                                                                                                                     |
| 6. | Motorized push net ----- | sudsod                                                                                                                            |
| 7. | Bag net -----            | 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. **Violation hereinto, the owner, the boat captain/ acting boat captain and all the fish workers aboard shall be fined of two thousand five hundred (Php 2,500.00) each or shall suffer the penalty of imprisonment from two (2) months to six (6) months, or both such fine and imprisonment in the discretion of the court.**

All fish catch, fishing paraphernalia and fishing vessel 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, fish catch and fishing vessel 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.

**18.4. BANNING FISHING BY MEANS OF "MURO-AMI" AND THE LIKE WHICH ARE 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 or a fine of 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.

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

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- a. 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 Capoocan, 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 Capoocan, Leyte. It shall 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 as amended by Republic Act No. 10654, 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 fishing vessel or in the possession of any fisherfolks, 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 as amended by Republic Act No. 10654.
- b. Pursuant to RA 8550, Section 88 as amended by Republic Act No. 10654 Section 92, mere possession of explosive, noxious/poisonous substance or electro – fishing device for illegal fishing shall be punishable by imprisonment ranging from two (2) months to six months (6).
- c. Pursuant to RA 8550, Section 88 as amended by Republic Act No. 10654 Section 98, actual use of explosive, noxious/poisonous substance or electro – fishing devices for illegal fishing shall be punishable by imprisonment of six (6) months without prejudice to the filing of separate criminal cases when the use of the same result to physical injury or loss of human life.
- d. Pursuant to RA 8550, Section 88 as amended by Republic Act No. 10654, dealing in, selling or any manner disposing of for profit, illegally caught/gathered fishery species shall be punished by imprisonment ranging from four (4) months to six (6) months.
- e. 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 of Capoocan, Leyte.

#### 18.6. ILLEGAL USE OF SUPERLIGHTS

Pursuant to Sections 44 and 93 of R.A. 8550 as amended by Republic Act No. 10654, it shall be unlawful to operate municipal and commercial fishing boats using superlight 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 200 watts. Violators of the prohibition shall suffer the following penalties:

1. The owner/operator/boat captain and the workers aboard shall be fined of P2,500.00 each or shall suffer the penalty of imprisonment form three (3) months to six (6) months or both such fine and imprisonment in the discretion of the court.
2. The superlight, fishing gear, vessel and fish catch shall be confiscated and forfeited in favor of the municipality.

#### 18.7. 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.

Violation to this provision shall be punished by imprisonment of two (2) months to four (4) months and a fine of PhP 2,500.00 per worker aboard and owner and by forfeiture of the catch and the cancellation of permit or license.

**18.8. 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.

**A. RARE SPECIES**

Scientific Name	English Name
<b>1. Gastropods:</b>	
<i>Bolma girgyllus</i>	Girgyllus star shell
<i>Clypeomorus aduncus bent cerith</i>	bent cerith
<i>Recluzea lutea</i>	recluzia snail
<i>Separatista blainvilliana</i>	true separatist
<i>Malluvium lissus</i>	deep sea cap
<i>Strombus thersites</i>	thersite stromb
<i>Varicospira crispate</i>	network beak shell
<i>Tibia martini</i>	Martini's tibia
<i>C. children</i>	children's cowrie
<i>C. beckii</i>	Beck's cowrie
<i>C. guttata</i>	great spotted cowrie
<i>C. porter</i>	porter's cowrie
<i>C. teramachii</i>	Teramachi's cowrie
<i>C. martini</i>	Martini's cowrie
<i>C. saulae</i>	Saul's cowrie
<i>C. katsuae</i>	Katsue's cowrie
<i>C. leucodon</i>	white toothed cowrie
<i>C. aurantium</i>	golden cowrie
<i>C. valentia</i>	Prince cowrie
<i>Phenacovolva dancei</i>	dance volva
<i>Cypraeacassis rufa</i>	bullmouth helmet
<i>Phalium coronadoi wyvillei</i>	Wyville's bonnet
<i>P. glabratum</i>	glabratum smooth bonnet
<i>Morum kurzi</i>	Kurzi's morum
<i>M. grande</i>	giant morum
<b>2. Bivalves:</b>	
<i>Amusium oblitteratum</i>	smudged moon scallop
<i>Eufistulana mumia</i>	club-shaped boring clam

**B. THREATENED SPECIES**

Scientific Name	English Name	Local Name
1. <i>Gastropods</i>		
<i>Turbo marmoratus</i>	green snail	laong, bulatok
<i>Trochus niloticus</i>	smooth top shell	samong; simong; tuwad
<i>Barnea manilensis</i>	angel wing shell	Diwal
2. <i>Crabs</i>		
<i>Birgus latro</i>	coconut crab	tatus, umang; alimangong lupa

**C. ENDANGERED SPECIES**

Scientific Name	English Name	Local Name
1. <i>Whales and dolphins</i>		
<i>Stenella longirostris</i>	spinner dolphin	lumba-lumba
<i>Stenella attenuate</i>	Pantropical spotted dolphin	lumba-lumba; balakiki
<i>Stenella coeruleoalba</i>	striped dolphin	lumba-lumba
<i>Lagenodelphis hosei</i>	Fraser's dolphin	Mayahon
<i>Tursiops truncatus</i>	long-snouted bottle-nose dolphin	lumba-lumba, lumod
<i>Grampus griseus</i>	Risso's dolphin	lumba-lumba; kabang
<i>Peponocephala electra</i>	melon-headed whale	Lumod
<i>Feresa attenuate</i>	pygmy killer whale	Lumod
<i>Globicephal macrorhynchus</i>	short-finned pilot whale	pakatang-ambuhatan
<i>Pseudorca crassidens</i>	false killer whale	Balyena
<i>Orcinus orca</i>	killer whale	Balyena
<i>Steno bredanensis</i>	rough toothed dolphin	lumba-lumba
<i>Kogia breviceps</i>	pygmy sperm whale	Balyena
<i>Kogia simus</i>	dwarf sperm whale	Balyena
<i>Mesoplodon densirostris</i>	Blainville's beaked whale	Balyena
<i>Ziphius cavirostris</i>	Cuvier's beaked whale	Balyena
<i>Physeter macrocephalus</i>	sperm whale	Balyena
<i>Megaptera novaeangliae</i>	humpback whale	Balyena
<i>Balaenoptera edeni</i>	Bryde's whale	balyena, bongkaras
<i>Balaenoptera physalus</i>	fin whale	Balyena
2. <i>Clams:</i>		
<i>Tridacna gigas</i>	true giant clam	Taklobo
<i>T. derasa</i>	smooth giant clam	Taklobo
<i>T. squamosal</i>	fluted/scaly giant clam	hagdan-hagdan
<i>T. maxima</i>	elongated giant clam	manlet; manlot
<i>T. crocea</i>	boring/crocus clam	let-let
<i>Hippopus hippopus</i>	strawberry/horse hoof clam	kukong kabayo
<i>H. porcellanus</i>	china/porcelain clam	kukong kabayo
3. <i>Sea snakes</i>		
<i>Cerberus rhynchops</i>	dogfaced water snake	Kalabukab

Violation of this prohibition shall hold the offender liable to the penalty of imprisonment from two (2) months to four (4) months or a fine of PhP 2,500.00 each person aboard and the owner / operator, or both such fine and imprisonment in the discretion of the court, including forfeiture of the catch subject of the offense and cancellation of his fishing permit, if applicable.

**18.9. CATCHING, GATHERING, SELLING AND PURCHASING MATURE MILKFISH OR "SABALO"**

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.

Violation to this provision shall be punishable to a fine of not less than PhP 2,000.00 but not exceeding PhP 2,500.00 plus forfeiture of the catch in favor of the municipality and revocation of fishery license or permit.

**18.10. 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.

Violation of this prohibition shall subject the offender to imprisonment from two (2) months to four (4) months or a fine from two thousand pesos (P2,000.00) to two thousand five hundred pesos (P2500.00) or both such fine and imprisonment at the discretion of the court and forfeiture of the subject corals, including the vessel and its proper disposition.

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.

**18.11. 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.

Violation of this section shall hold the offender liable to prosecution and upon conviction shall suffer the penalty from two thousand (P2,000.00) pesos to two thousand five hundred pesos (P2,500.00) pesos or imprisonment from one month and one day to four (4) months or both such fine and imprisonment in the discretion of the court.

**18.12. ACQUATIC POLLUTION**

Aquatic pollution, as defined in this ordinance shall be unlawful. Violation of this provision, pursuant to RA 8550, Section 102, shall be punishable by:

**FIRST OFFENSE** – A fine of one-thousand pesos (P1,000.00) or imprisonment of not less than fifteen (15) days but not more than thirty (30) days, or both fine and imprisonment at the discretion of the court.

**SECOND OFFENSE** – A fine of one-thousand five-hundred pesos (P1,500.00) or imprisonment of not less than thirty (30) days but not more than two (2) months, or both fine and imprisonment at the discretion of the court.

**THIRD OFFENSE AND SUBSEQUENT OFFENSES** – A fine of two-thousand five hundred pesos (P2,500.00) or imprisonment of not less than two (2) months but not more than three (3) months, or both fine and imprisonment at the discretion of the court.

### 18.13. OTHER VIOLATIONS

The following fishery activities shall be considered as violation of this section:

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 Capoocan, Leyte who fails to submit their consolidated monthly fish caught / production shall be subject to the following penalties;

- 1) First Offense - a fine of PhP1,000.00 per unreported month
- 2) Second Offense - a fine of PhP 1,500.00 per unreported month of the annual period.
- 3) Third Offense - a fine of PhP 2,500.00 per unreported month or cancellation or denial for renewal of license permit or grant.

b.) **Unregulated Fishing.** It shall be unlawful for any person to engage in unregulated fishing in the municipal water of Capoocan, 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 water shall be punished by confiscation of catch and gear and an administrative fine of equivalent to the catch or amount indicated below, whichever is higher:

- a. Two thousand five hundred pesos (PhP 2,500.00), Provided, that if the offender fails to pay the fine he shall render community service.

c.) **Fishing in Overexploited Fishery Management Areas.** It shall be unlawful to any person to fish in fishery management areas declared as overexploited. Violation to the provision of this section shall be punished with confiscation of fish catch and fishing gears and administrative fine of Two Thousand Five Hundred Pesos (PhP 2,500.00) each fishery worker including the owner/ boat captain of the fishing vessel or three times the value of catch whichever is higher, Provided, That the offender fails to pay the fine he shall render community service.

d.) **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. Offenders of this provision shall be punished with confiscation of catch and fishing gear, revocation of license or permit and an administrative fine of Two Thousand Five Hundred Pesos (PhP 2,500.00) each person aboard including the owner or the vessel/boat.

e.) **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. The offenders shall be imposed the penalty of confiscation of catch and suspension or cancellation of license or permits and an administrative fine of Two Thousand Five Hundred Pesos (PhP 2,500.00)



- f.) **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 Two Thousand Five Hundred Pesos (PhP 2,500.00)
- g.) **Gathering and marketing of regulated shell fishes or other aquatic species.** It shall be unlawful for any person to take, sell, transfer, or have in possession, commercially transport, export forward or ship out or for any purpose any shell fish which is sexually mature or other species identified of BFAR, or below the minimum size or above the maximum quantities prescribed for the particular species. The offender shall be punished with suspension of license and an administrative fine of Two Thousand Five Hundred Pesos (PhP 2,500.00) and confiscation of the same, cancellation of permit or license shall be imposed to the offender.
- h.) **Use of Compressor for Fishing Activities.** Compressor used for fishing purposes is prohibited, unless used for research and rescue operation. The position of a unit onboard of any fishing vessel or boat within the sea constitutes a violation of this ordinance. The offender shall be punished with a suspension of license and an administrative fine of Two Thousand Pesos (PhP2,000.00) or imprisonment of not less than two (2) months but not more than four (4) months, or both fine and imprisonment at the discretion of the court.

### ARTICLE III 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 aquatic resources activity in this municipality. The FLET Is hereby created to compose of the following:
- a. The Fish Warden Association, whose members are fisherfolks who have a set of officers recognized by the Municipal Government
  - b. Officers and members of the MFARMC/BFARMC/IFARMC
  - c. Municipal Agriculture Office Staff
  - d. Philippine National Police (PNP)
  - e. MENRO STAFF
  - f. MDRRMO Staff
  - g. Sangguniang Bayan Member (Chairman on Environmental Protection and Agriculture)
  - h. Barangay Officials of the thirteen (13) coastal barangays of this municipality
  - i. FLET Quick Response Team shall be composed of the following:
    - One from MDRRMO Staff designated as member of the FLET QRT
    - One from MENRO Staff designated as member of the FLET QRT
    - One from MAO Staff designated as member of the FLET QRT/FLET Coordinator
    - FLET- Patrol Boat Operator
    - PNP personnel
- B. Provided that the FLET members 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"

- C. Thru Carigara Bay Alliance if there is any, the President shall issue office order to Municipal Fishery Law Enforcer and deputize the same for Carigara Bay.
- D. Incentives of Fishery Law Enforcer - Fifty (50%) percent of the collected fines shall be allocated as incentives to all Fishery Law Enforcers as logistical support for their endeavor.
- E. Members of the Fishery Law Enforcement Team will hold office at the Community Fish Landing Center of this municipality or at any place authorized by the Municipal Mayor

## SECTION 2 - OBSTRUCTION TO FISHERY LAW ENFORCEMENT OFFICER

The fishing vessel owner, master or operator or any other person acting on behalf of any fishing vessel who assaults, resists, intimidates, harasses, seriously interferes with, or unduly obstructs or delays a fishery law enforcement officer, authorized inspector or observer, the deputized fish warden of the LGU, or any lawfully-boarding government officers, in the exercise of their duties shall be penalized under this Code. Any person who does not allow any authorized officer or an observer to exercise any of the legal duties shall be deemed to be obstructing that officer or person.

Violation of this section shall subject the offender a penalty of two thousand five hundred pesos (P2,500.00) pesos or imprisonment from one month and one day to four (4) months or both such fine and imprisonment in the discretion of the court.

## SECTION 3 - MUNICIPAL BAY WATCH

In support to the function of the FLET, a Municipal Bay Watch is created composed of all duly elected Barangay Chairman of the thirteen (13) Coastal Barangay and Officers of all Fisherfolks 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 4 - Creation of Fisheries and Aquatic Resources Management Councils (FARMCs)

To institutionalize the major role of the fisherfolks 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.

- 1. The MFARMCs shall be formed by fisherfolks 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 members of the MFARMCs shall be composed of:

- a. Municipal 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;
- f. Representative from the Municipal Agriculture Office (Municipal Level);
- g. One (1) fisherfolks representatives from 13 coastal barangays;
- 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 fisherfolks 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 Agriculture and 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.
- f. 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 waters;
4. The FARMCs may also recommend the appropriate license fees that will be imposed;
5. The establishment of catch ceiling limitations in municipal waters for conservation and ecological purposes;
6. The establishment of closed seasons in municipal waters;
7. The FARMCs may also recommend the establishment of closed seasons in fisheries management areas and other areas reserved for the use of municipal fisherfolk;
8. Authorizing or permitting small and medium commercial fishing vessels to operate within the ten point one (10.1) to fifteen (15) kilometers area from the shoreline in municipal waters, through a public hearing;
9. 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;
10. 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;
11. Determination of defined migration paths of migratory fish species;
12. The establishment of post-harvest facilities for fishing communities;
13. 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
14. The establishment and designation of areas for fishery refuges and sanctuaries.

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- g. Submit to the LGU the list of priorities for consideration in determining priorities among those who will be allowed to fish in municipal waters.
  - h. Assist the LGU in maintaining a registry of municipal fishing vessels by type of gear and other boat particulars.
  - i. 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.
  - j. Be coordinated with the DENR in determining which abandoned, undeveloped, or unutilized fishponds covered by FLAs can be reverted to their original mangrove state.
  - k. The FARMC 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;
- 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. Composition of the BFARMCs and IFARMCs.** - 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 fisherfolks/fish workers including the youth and women sectors.

**ARTICLE IV**

**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 Capoocan 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.

**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.

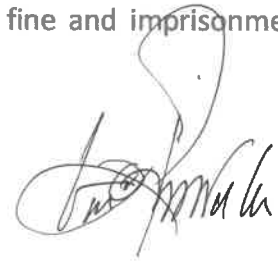
**FIRST OFFENSE** – A fine of one-thousand pesos (P1,000.00) or imprisonment of not less than fifteen (15) days but not more than thirty (30) days, or both fine and imprisonment at the discretion of the court.

**SECOND OFFENSE** – A fine of one-thousand five hundred pesos (P1,500.00) or imprisonment of not less than fifteen (15) days but not more than thirty (30) days, or both fine and imprisonment at the discretion of the court.

**THIRD OFFENSE** – A fine of two-thousand five hundred pesos (P2,500.00) or imprisonment of not less than fifteen (15) days but not more than thirty (30) days, or both fine and imprisonment at the discretion of the court.



**ARTICLE V  
FISH LANDING POINTS**



Municipal fishing vessels shall strictly load or discharge their catch of fish, fishery/aquatic products and/or cargoes at designated Fishing Landings as authorized by the Municipality, PROVIDED that any Fish Landing not be closed, if circumstances so warrant.

Each Coastal Barangay shall have one (1) Fish Landing only, duly designated by the Barangay Ordinance as recommended by the Municipal Agriculture Office as an ideal site and as authorized by the Local Chief Executive. The Municipal Fish Landing is Located at Poblacion Zone I Capoocan, Leyte and Pinamopoan Fish Port Barangay Pinamopoan Capoocan, Leyte

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 December 31 of every year.



**ARTICLE VI  
FINAL PROVISIONS**

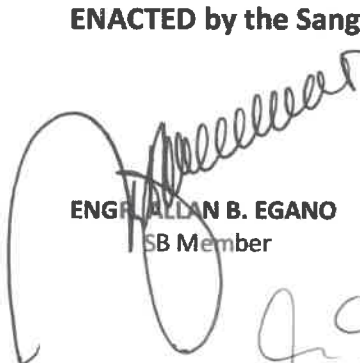
**SECTION 1. APPLICABILITY CLAUSE.** All other matters relating to the impositions in this Ordinance shall be governed by pertinent provisions of existing national laws.

**SECTION 2. REPEALING 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 3. SEPARABILITY CLAUSE.** 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 4. EFFECTIVITY.** This Ordinance shall take effect after three (3) consecutive weeks of publication as provided for by Republic Act No. 7160, otherwise known as the Local Government Code of 1991.

**ENACTED** by the Sangguniang Bayan, in session assembled this 2<sup>nd</sup> day of APRIL 2024 at Capoocan, Leyte.



**ENGR. ALLAN B. EGANO**  
SB Member



**VON LITO O. VALLAR**  
SB Member



**EMMANUEL D. ARBOSO**  
SB Member



**JOJO N. NEPOMUCENO**  
SB Member



**GRACIA G. PIGAR**  
SB Member



**REYNALDO R. NIMO**  
SB Member



**ROBERTA C. PEÑARANDA**  
SB Member

**FLORENCE R. CAROLINO-MISAGAL**  
Ex-Officio Member  
**Municipal Chapter President**  
*Liga ng mga Barangay*  
*(On Official Business)*



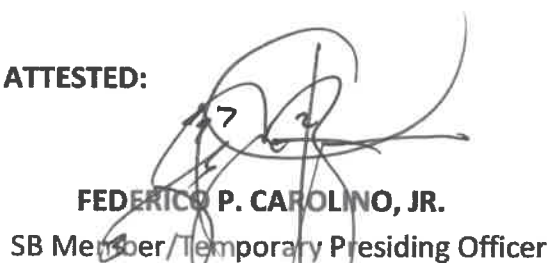
**DAVE A. NIDERA**  
Ex-Officio Member  
**President**  
*Pambayang Pederasyon ng mga Sangguniang Kabataan*

**I HEREBY CERTIFY** to the correctness of the foregoing resolution of the Sangguniang Bayan of Capoocan, Leyte.



**JUDE R. DELA TORRE**  
Secretary to the Sanggunian

**ATTESTED:**



**FEDERICO P. CAROLINO, JR.**  
SB Member/Temporary Presiding Officer

**APPROVED:**



**ATTY. FE CLAIRE P. CAROLINO-PARAGATOS**  
Municipal Mayor

Date: 5.10.24

### “ANNEX A”

Data taken from:

Department of Environmental and Natural Resources  
**NATIONAL MAPPING AND RESOURCE INFORMATION AUTHORITY**  
NAMARIA-MW-LYT-025, Series of 2002 dated 17 February 2003

#### TECHNICAL DESCRIPTION OF THE MUNICIPAL WATERS OF THE MUNICIPALITY OF CAPOOCAN, PROVINCE OF LEYTE

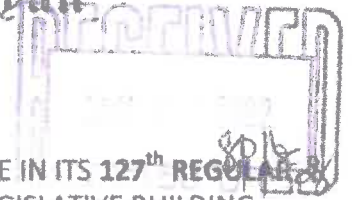
This is to certify that pursuant to the exclusion clause of Section 4(58) of RA 8550, otherwise known as the Philippine Fisheries Code of 1998, the municipal values of the Municipality of Capoocan, Province of Leyte are bounded by the general coastline of the municipality and the lines described as follows:

Point	Latitude	Longitude	Remarks
Beginning at 1	11° 25' 55"	124° 31' 47"	Coastal terminal point
thence 2	11° 27' 04"	124° 32' 42"	
thence 3	11° 27' 02"	124° 33' 00"	
thence 4	11° 26' 22"	124° 34' 27"	
thence 5	11° 25' 41"	124° 35' 38"	
thence 6	11° 24' 55"	124° 36' 56"	
thence 7	11° 24' 15"	124° 37' 00"	
thence 8	11° 24' 17"	124° 39' 03"	
thence 9	11° 21' 04"	124° 38' 42"	
thence 10	11° 20' 47"	124° 38' 41"	
thence 11	11° 19' 09"	124° 38' 56"	
thence 12	11° 18' 02"	124° 39' 25"	
thence 13	11° 17' 48"	124° 39' 17"	Coastal terminal point
thence following the coastline to 1			



Republic of the Philippines  
PROVINCE OF LEYTE  
Municipality of Capoocan  
Office of the Sangguniang Bayan

✉ sbcapoocan@gmail.com / sbcapoocan@yahoo.com  
☎ 09976874138



SANGGUNIANG BAYAN OF THE MUNICIPAL GOVERNMENT OF CAPOOCAN, LEYTE IN ITS 127<sup>th</sup> REGULAR SESSION HELD ON DECEMBER 21, 2021 AT THE MUNICIPAL SESSION HALL LEGISLATIVE-BUILDING

**ORDINANCE NO. 4, SERIES OF 2021**

**AN ORDINANCE AMENDING, REVISING, AND MODIFYING THE MUNICIPAL ORDINANCE NO. 109 S. 2001, OTHERWISE KNOWN AS, "THE MUNICIPAL FISHERY ORDINANCE OF CAPOOCAN, LEYTE", AND ADOPTING REPUBLIC ACT 8550 OTHERWISE KNOWN AS THE PHILIPPINE FISHERIES CODE OF 1998 AS AMENDED BY REPUBLIC ACT 10654**

BE IT ENACTED by the *Sangguniang Bayan* of the Municipality of Capoocan, Province of Leyte in Regular Session duly assembled that:

**ARTICLE I**

**TITLE, PURPOSE, DECLARATION OF POLICY, DEFINITION OF TERMS AND ACRONYMS**

**SECTION 1 - TITLE**

This ordinance shall amend, revise, and modify the existing Fisheries Ordinance 109, Series of 2001, and shall be known as the **Amended Municipal Fisheries Ordinance of 2021 of the Municipality of Capoocan, Leyte and Adopting Republic Act No. 8550 otherwise known as the Philippine Fisheries Code of 1998 as amended by Republic Act No. 10654.**

**SECTION 2 - PURPOSE**

- 2.1 To protect the right of fisherfolks, especially of the local communities with priority to municipal fisherfolks, 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, 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; and

2.4 For other relevant purposes.



- 6. BFARMC
- 7. MFARMC
- 8. Barangay Council
- 9. One copy to be posted at a prominent place of the Barangay Hall

d. However, those fisherfolks, fishing vessels and gears of Barangay Balucanad, Nauguisan, Manloy, Lemon, Visares, Sto Nino, San Joaquin and Balugo may choose which Coastal Barangay they prefer to register within the Municipality of Capoocan, Leyte.

**SECTION 9 - REGISTRATION OF FISHING VESSELS**

1. Registration of Fishing Vessels and / or Fishing Boats and Passenger Boats - Owners/operators of fishing vessels/ boats of three (3) gross tons or less, engage in fishing or fishery/aquatic products or not, such as but not limited to vessels for private use or hire, are required to register and secure a Municipal Certificate of Registration from the Municipal Treasurer, renewable every year on or before January thirty-first (31) and shall pay the following registration fee annually:

Vessel	Registration Fee
Fishing Vessels / Fishing Boats	PhP 500.00
Passenger Boats	PhP1,000.00

2. In addition, the BFARMC Treasurer shall collect an annual BFARMC Clearance Fee of P100.00 from the owner/operators of fishing vessels of three (3) gross tons or less for the issuance of a BFARMC Clearance Certificate certifying the owner's residency at the Barangay he/ she is registered. This amount shall be deposited with the Barangay Treasurer as a "TRUST FUND" for the BFARMC.

**BFARMC Certification/ Clearance Fee – P 100.00 Annual Fixed Fee**

3. Non-motorized single crew fishing vessel ("baloto") using paddle is exempted, provided that the registered fisherfolk shall pay the corresponding license issued and duly approved by the Municipal Mayor.

**SECTION 10 - REGISTRATION OF MOTORIZED AND NON-MOTORIZED FISHING ENGINES**

**Annual Fixed Fees:**

Motorized, inboard engine of sixteen (16) horsepower (HP) or above (single Piston)	- P 500.00
Motorized, inboard engine of fifteen (15) HP or less (Single Piston)	- P 300.00
Motorized Outboard Engine	- P1,500.00
Motorized, engine such as 3K, 4K, 5K, 4DR5, 4D30 & others	- P1,500.00

**SECTION 11 -FOR EFFECTIVE REVENUE COLLECTION**

For an effective Municipal Revenue collection of fishing and fishery/aquatic resources taxes, fees, and charges/penalties within the Municipal jurisdiction, a Memorandum of Agreement shall be entered into by and between the Local Government Unit of Capoocan and the Barangay to deputize the Barangay Treasurer to act as a collection agent, and such, to give incentives to the Barangay to work more for an effective collection, with the following sharing schedule:

Barangay Share	-	40% of gross receipts/ collection
Municipal Share	-	60% of gross receipts/ collection

*(Handwritten signatures and initials are present below the table, including a large blue signature on the right side of the page.)*

**SECTION 12 - MAYOR'S PERMIT: LICENSE TO OPERATE FISHING VESSELS OF THREE TONS OR LESS**

The owner, operators, and lessee of fishing vessels, as defined in Section 19 of R.A. 8550, of three (3) gross tons or less, engaged in fishing and/or fishery/aquatic resources activity or not, such as but not limited to vessels for private use or for hire, shall be subjected to the following annual license fees:

Municipal Certificate of Registration fee	-	P500.00
Police clearance for the operator	-	P150.00
Mayor's permit	-	P300.00
BFARMC Clearance Certificate	-	P100.00
Fishery Inspection Fee	-	P100.00
Fisherman ID	-	P50.00
MFARMC Permit	-	P150.00

**SECTION 13 - LICENSE PERMIT FEE FOR FISHING GEARS**

The privilege of taking or catching fish and/or any fisheries/aquatic resources/products in the Municipal Waters of the Municipality of Capooocan, Leyte with nets, traps, and other "passive fishing gears" with or without using thereof fishing vessels of three (3) gross tons or less, shall be granted under a license permit issued by the Municipal Mayor to any persons, cooperative, partnership, association, or corporation qualified under Section 8 of this Ordinance, upon proper inspection by the Municipal Agriculture Office, and payment of the corresponding annual License Fee required in the General Schedule:

1. Fisherfolk using nets	
Light net ("sapiaw")	P5.00 per square meter
Ring Net ("kubkuban")	P5.00 per square meter
Gill net	
Bottom set net ("palubog")	P5.00 per meter
Drift gill net ("pamo" paanod")	P5.00 per meter
Blanket net ("kabiaw")	P5.00 per meter
"Pamolnaw and Panamban"	P 5.00 per meter
2. Fisherfolk using traps/barriers	
Pots for squid ("bubo")	P30.00 per unit
Pots for big fish ("bubo")	P20.00 per unit
Pots for crab ("bentol")	P15.00 per unit
3. Fisherfolk using hook and line	
Simple handline	P 15.00 per unit
Multiple Handline (undak)	P 20.00 per unit
Long line (kitang)	P100.00 per unit
Troll line (subid)	P 25.00 per unit

*[Handwritten signatures and initials in various colors: blue, purple, black, and red.]*

Lights

Electric light (not exceeding 200watts)	P2.00 per watt
Battery operated	P50.00 per unit

5. Fish aggregating devices

"arong"	P200.00 per unit
Artificial reef	P200.00 per module
"guma"	P200.00 per unit

6. Gathering of jellyfish and other species P 500.00 per year

7. Under Article 1. Municipal Fisheries, Section 18, Users of Municipal Waters, Rule 18.2 Fishing Methods and Gears. For purposes of Section 18 (b) and Rule 18.1.b (2) of the RA 8550 as amended by RA 10654. In addition to passive gears, small commercial fishing vessel may be allowed to use active gears such as Ring Net or "Kubkuban" that do not touch the sea bottom. And provided that the vessel use is not more than 3.0 GT and they can only operate 10.1 kilometers away from the shoreline.

**SECTION 14 - PREFERENTIAL PRIVILEGE GRANTED TO MARGINAL FISHERFOLK**

Marginal Fishermen engaged in marginal fishing in the Municipal Waters shall be granted the privilege to take, gather, or catch fish, using "passive fishing gear", upon payment of the following annual fees, pursuant to Section 16, Rule 16.2 of R.A. 8550 as amended by Republic Act No. 10654 in securing of their individual fisherfolks license:

Police clearance	P 150.00
BFARMC clearance	P 30.00

**SECTION 15 - 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 of the preceding month report on the second week of the following month. Noncompliance / submission of the said report shall be sufficient ground for the cancellation of his/her permit or license.

**SECTION 16 - SUPPORT TO THE MUNICIPAL FISHERFOLK**

The municipal government (LGU) shall provide support to the municipal Fisherfolks to extension of appropriate technology and research, credit, insurance, production and marketing assistance and other services such as, but not limited, to training for additional / supplementary livelihood. And if possible financial assistance to fisherfolks organizations or association.

**SECTION 17 - 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 at the Municipal Treasurer's Office prescribe for the purpose.

*[Handwritten signatures and initials]*

A. MILK FISH (BANGUS)	P20.00 per foam per 50 kilos
B. PRAWNS	25.00 per foam per 50 kilos
C. SHELLFISH	20.00 per foam per 50 kilos
D. FINGERLINGS	20.00 per foam per 50 kilos
E. BLUE CRAB, KING/MUD CRAB, CRUZAN CRAB	25.00 per foam per 50 kilos
F. ASSORTED DIMERSAL AND PELAGIC FISH	20.00 per foam per 50 kilos

**SECTION 18 - PROHIBITIONS**

**18.1. UNAUTHORIZED FISHING OR ENGAGING IN OTHER UNAUTHORIZED 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 Capoocan, 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 as amended by Republic Act No. 10654, 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 vessels is engaged in an unauthorized 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 as amended by Republic Act No. 10654, 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 punished by a fine of Php2,500.00 per officer and crew member aboard the vessel and an imprisonment of six (6) months, confiscation of catch and all fishing gears and recommendation to the BFAR / Municipal Mayor for revocation of the license.**

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 this municipality. **Any person found guilty violating this provision of this ordinance shall be punished by a fine of five thousand (Php 2,500.00) pesos per person onboard and confiscation of fish catch and fishing paraphernalia.**

**18.2. 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 (Ampularja luzonica and Vivipora spp.)

**THIRD OFFENSE** – A fine of two-thousand five hundred pesos (P2,500.00) or imprisonment of not less than fifteen (15) days but not more than thirty (30) days, or both fine and imprisonment at the discretion of the court.

**SECTION XX - FISH LANDING POINTS**

- X.1 Municipal fishing vessels shall strictly load or discharge their catch of fish, fishery/aquatic products and/or cargoes at designated Fishing Landings as authorized by the Municipality, PROVIDED that any Fish Landing not be closed, if circumstances so warrant.
- X.1 Each Coastal Barangay shall have one (1) Fish Landing only, duly designated by the Barangay Ordinance as recommended by the Municipal Agriculture Office as an ideal site and as authorized by the Local Chief Executive. The Municipal Fish Landing is Located at Poblacion Zone I Capoocan, Leyte and Pinamopoan Fish Port Brgy. Pinamopoan Capoocan, Leyte
- X.3 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 December 31 of every year.

**ARTICLE V**

**FINAL PROVISIONS**

**SECTION 1. APPLICABILITY CLAUSE.** All other matters relating to the impositions in this Ordinance shall be governed by pertinent provisions of existing national laws.

**SECTION 2. REPEALING 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 3. SEPARABILITY CLAUSE.** 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 4. EFFECTIVITY.** This Ordinance shall take effect after three (3) consecutive weeks of publication as provided for by Republic Act No. 7160, otherwise known as the Local Government Code of 1991.

**ENACTED** by the Sangguniang Bayan, in session assembled this 21<sup>st</sup> day of December 2021 at Capoocan, Leyte.

  
GRACIA G. PIGAR  
SB Member

  
EMMANUEL D. ARBOSO  
SB Member

  
ALESHYLA APUYA-DIAZ  
SB Member

  
ARNEL S. CANTALEJO  
SB Member

  
LUZ B. BAAGAS  
SB Member

  
FEDERICO P. CAROLINO, JR.  
SB Member

  
RENIEL D. CAPAY-CAPAY  
SB Member


  
JAIME A. DALDE, JR.  
SB Member

FLORENCE R. CAROLINO-MISAGAL  
Municipal Chapter President - Liga ng mga Barangay  
*(On Official Travel)*


  
JUNO ALMALAVE B. APOSTOL  
President - Pambayang Federasyon ng mga Sangguniang Kabataan



I HEREBY CERTIFY to the correctness of the foregoing resolution of the Sangguniang Bayan of Capoocan, Leyte.

  
**JUDE R. DELA TORRE**  
Secretary to the Sanggunian

ATTESTED:

  
**ATTY. FEDERICO H. CAROLINO, SR.**  
Municipal Vice-Mayor/Presiding Officer

APPROVED:

  
**ATTY. FE CLAIRE P. CAROLINO-PARAGATOS**

Municipal Mayor

Date: 12/29/21



Republic of the Philippines  
PROVINCE OF LEYTE  
Municipality of Capoocan  
Office of the Sangguniang Bayan

✉ sbcapoocan@gmail.com / sbcapoocan@yahoo.com  
☎ 09976874138

-o0o-

MINUTES OF THE SANGGUNIANG BAYAN OF CAPOOCAN, LEYTE IN ITS 88<sup>th</sup> REGULAR SESSION  
CUM PUBLIC HEARING HELD ON FEBRUARY 27, 2024 AT THE POBLACION ZONE II MULTI-  
PURPOSE GYMNASIUM, CAPOOCAN, LEYTE

**PRESENT:**

- |                                      |                                                                                        |
|--------------------------------------|----------------------------------------------------------------------------------------|
| 1. Hon. Federico H. Carolino, Sr.    | Municipal Vice-Mayor/Presiding Officer                                                 |
| 2. Hon. Allan B. Egano               | SB Member                                                                              |
| 3. Hon. Von Lito Q. Vallar           | SB Member                                                                              |
| 4. Hon. Emmanuel D. Arboso           | SB Member                                                                              |
| 5. Hon. Jojo N. Nepomuceno           | SB Member                                                                              |
| 6. Hon. Gracia G. Pigar              | SB Member                                                                              |
| 7. Hon. Federico P. Carolino, Jr.    | SB Member                                                                              |
| 8. Hon. Roberta C. Peñaranda         | SB Member                                                                              |
| 9. Hon. Florence R. Carolino-Misagal | Ex-Officio Member<br><i>Municipal Chapter President - Liga ng mga Barangay</i>         |
| 10. Hon. Dave A. Nidera              | Ex-Officio Member<br><i>President-Pambayang Pederasyon ng mga Sangguniang Kabataan</i> |
| 11. Mr. Jude R. dela Torre           | Secretary to the Sanggunian                                                            |

**ABSENT:**

- |                          |           |
|--------------------------|-----------|
| 1. Hon. Reynaldo R. Nimo | SB Member |
|--------------------------|-----------|

**GUESTS:**

- |                                                   |                                  |
|---------------------------------------------------|----------------------------------|
| 1. LGU Department Heads, Unit Heads and employees |                                  |
| 2. PUBLIC                                         | <i>Refer to Attendance Sheet</i> |

The Regular Session cum public hearing was called to order by the Honorable Presiding Officer at 9:25 o'clock in the morning. It was followed by an Opening Prayer, singing of the Pambansang Awit and singing of the Capoocan Hymn.

A quorum was confirmed by the SB Secretary with ten (10) members of the Sanggunian present.

Honorable Von Lito Q. Vallar welcomed the participants of the regular session cum public hearing. It was followed by a message from the Municipal Vice-Mayor, Honorable Federico H. Carolino, Sr., then the participants were presented and acknowledged by Honorable Federico P. Carolino, Jr.

**PRESENTATION AND OVERVIEW OF THE ORDINANCE**

❖ **ORDINANCE NO. 8, SERIES OF 2023, "AN ORDINANCE AMENDING MUNICIPAL ORDINANCE NO. 4 S. 2021, OTHERWISE KNOWN AS, "THE MUNICIPAL FISHERY ORDINANCE OF CAPOOCAN, LEYTE"**

Hon. Arboso: An Sangguniang Bayan o an LGU Capoocan, pinaagi han opisina han Sangguniang Bayan in nagproponer hin mga ordinansa nga ha amon pagtuo in makakahatag hin general welfare han aton mga constituents pursuant to Section 16 of the Local Government Code, to provide basic services and facilities and pursuant to Section 17. an Sangguniang Bayan is mandated by law to enact ordinances and resolutions, klaro ito dida ha Section 447, Power, Duties and Functions of the Sangguniang Bayan. Public hearing in usa nga kinahanglan nga i-publikar an mga ordinansa with penal provisions, which is pursuant to

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By: \_\_\_\_\_  
Date: \_\_\_\_\_  
Page 1 of 40

1 Section 188, with penal provisions, and public hearing is pursuant to Section 187. So, as a whole, we  
2 provide for the general welfare han mga molopyo han bungto han Capoocan. An Fishery Ordinance na-  
3 aprubaran ini hadton 2021, an bug-os nga ordinansa han Municipal Fishery Ordinance. Last year, mga  
4 bulan han July or August, mayda mga tawo nga tikang ha coastal barangays, damo hira, more or less 20,  
5 especially tikang ha Barangay Libertad, nakadto ha opisina ni Vice-Mayor, nagreklamo tungod hin hitaas  
6 nga panukot han aton Fishery Ordinance, particular on Section 12 han aton Fishery Ordinance. An aton  
7 Vice-Mayor, gintawag kami, an Sangguniang Bayan, an amon masisiring, with consultaion of course ha  
8 Provincial Attorney's Office nga mayda nareklamo nga mga fisherfolks nga hitaas hin duro an panuruktan  
9 ha Section 13. Siring ni Kons Jun nga gin-public hearing man ini, that is why kamo nga mga Chair of the  
10 Committee on Agriculture, i-provide niyo an mga impormasyon nga gin-public hearing yana, mayda na man  
11 kamo public address, diri an bug-os nga ordinansa, an importante la nga tratrataron naton yana. Of course  
12 labot la han pag-publikar in general circulations and posting in 2 conspicuous places to be provided by the  
13 LGU Capoocan or the Office of the Sangguniang Bayan. In open session, as Chair on Committee on  
14 Agriculture, I manifested nga there were fisherfolks nga na-reklamo hini, so gin-refer ha akon, nagkauruyon  
15 kami nga amo na ini an masunod nga ginproponer ko ha iyo.

16  
17  
18 **SECTION 13 - LICENSE PERMIT FEE FOR FISHING GEARS**

19  
20 The privilege of taking or catching fish and/or any fisheries/aquatic resources/products in the  
21 Municipal Waters of the Municipality of Capoocan, Leyte with nets, traps, and other "passive fishing gears"  
22 with or without using thereof fishing vessels of three (3) gross tons or less, shall be granted under a license  
23 permit issued by the Municipal Mayor to any persons, cooperative, partnership, association, or corporation  
24 qualified under Section 8 of this Ordinance, upon proper inspection by the Municipal Agriculture Office, and  
25 payment of the corresponding annual License Fee required in the General Schedule:

26  
27 1. Fisherfolk using nets

28 Light net ("sapiaw") P1.00 per linear meter, dati  
29 PhP5.00

30  
31 Gill net

32 Bottom set net ("palubog") P1.00 per linear meter

33 Drift gill net ("pamo" paanod") P1.00 per linear meter

34 Blanket net ("kabiaw") P1.00 per linear meter

35 "Pamolinaraw and Panamban" P1.00 per linear meter

36  
37 2. Fisherfolk using traps/barriers

38 Pots for squid ("bubo") P20.00 per unit

39 Pots for big fish ("bubo") P20.00 per unit

40 Pots for crab ("bentol") P15.00 per unit

41  
42 3. Fisherfolk using hook and line

43 Simple handline P5.00 per unit

44 Multiple Handline (undak) P5.00 per unit

45 Long line (kitang) P50.00 per unit

46 Troll line (subid) P5.00 per unit

47 Jigger (bulwat) P15.00 per unit

48  
49 **SECTION 10 - REGISTRATION OF MOTORIZED AND NON-MOTORIZED FISHING ENGINES**

50  
51 **Annual Fixed Fees:**

52 Motorized, inboard engine of sixteen (16) horsepower (HP) or above (Single Piston) - P 300.00, dati

53 PhP500.00

54 Motorized, inboard engine of fifteen (15) HP or less (Single Piston) - P 200.00

55 Motorized Outboard Engine - P1,500.00, as is

56 Motorized, engine such as 3K, 4K, 5K, 4000, 4100, 5000 and others - P 750.00, dati

57 PhP1,500.00





1 Then mayda dida provision ha Section 18.3 Use of Active Gears nga gin-add as recommended nga  
2 *All fish catch, fishing paraphernalia and fishing vessel, gin-add an fishing vessel, used in the commission of*  
3 *the illegal fishing operation shall be confiscated and forfeited as deemed in favor of the Local Government*  
4 *Unit to be disposed of in accordance with law. Also, all abandoned paraphernalia, fish catch and fishing*  
5 *vessel, addendum ito hiya, used in the commission of the illegal fishing operation shall be confiscated.* Amo  
6 la adto an gin-amyendar, more on han pag-lower han kabaraydan han aton fees and charges dida han aton  
7 Fishery Ordinance.

8  
9 Hon. R. Lagera: Maupay nga aga ha aton nga tanan. An akon pakiana, kay ano kun may  
10 nadadakop, kay ano gin-uupod man pag-impound an sakayan, nga an puede la pagdakpon, an illegal  
11 fishing, an mga illegal paraphernalias, diri an sakayan, kay puede pa man ito gamiton ha patuloy.

12  
13 Hon. Arboso: Ha akon base, kasi an sakayan is a paraphernalia.

14  
15 Hon. Lagera: Ginkakargahan la hiya.

16  
17 R. Merelos: An FLET which is under the Coastal Management nga Program under na hjiya ha  
18 MENRO, waray na ha amon.

19  
20 MENRO Rivas: Ako ngayan an Team Leader han FLET Bantay Dagat dinhi ha munisipyo. Kagawad,  
21 regarding hiton imo concern nga sakayan, ano nga klase nga sakayan?

22  
23 Hon. Lagera: Ginbubunlut-bunlutan.

24  
25 MENRO Rivas: Hulbot-hulbot, liba-liba. Ha liba-liba kasi, mayda kita ginsisiring nga national law  
26 which is FAO 2020-04, total ban ito hiya, gin-aaaplay ito naton dinhi ha LGU Capoocan kay national ito hiya,  
27 memorandum tikang ha BFAR, tanan-tanan nga paraphernalias, fish catch, tanan tanan sakay han  
28 sakayan, confiscated ito in favor of the government, amo ito an balaud nga amon ginkakaptan ha FLET.  
29 Pero kun troll nga iba nga panagat nga diri total ban, ginbabalik ito namon an sakayan ngan han makina. An  
30 hulbot-hulbot la talaga, considered hiya nga total ban, amo ito nga tanan ginko-confiscate namon ha Bantay  
31 Dagat.

32  
33 Hon. Lagera: Maaram ako hito nga total ban, an akon la kay dida han municipal ordinance, waray ito  
34 nga aton pagdadakpon an sakayan, an gindadakop la an paraphernalias la. Ngan an usa ko pa nga  
35 pakiana, dinhi ha Zone 2, adto ha Samar nanagat, may mga time nga gintatapo-tapo la, gindadakop,  
36 masakit hin duro kay bisan diin nga bungto, didto ha Carigara, Barugo, ginbabalik an sakayan, diri gin-  
37 uupod pagdakop para mapakabuhi-an hin iba.

38  
39 MENRO Rivas: Adi ha Section 18.3, na-belong po kasi an hulbot-hulbot ha active gears, adi man  
40 didi naka-indicate nga, *All fish catch, fishing paraphernalia and fishing vessel used in the commission of the*  
41 *illegal fishing operation shall be confiscated and forfeited as deemed in favor of the Local Government Unit*  
42 *to be disposed of in accordance with law.* May kopya man kamo, pakibasa nala, ada ha Section 18.3, Use  
43 of Active Geras, maiha na po ini nga ordinansa naton nga ginpa-follow. An imo concern liwat nga didto ha  
44 Samar nananagat, tapos naagi dinhi ha aton munisipyo, kun natataymingan nga adto kami ha dagat nag-  
45 ooperation, bisan didto pa ito hira ha Jolo, Sulu or ha Mindanao managat, umagi ngani hira ha munisipyo  
46 han Capoocan nga ada an Bantay Dagat, nga karga ito nira nga mga illegal fishing paraphernalias, puede  
47 ito namon dakpon, ada ito ha balaud, FAO 2020-04. Bisin ito nakasaray la dida ha seawall, ada an mga  
48 paraphernalias, diri nanagat, puede ito namon dakpon, amo iton ada balaud nga amon ginsusunod.


49  
50 Hon. Encarnacion: An pakiana ni Kagawad Lagera, kay ano nga diri consistent an panakop, kay ano  
51 nga ha iba nga bungto, diri gin-uupod pagdakop an sakayan, kay ano ha Capoocan gin-uupod? Diri  
52 consistent an implementation han balaud.

53  
54 MENRO Rivas: Diri ako maaram han implementation han ordinansa hito nga munisipyo kay iba an  
55 ordinansa naton dinhi ha Capoocan. Basta an ordinansa dinhi ha Capoocan, mayda kami ginkakaptan nga  
56 balaud, may guidelines namon nga gin-iimplement namon dinhi.

57  
58 Hon. Encarnacion: Kun national law ito, kay ano nga diri consistent?

59  
60 MDRRMO Sarigumba: Tama po ito nga may national law, but again, kun national law nga gin-  
61 implementar, makalolouy an madadakop, kay that is PhP200,000.00 per person. So as to the  
62 consideration, we opt nga ha ordinance nala, that is why, na-PhP2,500.00 nala.

63  
64 Hon. Yumo: Maupay nga aga, ako hi Leo Yumo from Balucanad. Dida man gud, han pakiana ni  
65 Kagawad, nagkakaada hin diri paprehas nga implementation han balaud, Igshe-share ko la ini nga opinion

By:   
Kagawad

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1 bangin makabulig, siguro it's time for us dinhi ha Carigara Bay nga magkaada na kita hin alliance, alliance  
2 han mga municipalities nga aanhi ha Carigara Bay. Tungod hini nga alliance, magkakaada kita hin uniform  
3 ordinance.

4  
5 R. Merelos: Ha previous nga tuig, nahisgutan na ito nga Carigara Bay Alliances, supposed to be an  
6 mga municipalities which is an Leyte-Leyte, Capoocan, Carigara, San Miguel ngan Babatngon, supposed to  
7 be magse-set hin mga particular nga policies kabahin han pandagat, han previous nga tuig, waray ito ma  
8 work-out but last December, nagkaada kami hin year-end quarterly meeting wherein na-brought up ito hiya  
9 ni BFAR, ginpla-plano nga ig-activate balik yana nga tuig, sugad man an Fisheries Management Area No. 7  
10 kun diin an Carigara Bay bulig.

11  
12 Hon. Yumo: It is time yana nga magkaada na kita hin alliance. Pabulig kita ha BFAR, mayda ini usa  
13 nga consultant han Province, hi Atty. Reposar, usa ito hiya nga puede naton makuha, maupay ito hiya nga  
14 resource speaker, usa hiya nga nag-facilitate nga magkaada hin alliance ha Southern Leyte ngan Samar  
15 Provinces.

16  
17 Hon. Arboso: Sir, well-taken.

18  
19 Hon. Presiding Officer: An instruction kanina ni Honorable Arboso, an ipapakiana parte han gin-  
20 aamyendaran, ito yana, diri ito upod han mga amyendasyon. Kay diri kita makaka-amyendar hito kay that is  
21 a national law. Yana, dida kita pakiana han mga kabaraydan nga gin-aamyendar.

22  
23 PB Roda: Magandang umaga po sa inyong lahat. Kinita ko po lahat nga babayaran kasi sabi nyo po,  
24 na-revised na, nabawasan na, ang concern ko po dito is yong palubog. In behalf po sa mga fishermen ng  
25 Barangay Libertad kasi talagang kinausap nila ako tungkol dito. Sani nabawasan na daw, pero ng i-  
26 sumatotal ko, Php4,100.00 pa rin po. Isang problema nila itong police clearance kasi ang layo ng  
27 pinupuntahan nila para sa police clearance, pumupunta pa sila ng Palo, baka naman puede barangay  
28 clearance na lang.

29  
30 Hon. Arboso: Sir, an police clearance waray na ito.

31  
32  
33 PB Roda: Kasi po Sir kung kwekewntahin itong Php500.00, Php150.00, Php300.00, papalo po siya  
34 ng Php1,300.00. Tapos pagsinabi sa palubog na per linear meter, ang palubog po ay gumagamit ng 2,000  
35 meters, so dito pa lang, Php2,000.00 na ang babayaran nila, so ang Php1,300.00 at Php2,000.00, papalo  
36 po ng Php3,300.00. Mayron pang registration na Php500.00 at 16 horsepower na Php300.00, kaya kung  
37 isuma-total, aabot po ng Php4,100.00.

38  
39 Hon. Arboso: Noted, pero may baton an aton Municipal Treasurer.

40  
41 MT Niegas: Sir, ito po nga Php4,000.00 plus nga iyo baraydan, annual po ito, so kun ig-divide ta ito  
42 hin 365 days, usa ka tuig nga operation, pira la po ito per day nga iyo babaydan. Balik po kita han police  
43 clearance, may pakiana po ako or suggestion, ini nga police clearance, usa ini nga national law, nakukurian  
44 po hira pagkuha, puede po ba ini liwanan naton hin police certification para dinhi nala ha aton local kumuha,  
45 income pa lugod ini han aton munisipyo.

46  
47 Hon. Arboso: Noted.

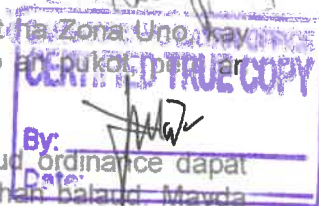
48  
49 PB Roda: Sabihin po natin na 1 year po ito, pero sa totoo lang po, ang mangingisda sa amin,  
50 mahirap na po manghuli ng isda, almost pagkain na lang po nila, kulang pa.

51  
52 Hon. Arboso: Sir, we will consider your suggestion, however, subject to the wisdom of our  
53 Sangguniang Bayan.

54  
55 R. Merelos: Kap, regarding han pukot han palubog, pamo, paanod, based sa RA 8550 as amended  
56 by RA 10654, Fisheries Code, ang legal na dapat na haba ng pukot is only 500 meters. Pamulinaw,  
57 panamban, ang binabayaran lang po ng isang fisherfolk is Php2,500.00 below, kubkuban umaabot ng  
58 almost Php4,000.00 plus, depende sa makina na ginagamit nila.

59  
60 Hon. Nicol: Papadayon ko an hulbot-hulbot kanina ha Zona Dos, an akon liwat ha Zona Uno, kay  
61 ano nga ginlilimitahan an sakayan, diri lugod na-protekta kita han tawo, limitahin niyo an hukot po ar  
62 sakayan, ayaw.

63  
64 Hon. Misagal: Correct me if I'm wrong resource speakers, but it aton man gud ordinance dapat  
65 nasubay han national nga balaud, diri kita puede magpa-sobra kun ano anginsasaad han balaud. Mayda



1 ngani minimum or standard requirements, dapat nasunod kita kay an aton ordinansa ngani an tumalapas  
2 ha national law, diri magigin enforceable, so mabalik ngadi ha SB.

3  
4 R. Merelos: An gin-aallow man gud ha municipal level is 3 gross tons below, mag-above 3 gross  
5 tons ka na ngani, that is considered commercial. Kun commercial level na an imo sakayan, an pagpa-  
6 rehistro adto ha Manila, an paglukat han permit, pagpa-rehistro adto ha BFAR.

7  
8 Hon. Misagal: So, diri man ngayan ginlilitaran, kun gusto naton magdako hin sakayan, makadto  
9 kita ha Manila, for commercial fishing na hiya. About the police clearance, I am also with the suggestion of  
10 the Municipal Treasurer nga bisan police certification na lang, kay iton pagigin fisherman diri man hiya  
11 sugad ka crucial nga kailangan gud hin mga clearance, pero kun kriminal hiya, automatic man nga  
12 masasabtan naton an iya identity.

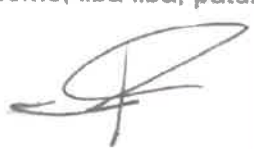
13  
14 PB Yuzon: Maupay nga aga ha aton nga tanan. An akon hini concern or suggestion, kaparte  
15 gihapon ini han kan Kagawad Rogelio parte han hulbot-hulbot, kay ini nga hulbot-hulbot, waray ini  
16 katapusan, panahon pa ini ni Arboso, Porcioncula, asta nala yana, kay ano diri ini napupuyoy? Ini nga  
17 illegal fishing, usa liwat ini nga turutukan dinhi ha Zona Dos, kay haros tanan nga illegal anhi ada ha Zona  
18 Dos, illegal logging, illegal fishing. An gusto han mga paragliba-liba, an mangirisa, an ira gusto la nga  
19 maamyendar nga diri maupod unta an sakayan, kay amo adto an siring ni Kagawad Rogelio, baman ha iba,  
20 puede man an sakayan ma-release, an iba la nga paraphernalia an bilin, para gihapon magamitan, amo la  
21 ito an usa nga concern, kay iba-iba man an aton ordinansa. Ikaduha, gusto ko la ipakiana labi na ha mga  
22 honorable nga mga konsehal, kun ano an aton puede mahimo, upod an mga tagsa-tagsa nga ahensya  
23 kaparte hinin pagtaga-illegal fishing, kasi maiha na ini, nagbibinalik-balik la, para ha akon, diri ada solusyon  
24 an pagpinanakop, bangin ada nanginginahangian ini hin iba pa nga aspeto, iba pa nga plano, iba pa nga  
25 programa. May nasinganhi nga taga-DA, nanlilista hin mga fisherfolks, diri upod an liba-liba, kasi kuno  
26 bawal. An akon nga maupod ha lista basi matanggal hito didanga panginabuhin. An akon gusto ipaabot  
27 ngada hiton natutungdan nga bilangan hin paagi, puede kita maghatag hin livelihood o programa. Siring pa  
28 han Kapitan ha Libertad, gamay nala an nadadakop, saktong nala para pagkaon, kay tungod han rampant nga  
29 illegal fishing, diri la dinhi ha bungto, pati gihapon ha Balud, iton troll. Ginpaaabot ko na ini ha Council, pag-  
30 abot ngadto, ako man la an ginpatawag, unta an bug-os nga coastal an natutungdan hito. Ikatulo, manakop  
31 ngani kita, manakop kita hin patas, diri iton mababaro nala kita nga may gin-kastigo, maabot an panahon  
32 mangato ngani ito, matikadako la ito nga problema, so kun hino man an natutungdan dida ha FLET, an  
33 akon la nga manakop kita hin eksakto, diri manhuka la kita hin tawo. Ha mga konsehal, tagan ta hin iba pa  
34 nga mga plano, diri la hini nga pagtaga-illegal fishing, lusad kita kun mahihimo para makita kun ano gud  
35 talaga an problema. Damo na an programa nga ginpalusad tungod nga total ban, may sinisiring nga balik-  
36 lambat, gin-surrender an lambat han liba-liba, ginbalyu-an hin usa ka posporo nga kawil. Lumusad ngani an  
37 DA, iton maupay gad nga programa. An akon la nga tagan hin livelihood ngan gin-alinsusunod para diri na  
38 bumalik. An iba hito ha ira ada 4Ps, pero mga ilegalista, sabagay mayda ngani ada ha munisipyo pero  
39 ilegalista, taga-Balud, so diri maupay kitaon. Utruhon ko, kun manakop, ayaw kita panhuka ngan dapat  
40 mayda proper nga proses okay an mga paraphernalia nga nakukuha, an iba ginbabaligya.

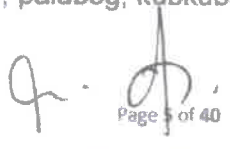
41  
42 Hon. Arboso: Kap, damo nga salamat han imo concern.

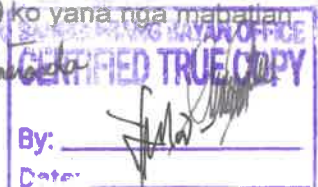
43  
44 Hon. Misagal: So, with regards to the fishing vessel, kikitaon ito naton kay naapil man gud hiya yana  
45 nga ordinance nga kun magdakop, labi na an total ban, apil man gud an fishing vessel. With regards na  
46 man han liba-liba and the livelihood program, I really think nga daup la talaga, kay bisan an Talaran, they  
47 are already producing bangus, bisan an Culasian, or adi man an mga taga-DA, damo man an mga  
48 livelihood programs di ba? Kun dumaup hira, maghimo hira hin organization, dumaop hira ha DA, at the  
49 same time kan Mr. Lucio Clemente Delima, hiya iton incharge hiton CSO, mag-aro hira hin bulig to organize,  
50 pamati ko matatagan ito hira hin pansin, kay bisan ngani an mga farmers mayda gihapon livelihood. Mayda  
51 gihapon an DSWD, SLP, Sustainable Livelihood Program, kun di ako nagsasayop, han administration han  
52 2018 to 2022, nag-release ngani an DSWD amounting to Php250,000.00, Php300,000.00 ha kada  
53 association nga nafor-form ha barangay. Mga barangay mayda kamo hadto? An Zona Uno mayda. Ha  
54 Visares mayda adto active, Share ada adto, kada semana sige hiya pa-print hin resolution para maka-  
55 process hito nga ira livelihood assistance tikang ha DSWD. So, Kapitan, maybe, pakigsumapayan la kita hin  
56 mga ahensya ngan mga focal person, ngan pirmi attend han aton meeting ha MDC para abreast ka, para  
57 matugunan iton iyo mga concern ha barangay.

58  
59 Hon. Egano: Maupay nga aga ha aton nga tanan. With regards han mga problema nga gin-open  
60 kanina han mga barangay councilors, pati an Kapitan, yana, ig-adress ta ini nga problema ha aton focal  
61 person ha Fishery. Nasiring kanina hi Kap Tata nga national law, so tanan nga basis naton hin pagdakop an  
62 national law, so kay ano nga it iba nga mga munisipyo, nagkakamay-ada hin durudila-in nga implementation  
63 nga national law man gihapon an ira ginbabasehan, parehas gihap dinhi ha aton. Kay kun aton hihimay-  
64 himayon an mga resources hini aton komyunidad ha bug-os hin Capoocan, kaurugan hito paragdugat, amo  
65 ito an ira source of income, liba-liba, patuloy, palubog, kubkuban, troll, so ipapakiana ko yana nga mabalikan

66 

67 

68 

69   
By: \_\_\_\_\_  
Date: \_\_\_\_\_

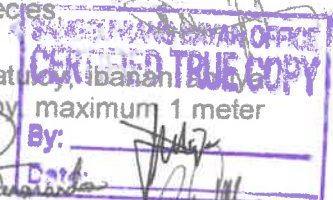
1 hiton mga molopyo kun ano it maupay nga ig-ooffer niyo hiton mga tawo nga nagpapakabuhi para  
2 makakaon. Siguro kun diri ini hira magpakabuhi, magkakamatay ini nga mga tawo, so na-resort hini nga  
3 paagi nga pagpakabuhi kay waray other sources or iba nga paagi. Siguro kun tatagan hin livelihood an  
4 tanan nga coastal barangays ngan ha bukid gihapon, bangin diri hira mag-engage hini nga mga illegal  
5 fishing. Sir, an amon ginuhulat, iton iyo maupay nga recommendation para magkamay-ada kita hin  
6 maupay ngan harmonious nga solution. Also, iton panakop, mayda naabot ngadi ha akon nga storya,  
7 ginkakastigo pa, ayaw gad. Tapos, mayda pa, gindadakop an sakayan, pagkakadtua, nagkakawara an mga  
8 fishing gear, pati an fishing vessel. Dapat diri ito mawawara kay subject for investigation pa ito hiya. An may  
9 katungod hini pagproteher nga mga nadakop, iton mga nanakop, dapat diri mawawara.

10  
11 PB Capaycapay: Good morning everyone. Damo na man an na-storya, an part han livelihood, ikwe-  
12 question ko unta, pero nabaton na man. An gusto ko la, sana kamo nga SB members ngan through han  
13 tanan nga involved ha LGU, why not find a solution, iton long lasting nga makakabulig liwat ha ira. Ha akon  
14 barangay talaga, damo an illegal, gin-aadmit ko ito, diri la ha Zone 2, an Balud part gihapon han may mga  
15 illegal fishing. So, anon iyo magigin effective nga alternative, kay di man puede nga igka-cut nala hin abrupt  
16 nga di na puede mangisda, so dapat mayda alternative programs from the LGU nga makakabulig ha ira.  
17 Regarding na man han ginsiring ni Honorable Yumo, actually during our tenure han SB member pa ako,  
18 mayda ito action hira Honorable Dalde, pero waray ma-realize, ambot amo an reason, siguro due to han  
19 lack of time kay matatapos na an amon term. Ini nga ordinance part ako hini dida han 2021, pero since  
20 lumusad ako, nag-iba an akon perception, nakita ko nga iba an paghimo la han ordinance ngan han actual  
21 nga natatabo. Based han akon nakita ha page 23 regarding han composition han Fisheries Law  
22 Enforcement Team, han time nga ngafo-formulate hito, na-overlook ko, no offense kan Mr. Rogel  
23 Sarigumba, very active talaga hiya, pero an nakita ko nga point is bisan hiya aktibo, diri hiya para dida kay  
24 he has a vital role ha community especially ha munisipyo kay MDRRMO, when we say rescue, ada ito hiya  
25 nga tanan, pero one time, di ko la ig-iistorya an complete nga details ano, upod pa gud hiya nga nakadto ha  
26 lawod, what if mayda kita importante nga concern regarding ha MDRRM. Han time nga diri pa ako Kapitan,  
27 na-overlook ko ini kay he is very active, he is a big help, pero as of now nga Kapitan ako, since mayda kami  
28 mga concerns especially kun may emergencies, diri ako nakakakontak kan Mr. Sarigumba. An concern ko  
29 kun talaga ibubutang hiya hito nga posisyon, magburang liwat kita hin another nga matindog hiton na  
30 posisyon as MDRRMO kay very vital talaga ito nga role.

31  
32 MDRRMO Sarigumba: The question is kay ano nabulig kami panakop? One of the functions hiton  
33 MDRRMO is food security during disasters. Diri la kami na-limit kun may disaster, we are futuristic, nakikita  
34 namon nga the food security will be unsecure. Kun aton ipapadayon an aton mga totally banned nga mga  
35 panagat, an mga destructive nga panagat, specifically ha troll ngan liba-liba, in the future magigin concern  
36 po gihapon ito han MDRRMO. To prevent that, diri kami mahulat nga maubos pa an mga isda dida, maguba  
37 pa an aton kadagatan bago kami umaksyon. I hope naklaktaro ito, siring pa man naton, gusto naton hin  
38 kinasing-kasing nga pagbulig ha tawo, it's the truth, maabot an time nga magigin makuri na po an panakop  
39 hin isda, bisan ngani yana ha coastal barangays, an mga legal nga panagat, pangawil, panbubo, palubog,  
40 nayakan man kanina nga gamay nala an nadadakop, kay ano kasugad? Kay ano dati, damo man, kay ano  
41 tigda naggamay? One of the reasons nga nakikita namon is because of the proliferation hiton mga illegal  
42 fishing activities. With all due respect han aton 13 barangays as members of the Municipal Bay Watch,  
43 Section 3 han aton pamalaud, maya nakabutang po kasi ngada nga *Members of the Municipal Bay Watch*  
44 *shall conduct surveillance and monitor illegal fishing activities in their respective Barangay and relay such*  
45 *information to the Philippine National Police, FLET, Municipal Government, and Municipal Agriculture Office.*  
46 *You are empowered to enforce fishery laws and other environmental laws in their respective area of*  
47 *jurisdiction.* Makapoy po talaga pag-inoperation, an question ko is kun diri kami magi-os, magi-os ba kamo  
48 in compliance to Section 3? Waray kami report nga nakukuha, although siring niyo kanina, naamin kamo  
49 nga mayda illegal fishing, rampant an illegal fishing ha Capoocan, but kay ano nga waray na-report ha  
50 amon about hini nga mga illegal fishing, we have to go ngadto pa ha lawod para masolbar ini partially nga  
51 problema.

52  
53 R. Merelos: Ha Municipal Agriculture Office, kun may mga barangay nga may concern about ha  
54 livelihood, ig-eendorse namon hira ha partner agencies nga makakabulig like BFAR. Man gud yana, an  
55 BFAR, an ira priority nga tagaan hin assistance is mostly mga fisherfolk associations. So, if ever ha iyo  
56 tagsa-tagsa nga barangay mayda gusto maka-avail hito nga mga intervention han BFAR, ginke-cater  
57 namon hira para magkaad hin alternative livelihood. An fisheries, diri la po ha panagat, mayda gihapon  
58 ngadi ha sagka. Mayda hira yana mga program nga gin-iimplement para ma-lesser iton fishing pressure ha  
59 kadagatan, na-cater gihapon hira ngadi hiton mga inland bodies of water, usa ito dida an BASIL, Balik Sigla  
60 sa Ilog at Lawa program, kun diin ginre-rehab an inland bodies of water, at the same time gin-iimprove an  
61 productivity hito nga mga katubigan pinaagi hin pag-produce hin durudila-in nga fish species

62  
63 CSO Makabenta: An akon pagdugang han tax ngan pag-iban han tax. An patuloy, ibanhan han  
64 taripa, ngan an net, dugngan liwat, ini nga drift net, maximum hito, 15 meters. An patuloy, maximum 1 meter



1 man la an palubog, iton drift net hilarom ito, 15 meters pailarom, iton pamulinaw, panamban, hilarom ito,  
2 dugang-dugani naton, para kita maka-tax. An patuloy ibanan, singkwenta centavos nala.

3  
4 Hon. Arboso: Are you in favor nga ibanan an patuloy hin singkwenta centavos?

5  
6 **The proposal to reduce the license fee for Bottom set net ("palubog") from P1.00 per linear**  
7 **meter to P0.50 was approved by the body.**

8  
9 CSO Makabenta: An drift net, hilarom pero halipot, PhP1.00 to PhP15.00 per linear meter.

10  
11 Hon. Arboso: Are you in favor nga igkikinse pesos (PhP15.00)?

12  
13 Hon. Bryan: An Barangay Libertad usa nga pinakadamo an patuloy. Ito nga PhP4,000.00 nga  
14 kabaraydan para han mga patuloy, mabug-at na ito kay damo man gud an kinahanglan ig-consider, parehas  
15 hiton by season man gud iton iya panakop, diri adlaw-adlaw, tapos an balud, tikang han December asta  
16 yana waray pa klaro nga kita tungod han balud. An amon nga waray adjustment ha kabaraydan.

17  
18 PB Roda: Sir, an palubog kun puede PhP300.00 na lang total nga bayad.

19  
20 Hon. Arboso: Piso nala dida Kap per linear meter an palubog, dati singko.

21  
22 PB Roda: PhP300.00 an total na.

23  
24 Hon. Arboso: Kap, ini nga Section 12, Mayor's Permit, gin-public hearing ini han una dida han 2021  
25 bale an yana, an Section 13 la, an License Permit Fees, maybe next nala nga public hearing. An imo an  
26 kabug-usan nga kabaraydan, an Mayor's Permit, certificate, an police clearance waray man kita.

27  
28 PB Roda: Siguro kun PhP1,500.00 per year kakayanin, kasi mahirap po talaga manghuli ng isda.

29  
30 Hon. Arboso: AS of now we can't decide, but we understand your concern.

31  
32 Hon. Carolino: Na-agree ako han suggestion ni Sir Makabenta han pagpa-ubos, piso down to fifty  
33 cents, pero an iya pagpa-igbaw, waray liwat ako umayon. Ito gin-urustoryahan ito namon ha konseho kun  
34 pira, pero ambot kun may maayon hiton imo suggestion nga imo lugod papa-igbawon. Nakaka-intyendi ako  
35 han imo karuyag signgon, halipot pero hilarom, diri parehos han patuloy nga hiiba.

36  
37 Hon. Encarnacion: Article V, Fish Landing Points, *Each Coastal Barangay shall have one (1) Fish*  
38 *Landing only, duly designated by the Barangay Ordinance as recommended by the Municipal Agriculture*  
39 *Office, considering nga an barangay landing points ada ha barangay, dapat an barangay an maaram, diri an*  
40 *munisipyo, siguro liwanan ta ini nga recommended hin in coordination with the barangay, kay kami it*  
41 *knowledgeable ha barangay kontra ha iyo.*

42  
43 Hon. Misagal: Tama na man, kada usa nga barangay mayda la usa nga fish landing nga gin-  
44 designate han barangay ordinance, so meaning an barangay an may last say, recommended la han  
45 Municipal Agriculture Office. As legislative function han barangay, maghihimo liwat kita hin ordinansa, kun  
46 mayda kita na-identify nga fish landing, maaro kami hin idea or suhestyon ha Municipal Agriculture Office  
47 kay hira man gud it nag-eskwela, hira it maaram, kun puede ba an amon napili nga lugar para han fish  
48 landing, puede ba ini nga amo an amon mahimu-an hin ordinansa, sumiring nga diri puede kay diri kantil,  
49 diri maduduungan, ito nga recommendation, diri signgon nga hira it magbubuot ha iyo, kay at the end of the  
50 day, an maghihimo hin ordinansa. Kun diri niyo ig-follow an recommendation han Municipal Agriculture  
51 Office, di padayon kita han aton gusto. Kun mahimuan hin ordinansa, ipapasa man la gihapon ito ngadi ha  
52 igbaw, tas ipapatawag an mga proponents ha barangay, sugad man han mga resource persons nga may  
53 technical know-how hito nga aton ordinansa.

54  
55 Hon. Encarnacion: An bottom line is an selection of site, puede man kami niyo tagan hin criteria kun  
56 ano an angay buhaton. An akon gusto in coordination with the Municipal Agriculture Office. Mas  
57 knowledgeable kami kontra ha iyo.

58  
59 Hon. Arboso: Well-taken. So, kun waray na man pakiana, we need somebody who will present a  
60 motion approving the Municipal Fishery Ordinance of Capoocan, Leyte.

61  
62 PB Quiarto: I move to approve **ORDINANCE NO. 8, SERIES OF 2023, AN ORDINANCE**  
63 **AMENDING MUNICIPAL ORDINANCE NO. 4 S. 2021, OTHERWISE KNOWN AS, "THE MUNICIPAL**  
64 **FISHERY ORDINANCE OF CAPOOCAN, LEYTE".**

65  






  
By:   
Date: 

1 The motion of Honorable Quilarto was seconded by Honorable Luz Cabiltes, Honorable Anunciato  
2 Encarnacio, Honorable Chito Niegas and Mr. Teofilo Makabenta, without any objection from the August  
3 Body and was thereby declared approved by the Honorable Presiding Officer.  
4  
5  
6

7 ❖ **ORDINANCE NO. 11, SERIES OF 2023, "AN ORDINANCE UPDATING THE GENDER  
8 AND DEVELOPMENT CODE OF THE MUNICIPALITY OF CAPOOCAN, LEYTE".**  
9

10  
11 Hon. Pigar: Maupay nga aga ha aton nga tanan, labi na han aton mga bisita nga nag-atender yana.  
12 Adi ako para i-present ha iyo an *ORDINANCE NO. 11, SERIES OF 2023, "AN ORDINANCE UPDATING  
13 THE GENDER AND DEVELOPMENT CODE OF THE MUNICIPALITY OF CAPOOCAN, LEYTE"*. Last year  
14 nagkaada kita hin public hearing upod ini nga mga pag-update han mga ordinansa, an mga latest nga mga  
15 balaud, ngan han pag-update han mga signatories han GAD Focal Point. Tungod nga mayda kita gin-adopt  
16 nga bag-o nga ordinansa nga asya ini an aton uuru-istoryahan yana, an Safe Space Act or an Anti-Bastos  
17 Law. Ini nga ordinansa nga akon ig-prepresent ha iyo, asya la gihap an ordinansa parte han mga katungod  
18 han mga kabataan or an mga karapatan han mga kababayin-an. Importante ini nga masulod ha aton public  
19 hearing lalo na an mga penalties.  
20  
21

22 Section 2, Declaration of General Policy. Pursuant to Republic Act 11313 otherwise known as the "Safe  
23 Spaces Act" or "Anti-Bastos Law", it shall be the policy of the Local Government Unit of Capoocan, Leyte to  
24 value the dignity of every human person and guarantee full respect for human rights. It is likewise the policy  
25 of the State to recognize the role of women in nation-building and ensure the fundamental equality before  
26 the law of women and men. The State also recognizes that both men and women must have equality,  
27 security and safety not only in private, but also on the streets, public spaces, online, workplaces and  
28 educational and training institutions.  
29

30 Section 4, Definition of Terms.

- 31 • Catcalling refers to unwanted remarks directed towards a person, commonly done in the form of wolf-  
32 whistling and misogynistic, transphobic, homophobic, and sexist slurs.  
33 • Employee refers to a person, who in exchange for remuneration, agrees to perform specified services  
34 for another person, whether natural or juridical, and whether private or public, who exercises  
35 fundamental control over the work, regardless of the term or duration of agreement: Provided, That for  
36 the purposes of this law, a person who is detailed to an entity under a subcontracting or secondment  
37 agreement shall be considered an employee.  
38 • Employer refers to a person who exercises control over an employee: Provided, That for the purpose  
39 of this Act, the status or conditions of the latter's employment or engagement shall be disregarded.  
40 • Gender refers to a set of socially ascribed characteristics, norms, roles, attitudes, values and  
41 expectations identifying the social behavior of men and women, and the relations between them.  
42 • Gender-based online sexual harassment refers to an online conduct targeted at a particular person  
43 that causes or likely to cause another mental, emotional or psychological distress, and fear of personal  
44 safety, sexual harassment acts including unwanted sexual remarks and comments, threats, uploading  
45 or sharing of one's photos without consent, video and audio recordings, cyberstalking and online  
46 identity theft.  
47 • Gender identity and/or expression refers to the personal sense of identity as characterized, among  
48 others, by manner of clothing, inclinations, and behavior in relation to masculine or feminine  
49 conventions. A person may have a male or female identity with physiological characteristics of the  
50 opposite sex in which case this person is considered transgender.  
51 • Public spaces refer to streets and alleys, public parks, schools, buildings, malls, bars, restaurants,  
52 transportation terminals, public markets, spaces used as evacuation centers, government offices,  
53 public utility vehicles as well as private vehicles covered by app-based transport network services and  
54 other recreational spaces such as, but not limited to, cinema halls, theaters and spas.  
55 • Stalking refers to conduct directed at a person involving the repeated visual or physical proximity, non-  
56 consensual communication, or a combination thereof that cause or will likely cause a person to fear for  
57 one's own safety or the safety of others, or to suffer emotional distress.  
58  
59  
60

61 **ARTICLE I, GENDER-BASED STREETS AND PUBLIC SPACES SEXUAL HARASSMENT**

62 **Section 108. Specific Acts and Penalties for Gender-Based Sexual Harassment in Streets and Public  
63 Spaces. -The following acts are unlawful and shall be penalized as follows:**


GN

[Signature]


[Signature]

SANGGUNIANG BAYAN OF CAPOOCAN, LEYTE  
CERTIFIED TRUE COPY  
By: [Signature]  
Date: [Signature]

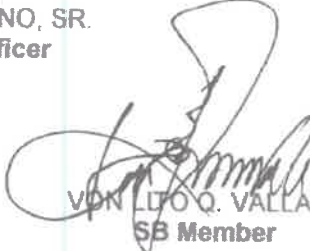
ADJOURNED AT 4:00 PM

  
JUDER R. DELA TORRE  
Secretary to the Sanggunian

ATTESTED:

  
ATTY. FEDERICO H. CAROLINO, SR.  
Vice-Mayor / Presiding Officer

  
ENGR. ALLAN B. EGANO  
SB Member

  
VON LITO Q. VALLAR  
SB Member

  
EMMANUEL D. ARBOSO  
SB Member

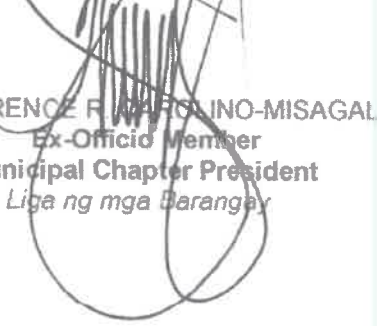
  
JOJO N. NEPOMUCENO  
SB Member

  
GRACIA G. PIGAR  
SB Member

REYNALDO R. NIMO  
SB Member  
*(absent)*


  
FEDERICO D. CAROLINO, JR.  
SB Member

  
ROBERTA C. PEÑARANDA  
SB Member

  
FLORENCE F. CAROLINO-MISAGAL  
Ex-Officio Member  
Municipal Chapter President  
Liga ng mga Barangay

  
DAVE A. ANDERA  
Ex-Officio Member  
President

Pambayang Pederasyon ng mga Sangguniang Kabataan

SANGGUNIANG BAYAN OFFICE  
CERTIFIED TRUE COPY  
By:   
Date: \_\_\_\_\_





Republic of the Philippines  
Province of Leyte  
Municipality of Capoccan

**PUBLIC HEARING ATTENDANCE (FEBRUARY 27, 2024)**

NAME	ADDRESS/OFFICE	SIGNATURE
1. ARIEL M. LAPAGA	MEMRO	
2. Etang Aljon D.	MEMRO	
3. EDGAR ABOLITA	CABUL-AN / CASU-MY FISHERY ASS.	
4. MARK ADRIAN P. BOZABA	GUINADIONGAN, CAPOCCAN, LEYTE	
5. NELIA P. MISA	TALISAY, CAPOCCAN, LEYTE	
6. JORYL RIVIS	MEMRO	
7. DEXTER D. APOLAN	TALAIRAN, CAPOCCAN, LEYTE	
8. NOEL BERSALES	TOLIBATO	
9. Mark Don Rios	Tolibato	
10. SAMUEL S. GEMMA	BALUG	
11. MARIA CRISTINA AMOS	PINAMOPGAN	
12. CEBRANO REYNOLTE D.	PINAMOPGAN	
13. Leticia Mefran D.	Cybasian	
14. ROGER D. SALICUT Jr	TALAIRAN	
15. Estrella J. Oplido	San Joaquin	
16. PEDRO M. ZANCKER	STO NIÑO	
17. DELA PEÑA, SANTOS JR. O.	PINAMOPGAN	
18. LUZ V CABILTES	"	
19. MELANIE M. OBERO	NAYCULISAN	
20. Justin Roy N. Mariano	Kauguisan	
21. MERLOLITA DANTE P.	CULASI-AN	
22. MAR JUNE A. UCEÑO	GUINADIONGAN	
23. Michael A. Polido	Cabul-an	
24. ROMEO R. RADA	LIBERTAD	
25. BRIAN M. ARCOCEBA	LIBERTAD	
26. JOEL V. SEBERRE	LIBERTAD	
27. ROBERT PAUL SAMORANOS	MANLOY	
28. SHERWIN P. DOJO	LIBERTAD FISHERY ASS.	
29. ROMART D. DOJO	TALAIRAN	
30. CHARISSE MAE MAGIOLINE	SAYAD	
31. MILDRED UCEÑO	MANLOY	
32. ESTRELLA W. ESTRELLA	MANLOY	
33. NERUUDA P. PINOCHO	MANLOY	
34. Gem M. Loma	MANLOY	
35. NOEL Q. BEVETA	LIBERTAD	
36. GIOVANNIE A. NINGALA	MANLOY	
37. VAMUEL P. SERRATE	CABUL-AN	
38. JUN DEBA CRUZ	TOP. ZONE II	
39. Eledio R. Bersales	Talisay	
40. Entusias M. Taligay	Balugo	

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By:   
Date: 





Republic of the Philippines  
Province of Leyte  
Municipality of Capoccan

**PUBLIC HEARING ATTENDANCE (FEBRUARY 27, 2024)**

NAME	ADDRESS/OFFICE	SIGNATURE
41. Boniboy O BATTON	BALUGO	
42. LINA J. MONTIBON	BALUGO	
43. ARVIN P. NERI	POB. ZONE 1	
44. JENNY V. MONTIBON	MM-IMTA CSO	
45. PRODDY L. SAMANTE	TALISAY	
46. JESTONI M. ABICAR	SAN JOAQUIN	
47. Medina R. Abata	Gumadiong	Medina R. Abata
48. ROSAYTO S. AROPO	EUMANGALAN	
49. ALAN N. APOSTOL	ZONE 1	
50. MARION ERIC ALUAVINA	TALISAY	
51. RAIN N. MERLOS	MMD - CAPOCAN	
52. ALICE T. NIDIA	MMD - CAPOCAN	
53. MANDIE D. NICOL	POB. ZONE 1	
54. LEO YUNO	BALUCANAN	
55. Juliana Marcelita	Pob. II	Juliana Marcelita
56. GUILLERMA C. CASERA	POB. ZONE 2	Guillerma Casera
57. Lorna P. Garanda	Pob. Zone 2	Lorna P. Garanda
58. Rosie Q. Quilich	San Joaquin	
59. ROYALDO T. LUMANTA	STO NIRO	
60. RENE D. Capayapay	Balud	
61. MIRIAM N. NIMER	POB. ZONE 2	
62. MARIAN N. CARULI	POB. ZONE II	Mariann Caruli
63. FRANCISCA S. SALGAN	POB. ZONE II	
64. ROGER P. SALCUMBA	MMD, MS	
65. GIOVANNI A. VALENTINO	MDRPM	
66. BONDOY E. POLYPIE	II	
67. ANTONIO M. ESCARINA CIAL	BALUD	
68. CASTILLO O. JUNE	TOLIBATO	
69. GEMMA ISABEL T. ARINTOK	SAYAD	
70. ANITA B. NEMA	Cabal-an	
71. SOCCO P. Dalde	MENRO	
72. VERWIN P. Tolod	MENRO	
73. VERGEL D. Planillo	MENRO	
74. MATEO B. PEROL	BRGY. BALUD	
75. CARO E. NIEGAS	BALUCANAN	
76. AURORA D. SUGANB	BRGY. VISARES	
77. ALBERT N. PIANEZA	BRGY. BALUCANAN	
78. JERRY D. PALASO	BALUCANAN	
79. Jhonna Neric	Visares	
80. MAXIMINO P. BUNYAT JR.	VISARES	

SANITIZING DIVISION OFFICE  
CERTIFIED TRUE COPY  
By:   
Date:



Republic of the Philippines  
Province of Leyte  
Municipality of Capoccan

**PUBLIC HEARING ATTENDANCE (FEBRUARY 27, 2024)**

NAME	ADDRESS/OFFICE	SIGNATURE
81. PHILIP FRANCO QUILAY	BRGY. VISANES, CAPOCCAN	
82. Jerlyn E. Jalkan	BRGY. GAYAD, CAPOCCAN	
83. ROSITA C. LUCIANO	BRGY. GAYAD, CAPOCCAN	
84. Edna C. Fabun	BRGY. Pob. 2 Capocan	
85. Hermasa M. Caballes	Pob. Zone II, Capocan	
86. ROSA T. UMPACAN	Pob. Zone II	
87. JUANITA MERCOLITA	Pob. Zone II	
88. PAZ B. Delsa	Pob. Zone II	
89. ALIXES YUZON	Pob. Zone II	
90. Ludovina L. Llorieta	Pob. Zone II	
91. TRINIA M. NICANOR	Pob. Zone II	
92. ELIZABETH P. DELANTAR	POB. ZONE II	
93. LEONILA UY-OCO	POB. ZONE II	
94. VILMA R. GABILAY	POB. ZONE II	
95. Jemma C. Fernandez	Pob. Zone II	
96. EMMALYN C. MERELDO	Pob. Zone II	
97. Gwelon R. Ongia	Pob. Zone II	
98. Corazon C. Sarda	Pob. Zone II	
99. Maliberty Landina	Pob. Zone II	
100. Gerilyn Z. Danate	Pob. Zone II	
101. HENRY CANDAZA	XXXXXXXXXX	
102. Sarda, Jasmin M.	BRGY. BALUD	
103. ROSEN N. UACAYAZO	LOU-GAO Tocal	
104. Kevin Popon	LEM CAPOCCAN	
105. Remy Pomeroy	LEM CAPOCCAN	
106. Ruben Jay	LEM CAPOCCAN	
107. April Jay Villacarlos	Pob. Zone II	
108. Monette M. MENDOZA	POB. ZONE II	
109. Guette Petilos	Pob. Zone II	
110. MARY ANN E. DREI	POB. ZONE II	
111. ROQUEL D. CAGENE	LEM CAPOCCAN	
112. DOLRES ENA T. CUMPIDO	LEM-IBARD	
113. PEAR EMBERTO M. DELERA JR	CAPOCCAN PNP	
114. P/lt NELSON C. MEDRADA	PNP CAPOCCAN	
115. P/SG SHERYL S. LANSANG	PNP CAPOCCAN	
116. FRANCIS JESSA M. LABALONA	CMHO	
117. RIA P. NIEGAS	POBUD / MTD	
118. BEVERLY LOPEZ TRONCO	MTD	
119. MEUSA D. ALMERO	SB	
120. JOY L. TABERARA	SB	

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Date:



Republic of the Philippines  
Province of Leyte  
Municipality of Capococan

**PUBLIC HEARING ATTENDANCE (FEBRUARY 27, 2024)**

NAME	ADDRESS/OFFICE	SIGNATURE
121. SHEFALY M. PIANDE	VDO / VMD	
122. GABRIEL SAM A. VALENTINO	SB SEC OFFICE	
123. Frederick M. Nagodan	SB	
124. Helen P. Ciema	SB	
125. RICO M. DELIMPA	VMD/SBO	
126. JUBE R. DELA TERRE	SB	
127. GARY ATILAN	VTD	
128. PERIGRINA BORRER	SB	
129. FIAN BAKED	SB	
130. EMMANUEL D. ARBOSP	LGM	
131. EDUARDO J. CHRONO JR.	SB	
132. MARCELINA M. UBRIOS	SB	
133. Ken Alexis B. Paagae	SBO	
134. DINE H. NIDEM	SBO	
135. JOJO N. NEPOMUCENO	SB	
136. GRACIA G. PIGAR	SB	
137. Federico H. Carolino sr	Vmayor	
138. Von Lito B. Vallar		
139. Roketay C. Panaranda	SB member	
140. ALAN & BEAN		
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SANIKO FRANS BAYAN OFFICE  
CERTIFIED TRUE COPY  
By:   
Date: \_\_\_\_\_



Republic of the Philippines  
PROVINCE OF LEYTE  
Municipality of Capoocan  
**Office of the Sangguniang Bayan**  
✉ sbcapoocan@gmail.com / sbcapoocan@yahoo.com  
☎ 09976874138

# CERTIFICATE OF POSTING

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY THAT COPIES OF **ORDINANCE NO. 8, Series of 2023**, "AN ORDINANCE AMENDING MUNICIPAL ORDINANCE NO. 4 S. 2021, OTHERWISE KNOWN AS, "THE MUNICIPAL FISHERY ORDINANCE OF CAPOOCAN, LEYTE"", WERE POSTED AT THE FOLLOWING LOCATIONS IN THE MUNICIPALITY:

1. **Capoocan Municipal Hall Bulletin Board**  
Municipal Lobby
2. **Pinamopoan Fish Port**  
Barangay Pinamopoan, Capoocan, Leyte
3. **Waiting Shed**  
Barangay Balud, Capoocan, Leyte
4. **Waiting Shed**  
Market Place, Poblacion Zone II, Capoocan, Leyte

This certifies further that notice of public hearing were also sent to the different barangays of the Municipality of Capoocan, Leyte for proper and effective information dissemination.

Done this 27<sup>th</sup> Day of May, 2024.

**JUDE R. DELA TORRE**  
Secretary to the Sanggunian

Noted by:

**ATTY. FEDERICO H. CAROLINO, SR.**  
Municipal Vice-Mayor




**Republic of the Philippines**  
**PROVINCE OF LEYTE**  
**Municipality of Capoocan**  
**Office of the Sangguniang Bayan**  
✉ sbcapoocan@gmail.com / sbcapoocan@yahoo.com  
📞 09976874138

# CERTIFICATION

TO WHOM IT MAY CONCERN:

This is to certify that a Public Hearing was conducted last **February 27, 2024** at the **Poblacion Zone II Multi-Purpose Gymnasium, Capoocan, Leyte** regarding **ORDINANCE NO. 8, Series of 2023, "AN ORDINANCE AMENDING MUNICIPAL ORDINANCE NO. 4 S. 2021, OTHERWISE KNOWN AS, "THE MUNICIPAL FISHERY ORDINANCE OF CAPOOCAN, LEYTE"**".

Done this 27<sup>th</sup> Day of May, 2024.

  
**JUDE R. DELA TORRE**  
Secretary to the Sanggunian

*Noted by:*

  
**ATTY. FEDERICO H. CAROLINO, SR.**  
Municipal Vice-Mayor



Republic of the Philippines  
Province of Leyte  
**MUNICIPALITY OF CAPOOCAN**  
*Office of the Sangguniang Bayan*

# **NOTICE OF PUBLIC HEARING**

**GIN-AABI-ABI AN NGA TANAN NGA TUMAMBONG  
HIN PUBLIC HEARING YANA NGA  
PEBRERO 27, 2024, ALAS NOYBE HIN AGA  
HA POBLACION ZONE II MULTI-PURPOSE GYMNASIUM,  
CAPOOCAN, LEYTE.**



Republic of the Philippines  
Province of Leyte  
**MUNICIPALITY OF CAPOCAN**  
*Office of the Sangguniang Bayan*

**AN MASUNOD AMO AN ATON PAG-UURUSTORYAHAN:**

1. **MUNICIPAL ORDINANCE NO. 8, SERIES OF 2023,**  
- ***"AN ORDINANCE AMENDING THE FISHERY CODE"***
2. **MUNICIPAL ORDINANCE NO. 11, SERIES OF 2023,**  
- ***"GENDER AND GAD DEVELOPMENT"***
3. **MUNICIPAL ORDINANCE NO. 6, SERIES OF 2024,**  
- ***"AN ORDINANCE ON BABAY ASF PROGRAM"***
4. **MUNICIPAL ORDINANCE NO. 7, SERIES OF 2024,**  
- ***"AN ORDINANCE ON EMERGENCY TRANSPORT/RESCUE VEHICLES"***
5. **MUNICIPAL ORDINANCE NO. 8, SERIES OF 2024,**  
- ***"AN ORDINANCE ON SELLING OR DISTRIBUTING OF PNP UNIFORM"***
6. **MUNICIPAL ORDINANCE NO. 9, SERIES OF 2024,**  
- ***"CURFEW HOURS ORDINANCE"***
7. **MUNICIPAL ORDINANCE NO. 10, SERIES OF 2024,**  
- ***"AN ORDINANCE AMENDING THE REVENUE CODE"***