

Item No.: 04
Date: 12 6 2024 NOV



Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

Province of Leyte
Legal Office
Released: *[Signature]*
Time: *9:00*
Date: *11.11.24*



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PROVINCIAL LEGAL OFFICE

2nd INDORSEMENT
November 4, 2024

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 10 series of 2024 of the Sangguniang Bayan of Merida, Leyte.

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

- Ordinance No. 10 series of 2024 entitled: **“An Ordinance institutionalizing, promoting and developing organic agriculture in the municipality of Merida, Leyte, providing funds therefore, and for other purposes.”**

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the subject Ordinance is generally in accordance with its power under Section 17(b)(2)(i)¹ of the Local Government Code of 1991 (R.A 7160) and R.A. 10068, as amended by R.A. 11511². Hence, we recommend 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 the 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 and/or the courts.

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

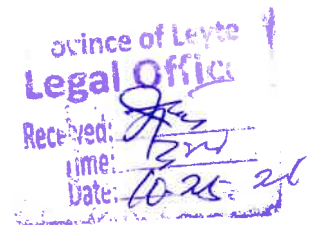
¹;(i) Extension and on-site research services and facilities related to agriculture and fishery activities which include dispersal of livestock and poultry, fingerlings, and other seedling materials for aquaculture; palay, corn, and vegetable seed farms; medicinal plant gardens; fruit tree, coconut, and other kinds of seedling nurseries; demonstration farms; quality control of copra and improvement and development of local distribution channels, preferably through cooperatives; interbarangay irrigation system; water and soil resource utilization and conservation projects; and enforcement of fishery laws in municipal waters including the conservation of mangroves;

² “Organic Agriculture Act of 2010”

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
25 October 2024



The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Municipal Ordinance No. 10, series of 2024 of the MUNICIPALITY OF MERIDA, LEYTE**, entitled: **An Ordinance institutionalizing, promoting and developing organic agriculture in the Municipality of Merida, Leyte, providing funds therefore, and for other purposes.**


FLORINDA JILL SUYVICO
Secretary to the Sanggunian



Republic of the Philippines
Province of Leyte
MUNICIPALITY OF MERIDA

OFFICE OF THE SANGGUNIANG BAYAN

24 OCTOBER 2024

THE SANGGUNIANG PANLALAWIGAN OF LEYTE
CAPITOL BUILDING
PALO LEYTE



DEAR HONORABLE MEMBERS;

I have the honor to submit to the Sangguniang Panlalawigan of Leyte copies of **MUNICIPAL ORDINANCE NO. 10, SERIES OF 2024 – “AN ORDINANCE INSTITUTIONALIZING, PROMOTING AND DEVELOPING ORGANIC AGRICULTURE IN THE MUNICIPALITY OF MERIDA, LEYTE, PROVIDING FUNDS THEREFORE, AND FOR OTHER PURPOSES”** enacted by the 18th Council of this Municipality, for review and consideration.

Hoping everything is in order.

Thank you.

Respectfully,


JOSELITO T. DELOS ANGELES
Secretary to the Sangguniang Bayan



Republic of the Philippines
PROVINCE OF LEYTE
MUNICIPALITY OF MERIDA

SANGGUNIANG PANLALAWIGAN

OFFICE OF THE SANGGUNIANG BAYAN



PROVINCE OF LEYTE

EXCERPT FROM THE MINUTES OF THE 101ST REGULAR SESSION OF THE SANGGUNIANG BAYAN (18TH COUNCIL) MERIDA, LEYTE HELD ON AUGUST 19, 2024 AT THE LEGISLATIVE BUILDING SESSION HALL.

-RESOLUTION NO. 18-24-155-

A RESOLUTION APPROVING MUNICIPAL ORDINANCE NO. 10, SERIES OF 2024 ENTITLED "AN ORDINANCE INSTITUTIONALIZING, PROMOTING AND DEVELOPING ORGANIC AGRICULTURE IN THE MUNICIPALITY OF MERIDA, LEYTE, PROVIDING FUNDS THEREFORE, AND FOR OTHER PURPOSES."

NOW, WHEREFORE, ON MOTION OF Hon. Camilo L. Dejon, duly seconded by Hon. Stephanie M. Miralles, BE IT;

BE IT RESOLVED TO ENACT;

-MUNICIPAL ORDINANCE NO. 10-
Series of 2024

AN ORDINANCE INSTITUTIONALIZING, PROMOTING AND DEVELOPING ORGANIC AGRICULTURE IN THE MUNICIPALITY OF MERIDA, LEYTE, PROVIDING FUNDS THEREFORE, AND FOR OTHER PURPOSES.

CHAPTER 1 - INTRODUCTORY PROVISIONS

SECTION 1. SHORT TITLE - This Ordinance shall be known as the "Organic Agriculture Ordinance of Merida, Leyte."

SECTION 2. DECLARATION OF POLICY. - It is hereby declared the policy of the Municipality of Merida to promote, propagate, develop further and implement the practice of organic agriculture in the Municipality that will cumulatively promote and enhance the fertility of soil, increase farm productivity, reduce pollution of and damage to environment, save our natural resources, protect health of farmers, consumers and the general public and promote community-based organic agriculture systems which include, among others, farm produce which in the long run will protect life and advance the rights of all citizens to sufficient nutritional and healthy food, safe and sustainable livelihood and social equity in accord with the rhythm and harmony of nature. Towards this end, the local government shall promote organic agriculture as a main agricultural practice in Merida, and shall influence large-scale and monoculture Agri industries to integrate organic agriculture practices in their systems.

SECTION 3. DECLARATION OF PRINCIPLES. - To guide the implementation of this Ordinance, the practice of organic agriculture shall adhere to the following principles:

- a. The promotion, enhancement, conservation and sustainable use of agricultural biodiversity shall prevail over any other activity in the agriculture sector; in the case of monoculture (eg: sugarcane agriculture), agriculture biodiversity should be encouraged through intercropping, crop rotation or similar practices;
- b. The empowerment of small and marginalized farmers especially in terms of information on different alternative natural agricultural technologies, product value and fair market trade, and access/linkages in the countryside is a priority, including incentives as herein defined;
- c. Mitigating the effects of climate change is an essential component that should be integrated into all policies and programs in all sectors;
- d. While unifying the initiatives and efforts of all government agencies and instrumentalities in agriculture, efforts should be geared towards the upliftment of the economic conditions of all agricultural sectors;
- e. Organic agriculture is a contributor to the Municipality's economy and the attainment of food security, ecological sustainability and the well-being of her people.
- f. Organic agriculture does not co-exist with the genetically modified crops, chemically produced crops and related organisms, both living and non-living;

All existing policies on agriculture of all Barangays should adopt and integrate all aspects of Organic Agriculture;

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- h. The integrity of organic products through the approved organic certification process and organic production, handling and processing standards should be ensured; and*
- i. Integration of organic agriculture in the basic education agriculture subjects and tertiary agriculture courses in public and private schools.*

SECTION 4. DEFINITION OF TERMS. – *As used in this Ordinance, the following terms shall mean:*

- a. Agriculture – shall include all fields, such as but not limited to aquaculture, animal husbandry, agronomy, agro-forestry and horticulture.*
- b. Buffer Zones – a defined area of the boundary of an organic farm that has land use controls and allow only activities compatible with protection of organic farm. It serves as a barrier that surrounds or separates an organic farm from other traditional or conventional farms where plants are not designated as organic.*
- c. Biodiversity – means the variability among living organisms from all sources, including, among others, terrestrial, marine, and other aquatic ecosystems and the ecological complexes of which they are part; this includes diversity within species, between species and of ecosystems.*
- d. Biopesticides – are naturally occurring substances and microorganism that controls pests.*
- e. Consumer groups – organized consumer groups patronizing and advocating organic products;*
- f. Ex-situ - referring to the study, maintenance or conservation of an organism away from its natural surroundings.*
- g. Food Security – ability of the individual, household and community to produce and/or access/acquire appropriate, abundant, nutritious and safe food on a regular basis using socially acceptable means;*
- h. Gene Seed Bank - a collection of seeds from potentially useful wild plants, which may be used in the future for breeding new varieties;*
- i. Small and Marginalized Farmer - refers to natural persons dependent on small-scale subsistence farming as their primary source of income and whose sale, barter or exchange of agricultural products do not exceed a gross value of One Hundred Eighty Thousand Pesos (PHP 180,000.00) per annum based on 1992 constant prizes. An inter-agency committee composed of the Department of Agrarian Reform, the Department of Trade and Industry, the Department of Finance and the National Economic and Development Authority and headed by the Department of Agriculture may conduct periodic review and adjustments of the income level to take into account the effects of changes in inflation, devaluation and consumer price index (Republic Act no. 7607 or An Act Providing a Magna Carta of Small Farmers);*
- j. Organic – refers to the particular farming and processing system, described in the standards and not in the classical chemical sense. The term ‘organic’ is synonymous in other language to ‘biological’ or ‘ecological’. It is also a labelling term that denotes products considered based on the Philippine National Standards for Organic Agriculture (Organic Agriculture Act of 2010);*
- k. Organic Farm Villages- villages composed of smallholder farmers in a community organized into a smallholder group and certified or in process for certification by a third-party organic certification body.*
- l. Organic Agriculture – includes all agricultural system that promotes the ecologically sound, socially acceptable, economically viable and technically feasible production of food and fibers. Organic agriculture dramatically reduces external inputs by refraining from the use of chemical fertilizers, pesticides and pharmaceuticals. It also covers areas such as but not limited to soil fertility management, varietal breeding and selection under chemical and pesticide-free conditions, the use of biotechnology and other cultural practices that are consistent with the principles and policies of this Act, and enhance productivity without compromising the soil and water, and harming farmers, consumers and the environment as defined by the International Federation of Organic Agriculture Movement (IFOAM); Provided, That the biotechnology herein referred to shall not include genetically modified organisms or GMOs (Organic Agriculture Act of 2010);*
- m. Genetically Modified Organisms (GMO) - refers to organisms that possess a novel combination of genetic materials obtained through the use of modern bio-technology.*

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CHAPTER 2. INSTITUTIONAL MECHANISMS

SECTION 5. MERIDA TECHNICAL COMMITTEE ON ORGANIC AGRICULTURE (MTCOA).

a. Functions. The Committee shall have the following functions:

- i. Formulate and develop a Municipal Organic Agriculture Plan, in consultation with stakeholders, and oversee its implementation, monitoring and evaluation;**
- ii. Supervise agricultural practices in the entire Municipality;**
- iii. Monitor chemical inputs through tissue analysis and soil and water tests; monitor the use and/or sale and/or distribution of banned or prohibited chemical input; within Merida territory;**
- iv. Identify and recommend organic farm villages as established in Sec. 9 of this Ordinance;**
- v. Adopt the existing national standards for the accreditation of organic agriculture practitioners which may take into account second or third party certification systems and farmers' guarantee systems;**
- vi. Recommend criteria for organic farms, organic farmers, organic agriculture standards and practices;**
- vii. Develop incentive mechanism for the organic agriculture sector, in collaboration with the Barangays which may include but not limited to subsidies especially with farming areas that do not exceed three-hectare limit, and the necessary crop insurance and other support system of agriculture sector;**
- viii. Coordinate with the Leyte Provincial Technical Committee on Organic Agriculture (LPTCOA), third party certifying bodies, different line agencies, NGO in terms of production, product development, skills enhancement and marketing aspect consistent with the provision to Organic Agriculture Act of 2010;**
- ix. Design a comprehensive program for the success in the implementation of this ordinance through information, education, communication, and advocacy activities;**
- x. Perform such other functions as may be necessary for the realization of the policies as well as the principles enunciated under this Ordinance.**

b. Composition: The Council shall be composed of the following:

- i. The Mayor or his duly authorized representative who shall serve as Chairperson of the Council;**
- ii. Municipal Agriculturist and/or his duly authorized representative;**
- iii. Liga ng mga Barangay President or his representative;**
- iv. SB Committee Chairman on Agriculture**
- v. The Municipal Environment and Natural Resources Officer (MENRO) or his representative;**
- vi. Municipal Agriculture and Fishery Council Chairman**
- vii. Three (3) authorized representatives from farmer groups engaged in organic agriculture for the past 3 years;**
- viii. Three (3) authorized representatives from Non-Government Organization (NGO) groups engaged in organic agriculture for the past 3 years;**
- x. Representative from Department of Education**
- xi. Representative from the Department of Agrarian Reform**
- xii. Representative from the Municipal Environment and Natural Resources Office**

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xiii. Representative from the Department of the Interior and Local Government

- c. Manner of Selection of Council Members and Requirements to be Submitted. - The members of the Council shall be appointed by the Mayor from among the applicants who have complied with the requirements and criteria set forth in this Ordinance.*

The applicant organizations or individuals should have adequate background and are engaged in Organic Agriculture as practitioners for at least three (3) years and/or an existing third party certified organic farmer and shall submit the following requirements:

A. FOR ORGANIZATIONS

- 1. Duly accomplished application form*
- 2. Proof of Registration*
- 3. Certification from the appropriate agency that the farm is organic*
- 4. List of Projects undertaken for the past three years*
- 5. Board Resolution signifying intention to join the council.*
- 6. Endorsement from the Punong Barangay*

B. FOR INDIVIDUALS

- 1. List of Projects undertaken for the past three years.*
- 2. Certification that the farm is organic*
- 3. Endorsement from the Punong Barangay where the individual is based.*

- d. Secretariat. The Office of the Municipal Agriculturist shall serve as the Secretariat of the Council and as such shall have the following duties and responsibilities:*

- 1. Ensure that the policies, programs and strategies provided for in this ordinance are properly implemented.*
- 2. Coordinate with the various agencies composing the Council and other entities or associations engaged in activities covered in this ordinance.*
- 3. Conduct necessary ocular inspections and evaluation of various sites and activities which have organic agricultural potential and recommend the same for development.*
- 4. Monitor the implementation of the programs approved and adopted by the Council and render a quarterly report as required regularly*
- 5. Recommend organic agricultural development programs for adoption by the Council based on observations gathered from the evaluation of existing and probable organic agricultural sites and activities.*
- 6. Evaluate the application for membership into the Council and submit the same to the Mayor pursuant to the provisions of the preceding paragraph c.*
- 7. Shall exercise such other related functions as may be assigned by the Council.*

The Council hereby created may invite or tap representatives of concerned government agencies (DTI, DAR, DA, City Health Office, DOST and others), organizations and enterprises for technical assistance or for coordination purposes from time to time, as may be appropriate or necessary.

- e. Executive Committee. The Municipal Mayor, in consultation with the Sangguniang Bayan, shall create an executive committee composed of not less than five (5) members from among their ranks approximating an equal representation of the private and public sectors. Said committee may act, by majority vote of all its members, on such specific matters within the competence of the council, as may be delegated to it on a majority vote of the committee.*

SECTION 6. PARTICIPATION OF ALL BARANGAYS. - *The 24 Barangays shall be encouraged to initiate its own short, medium and long-term programs with specific budget allocation from its Internal Revenue Allotment on organic agriculture.*

SECTION 7. COLLABORATION WITH THE PRIVATE SECTOR. - *The efforts of civil society organizations in promoting organic agriculture prior to the passage of this Ordinance are recognized. The Municipality shall continue to encourage and support the participation of the private sector in the promotion, propagation, development and implementation of organic agriculture, from farm production through marketing, trade and consumption.*

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CHAPTER 3 – PROGRAMS AND STRATEGIES

SECTION 8. STANDARDS AND ACCREDITATION. *The Municipality shall promote the use of certified inputs and the certification of organic farms by certifying bodies including but not limited to the Leyte Island Certification Services.*

SECTION 9. ORGANIC FARM VILLAGES. *– For the effective implementation of this Ordinance, the Municipality, in coordination with all the 24 barangays, shall promote the establishment of organic farm villages which will serve as organic production centers, as well as demonstration farms and learning centers. These organic farm villages shall build on and strengthen existing pilot organic farm villages set up and managed by the Office of the Municipal Agriculturist.*

SECTION 10. CONSERVATION OF INDIGENOUS FARM PRACTICES AND RESOURCES. *– Measures shall be established by the farming communities, including indigenous peoples' communities, to conserve and protect indigenous knowledge relating to organic agriculture, including those that relate aquaculture, animal husbandry, seed conservation and propagation and the various ways in which on-farm and ex-situ mechanisms are established and sustained.*

SECTION 11. ORGANIC GENE SEED BANK. *- The Municipal Government of Merida with the participation of NGOs, international organizations and other appropriate agencies shall establish an organic Seed/ Gene Bank which will produce and supply organic, endemic or indigenous seeds to farmers.*

SECTION 12. PROMOTION OF URBAN/BACKYARD GARDENING. *– The Municipality, through the Municipal Agriculturist Office (MAO), shall encourage, promote and support urban and backyard gardening using organic agriculture practices all throughout the Municipality.*

SECTION 13. SUPPORT SERVICES TO SMALL HOLDER FARMERS. *– There shall be support services provided to small holder farmers which includes agrarian reform beneficiaries, who wish to engage in organic agriculture, from training, production, marketing and branding, including financial management and accounting, among other necessary skills to develop an organic agriculture product that will secure a market niche, including the practice of fair trade as well as ensure household level food security. These services shall not be limited to the following:*

- a) *Education – Continuous trainings, follow-up, hands-on consultations, field exposures, including research and development activities;*
- b) *Information Campaign – Advocacies of organic agriculture, benefits, challenges, updates, as well as farmers' success stories and information access on the different alternative agricultural practices recognized and identified to organic agriculture through published handouts, handbooks, other reading materials that farmers can access. In addition, information education and awareness campaign for consumers in general shall also be done;*
- c) *Production – Information of making and other access to organic farm inputs (such as but not limited to compost fertilizers, inoculants and foliar such as effective micro-organism and other natural fermentations); financial assistance/support to pre and post production, including rehabilitation and postharvest facilities devoted solely for organic agriculture produce such as but not limited to multi-pass rice mills for unpolished rice;*
- d) *Marketing – fair trade and pricing (farm gate and market prices); available market outlets, trading posts including "bagsakan", organic markets and organic eateries and the like; inclusion of the marketing and trade of organic agriculture in festivals or fairs of cities, municipalities and the province;*
- e) *Branding of Products – consultation as to labeling the organic products with DANOAB/DTI/FPA/DOST including processing for higher value-added of the agricultural produce;*
- f) *Access to credit, whether cash, equipment or in kind, as well as to official development assistance, grants and donations and crop insurance, including financial management and accounting and project monitoring and evaluation and preparation of feasibility studies;*
- g) *Infrastructure and facilities attuned to sustainable organic agriculture activities at the level of the marginalized farmer including but not limited to shredder, water impoundment structures for upland communities; and*
- h) *Subsidy and incentives to small holder farmers who opt to practice organic agriculture such as;*

as;

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- i) provision of organic inputs for the first 3 years of implementation of this ordinance to organize groups or communities of small-holder farmers defined as those engaged in farming of 3 hectares or below and beneficiaries of the agrarian reform program on an interest-free payback scheme;
- j) subsidy or counter-parting scheme for organic certification for small holder group of farmers for the first year of the implementation of this ordinance, and thereafter, the development of a socialized scheme of certification fee and the institutionalization of internal control system mechanisms, whereby the certification and inspection shall be partially done by the small holder group of farmers;
- k) provision of health care and medical assistance benefits to small holder farmers engaged in organic agriculture;
- l) and such other subsidies or incentives as the Committee may recommend; provided, however, that the City shall work towards empowering small holder farmers towards self-sufficiency.

SECTION 14. BIOLOGICAL AND BOTANICAL CONTROL. – Organic farmers shall practice and utilize biological and botanical methods, which relies on predation, parasitism, herbivory or other natural mechanisms in the control of pests in their organic farm. Maximum protection of beneficial insects and animals shall be practiced.

SECTION 15. RESEARCH AND DEVELOPMENT. – There shall also be formulated as a component of the part of the Municipal Organic Agricultural Plan a Master Plan for Research and Development that will be funded and regularly updated in consultation with different sectors. Farmers, institutions and other stakeholders (such as but not limited to private entities, NGOs and LGUs) participation in all phases of the research and development of the master plan and its implementation should be ensured.

The Municipal Organic Agricultural Plan for Research & Development will include the data bank of organic agriculture to monitor the progress of organic agriculture in the Municipality and to be used in the development of an Organic Agriculture Road Map for Municipality. Data bank will be administered by the MTCOA. The data bank should include among others a list of existing organic or in-conversion farmers; their products, volume and hectarage; and list of certified organic inputs producers.

SECTION 16. CAPACITY-BUILDING. – To sustain and broaden the base for the implementation of this Ordinance, there is hereby adapted a continuous effort, funded by at least twenty percent of the budget set aside for organic agriculture as identified in Sec. 25 of this Ordinance, for capacity-building and training, including continuous research and development, the accreditation of institutions for standard-testing and verification as well as the establishment of a laboratory and laboratory support services to be identified by the MTCOA. Measures shall also be adopted to integrate organic agriculture in the primary, secondary and tertiary school curricula.

SECTION 17. SOLID WASTE MANAGEMENT. – In accordance with the provisions of Republic Act 9003, or the Ecological Solid Waste Management Act, there shall be established a 10-year solid waste management plan, with particular emphasis on the management of agricultural wastes in the Municipality, in order to generate compostable material for the organic agriculture practice that is established by this Ordinance.

SECTION 18. WATERSHED & BIODIVERSITY CONSERVATION AND REHABILITATION. In accordance with existing laws, there shall be biodiversity and watershed conservation and rehabilitation to ensure the continuous provision of these ecological and biological services vital to organic agriculture.

SECTION 19. RECOGNITION OF FARMERS' RIGHTS. - Any farmer who may choose to practice organic agriculture in the barangay shall be given priority in providing for support. Any existing arrangement of the farmer with any contract grower or trader shall not prevent the farmer from practicing organic agriculture. Any attempt to coerce the farmer not to switch is a violation of the farmers' right to choose the method of farming suitable to his circumstance.

SECTION 20. RECOGNITION OF THE ROLE OF WOMEN. – The role of women in the practice of organic agriculture is recognized. Towards this end, measures shall be taken by the Municipality to comply with its obligations to ensure a gender-fair and gender-balanced development along with support mechanisms to take into account the particular needs of women, from those who are child-bearing and girls of tender age, and the elderly women farm workers.

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SECTION 21. ANNUAL CELEBRATION OF THE ORGANIC FARMERS FESTIVAL. – An Organic Farmers’ Festival shall be conducted during the Foundation Day of Merida each year for the purpose of promoting organic agriculture. The festival shall be the official venue in the giving of recognitions and awards for individuals or organizations engaged in organic agriculture as stipulated in Chapter 4 of this ordinance.

CHAPTER 4. MONITORING AND ENFORCEMENT

SECTION 22. INCENTIVES AND AWARDS SYSTEM. – a. The Municipality, in collaboration with the private sector and other government agencies, shall establish and institutionalize incentives and awards system for individuals and organizations, with a preference for small-holder farmers, engaged in organic agriculture, which may include the following components:

- i. annual search and recognition and awards for model farmers and farmer organizations practicing organic farming & farmer organization at the barangay and Municipal level;
- ii. access and/or provision of continuous update in organic farming including scholarship to children of organic farmers/model farmers who shall enroll in organic agriculture-related academic or technical programs;
- iii. support for access to organic inputs for big farms to encourage their entry/involvement in organic agriculture; iv. and such other rewards and incentives that may hereinafter be developed.

The Municipality shall establish and institutionalize an incentive and awards system to encourage the implementation of plans and programs by Barangays (LGUs), non-government organizations (NGOs), people’s organizations (POs) schools, colleges and/ or universities to promote and develop organic agriculture. These shall be in the form of financial and technical assistance for projects that promote and develop organic agriculture. There shall likewise be annual awards for best practices by category: BLGUs, NGOs, POs, and Schools.

SECTION 23. PENALTIES AND PROHIBITED ACTS. - Any person, whether natural or juridical, who:

- (a) willfully or deliberately violates any of the provisions of this ordinance, including but not limited to (1) mislabeling of organic inputs and organic produce, (2) planting and trading of genetically-modified organisms, and (3) encroachment of mining operations in organic agriculture zones; or
- (b) willfully or negligently obstructs or delays the implementation of this ordinance and the development of the organic agriculture in the Municipality, including misuse, diversion, or material misrepresentation involving support extended by the government and or NGO, shall, upon conviction, be punished by imprisonment of not less than one (1) month or more than one (1) year, or a fine of not more than Two Thousand Five Hundred Pesos (PHP 2,500.00) or both, at the discretion of the court. If the offender is a corporation or a juridical entity, the official who ordered or allowed the commission of the offense shall be punished with the same penalty; provided, however, that if such offense is already defined and penalized by the Organic Agriculture Act, such person shall be prosecuted under the statute, without prejudice to the immediately succeeding provisions.

In addition to these penalties, the offender, his successors, assigns and representatives shall be disqualified from availing the support services and incentives provided under this ordinance for the next three years following his commission of the offense, as may be administratively adjudicated. Moreover, the Municipality shall cancel the business permit/s of such offender and the offender’s disqualification to apply for a business permit for the immediately succeeding year.

SECTION 24. MUNICIPAL ADJUDICATION PANEL. - A Municipal Adjudication Panel is hereby created to hear and resolve cases involving complaints and charges of violations of this ordinance. The Panel shall be composed of a duly authorized representative from the Mayor’s Office, who shall serve as Chairperson, the Office of the Municipal Agriculturist or his authorized representative, depending on the subject matter of the complaint/charge, a member of the Council coming from the private sector and a third-party organic certification body. They shall administratively determine the commission of the offense complained of or charged and make their findings and recommendations for the approval of the Municipal Mayor regarding the liability of the offender resulting in their disqualification from receiving support from the Municipality.

SECTION 25. MONITORING AND ENFORCEMENT TEAMS. There shall be monitoring and enforcement teams who shall conduct regular proactive and reactive rounds to ensure the compliance and apprehend violators of this ordinance. The Municipality, through the MAO, shall create composite teams for this purpose who shall be duly deputized by the Municipal Mayor. The Municipal Government, through the MAO, shall likewise organized community-based monitoring and enforcement team at the barangay levels.

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Coordination with the Philippine National Police, and Philippine Coast Guard, shall be done for purposes of monitoring entry and exit points in the City.

CHAPTER 5. FUNDING AND FINAL PROVISIONS

SECTION 26. FUNDING REQUIREMENT. - *The Municipal Government of Merida shall appropriate an initial amount of Five Hundred Thousand Pesos (PHP 500,000.00) for the implementation of this Ordinance, subject to an additional annual allocation of such amount as may be deemed necessary and requisite.*

SECTION 27. IMPLEMENTING RULES AND REGULATIONS. - *Within one hundred twenty (120) days after the approval of this Ordinance, the Committee shall, upon consultation with all Barangay Officials, government agencies, private sector, Farmer NGOs and POs, promulgate the implementing rules and regulations of this Ordinance: Provided, That failure to issue rules and regulations shall not in any manner affect the executory nature of the provisions of this Ordinance.*

SECTION 28. REVIEW AND AMENDMENTS. - *This Ordinance shall be subjected to review and amendments every two (2) years or as needed whichever comes first.*

SECTION 29. REPEALING CLAUSE. - *All ordinances, rules and regulations, and other issuances or parts thereof which are inconsistent with this ordinance are hereby repealed or modified accordingly.*

SECTION 30. SEPARABILITY CLAUSE. - *If for any reason any section or provision of this Ordinance is declared as unconstitutional or invalid, the other sections or provisions hereof shall not be affected thereby.*

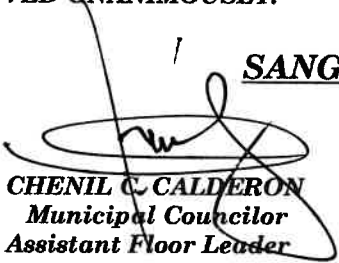
SECTION 31. EFFECTIVITY CLAUSE. - *This Ordinance shall take effect immediately after compliance with the posting and publication requirements set forth under the 1991 Local Government Code.*


APPROVED UNANIMOUSLY.

ENACTED BY THE SANGGUNIANG BAYAN (18TH COUNCIL) OF MERIDA, LEYTE ON ITS REGULAR SESSION HELD ON AUGUST 19, 2024.

APPROVED UNANIMOUSLY.

SANGGUNIANG BAYAN MEMBERS


CHENIL C. CALDERON
Municipal Councilor
Assistant Floor Leader


JESUS ANTONIO R. MARTINEZ
Municipal Councilor


EMARITO A. LUZARES
Municipal Councilor
Majority Floor Leader


FELIPE H. PEREZ, JR.
Municipal Councilor

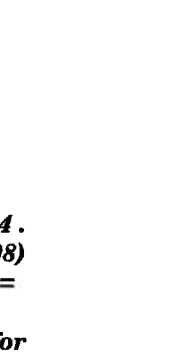

CAMILO L. DEJON
Municipal Councilor

NENFA C. OYAO
Municipal Councilor


STEPHANIE M. MIRALLES
Municipal Councilor


ASHLEY NOREEN DIAZ
Ex-Officio (Mun. SK. Fed. President)


RONILLO O. LABANG
Ex-Officio (Mun. LdB President)





**(CONTINUATION OF MUNICIPAL ORDINANCE NO. 10, SERIES OF 2024 DATED AUGUST 19, 2024 .
.....//PAGE 09)**

APPROVED BY HIS HONOR, THE MUNICIPAL MAYOR ON September 09, 2024.

APPROVED BY:

ENGR. ROLANDO M. VILLASENCIO
Municipal Mayor

CERTIFIED BY:

JOEL A. MARSON
Municipal Councilor / Presiding Pro-tempore

RODRIGO M. WENCESLAO
Municipal Vice Mayor / (Forced Leave)

ATTESTED BY:

JOSELITO T. DELOS ANGELES
Secretary to the Sangguniang Bayan



Republic of the Philippines
Province of Leyte
MUNICIPALITY OF MERIDA

OFFICE OF THE SANGGUNIANG BAYAN

CERTIFICATION

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that MUNICIPAL ORDINANCE NO. 10, SERIES OF 2024 - "AN ORDINANCE INSTITUTIONALIZING, PROMOTING AND DEVELOPING ORGANIC AGRICULTURE IN THE MUNICIPALITY OF MERIDA, LEYTE, PROVIDING FUNDS THEREFORE, AND FOR OTHER PURPOSES" had been posted in three (3) conspicuous places in the locality within three (3) consecutive weeks from **SEPTEMBER 10, 2024 to OCTOBER 01, 2024.**

THIS CERTIFICATION has been issued in compliance to Section 511 (1), Title One, book IV of RA 7160, otherwise known as the Local Government Code of 1991.

DONE AND ISSUED this 24TH DAY OF OCTOBER at Merida, Leyte, Philippines.


JOSELITO T. DELOS ANGELES
Secretary to the Sangguniang Bayan