



Republic of the Philippines
Province of Cavite
City of Bacoor



5th SANGGUNIANG PANLUNGSOD

COMMITTEE ON AGRICULTURE AND FOOD COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES COMMITTEE ON RULES AND PRIVILEGES, LAWS AND ORDINANCES

JOINT COMMITTEE REPORT

NO. AAF002-PCO-068-S-2023

Subject: *An Ordinance providing for sustainable management, development and conservation of the Bacoor municipal water and its fishery resources harmonizing and integrating all ordinances, otherwise known as "The Comprehensive Fishery Ordinance of the City of Bacoor" (PCO No. 2023-068 dated 20 February 2023).*

FINDINGS:

The proposed Ordinance is in pursuant to the letter attached (Annex C) dated February 16, 2023, issued by the Department of Interior and Local Government calling for continuing compliance to Republic Act No. 8550 or the Fisheries Code of the Philippines, and its request to enact/or update the City Fisheries Ordinance of Coastal Local Government Unit.

A Joint Committee Hearing was conducted on 09 March 2023 and 30 March 2023 unresolved to give the Office of the City Agriculturist and City Legal Service Office ample time to review the proposed Ordinance.

A final draft of the proposed Ordinance was endorsed to the Sangguniang Panlungsod on April 20, 2023. Thus, during the 40th Regular Session of the Sangguniang Panlungsod of the City of Bacoor held on April 24, 2023, 10:30 a.m., at the Sangguniang Panlungsod Session Hall, Hon. Simplicio G. Dominguez motioned for the approval of the above subject matter.

RECOMMENDATION:

The Council Members agreed to unanimously approved the Proposed Ordinance Providing for Sustainable Management, Development and Conservation of the Bacoor Municipal Water and Its Fishery Resources Harmonizing and Integrating all Ordinances, Otherwise Known as "The Comprehensive Fishery Ordinance of the City of Bacoor".

WE HEREBY CERTIFY that the contents of the foregoing report are true and correct.


Signed this 15th day of May 2023 at the City of Bacoor, Cavite.



Republic of the Philippines
Province of Cavite
City of Bacoor

5th SANGGUNIANG PANLUNGSOD

COMMITTEE ON AGRICULTURE AND FOOD


HON. SIMPLICIO G. DOMINGUEZ

Chairman


HON. MICHAEL SOLIS

Vice-Chairman


HON. REYNALDO PALABRICA

Member


HON. ADRIELITO GAWARAN

Member

COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES


HON. LEVY TELA

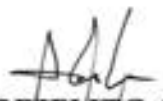
Chairman


HON. REYNALDO FABIAN

Vice-Chairman


HON. REYNALDO PALABRICA

Member


HON. ADRIELITO GAWARAN

Member

COMMITTEE ON RULES AND PRIVILEGES, LAWS AND ORDINANCES


HON. REYNALDO PALABRICA

Chairman


HON. LEVY TELA

Vice-Chairman


HON. ALEJANDRO GUTIERREZ

Member


HON. ADRIELITO GAWARAN

Member



ANNEX C

Republic of the Philippines
DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT
REGION IV-A CALABARZON
Province of Cavite
City of Bacoor

OFFICE OF THE CITY LOCAL GOVERNMENT OPERATIONS OFFICER

SAC: JACB0014-89

16 February 2023

Hon. **STRIKE B. REVILLA**
Mayor
City of Bacoor

Thru : **Atty. Jesson G. Labao**
City Administrator

Attn : **Hon. Levy Tela**
Chairman, Committee on Environment and Natural Resources

Mr. Rolando Vocalan
OIC-CENRO

Dear Mayor Revilla:

Respectfully furnishing you with the letter from **Dir. Ariel O. Iglesia, CESO III**, Regional Director, DILG IV-A calling for continuous compliance to Republic Act n0. 8550 or the Fisheries Code of the Philippines. The city is also requested to enact and/or update the City Fisheries Ordinance of Coastal Local Government Unit. Templates attached for reference and guidance.

Thank you and warm regards.

Very truly yours,

CHARMAINE R. LOPEZ
CLGOO





Republic of the Philippines
Province of Cavite
City of Bacoor



5th SANGGUNIANG PANLUNGSOD

**COMMITTEE ON AGRICULTURE AND FOOD
COMMITTEE ON RULES AND PRIVILEGES, LAWS AND ORDINANCES
COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES**

JOINT COMMITTEE MINUTES

NO. AAF003-PCO-068-S-2023

Subject: *An Ordinance providing for sustainable management, development and conservation of the Bacoor Municipal Water and its fishery resources harmonizing and integrating all Ordinances, otherwise known as "The Comprehensive Fishery Ordinance of the City of Bacoor" (PCO No. 068-2023 dated 20 February 2023)*

1. The 40th Regular Session of the 5th Sangguniang Panlungsod of the City of Bacoor, Cavite held on April 24, 2023 started at exactly 10:00 a.m.
2. Hon. Alde Joselito Pagulayan raised a motion to suspend the internal rules of the session.
3. The Presiding Officer, Hon. Reynaldo Palabrica approved the suspension of the Internal Rules and duly seconded by the majority of the council members.
4. Two Joint Committee Hearings were conducted on 09 March 2023 and 30 March 2023 for the above subject matter.
5. The Office of the City Agriculturist has submitted a revision of their proposed Ordinance as highlighted in red letters (see Annex A) and incorporating the Legal opinion from Atty. Nathaniel C. De Leon dated 16 March 2023 (see Annex B).
6. After review of the revised proposed ordinance, the committee agreed for its approval. Thus, Councilor Simplicio Dominguez motioned for the approval of the above subject matter.
7. Majority of the Council Members seconded the motion for approval.
8. The proposed Ordinance providing for sustainable management, development and conservation of the Bacoor Municipal Water and its fishery resources harmonizing and integrating all Ordinances, otherwise known as "The Comprehensive Fishery Ordinance of the City of Bacoor" was approved during the 40th Regular Session of the Sangguniang Panlungsod of the City of Bacoor held on April 24, 2023, 10:00 a.m., at the Sangguniang Panlungsod Session Hall.

Prepared by:

ARLENE C. HERNANDEZ
Local Legislative Staff I

Attested By:

HON. SIMPLICIO G. DOMINGUEZ
Committee Chairman

CITY ORDINANCE NO. 278-2023
Series of 2023

AN ORDINANCE PROVIDING FOR SUSTAINABLE MANAGEMENT, DEVELOPMENT AND CONSERVATION OF THE BACOR MUNICIPAL WATER AND ITS FISHERY RESOURCES HARMONIZING AND INTEGRATING ALL ORDINANCES.

Sponsored by:

Hon. Simplicio G. Dominguez

Co-Sponsored by:

Hon. Roberto L. Advincula, Hon. Ramon N. Bautista, Hon. Mac Raven Espiritu, Hon. Catherine Sarino-Evaristo, Hon. Adrielito G. Gawaran, Hon. Reynaldo M. Fabian, Hon. Victorio L. Guerrero, Jr., Hon. Alejandro F. Gutierrez, Hon. Rogelio M. Nolasco, Hon. Alde Joselito F. Pagulayan, Hon. Michael E. Solis and Hon. Levy M. Tela.

Be it ordained by the Sangguniang Panglunsod of City of Bacoor that:

SECTION 1. TITLE

This ordinance shall be known as **“THE COMPREHENSIVE FISHERY ORDINANCE OF THE CITY OF BACOR.”**

ARTICLE 1

DECLARATION OF POLICY AND DEFINITIONS

SECTION 2. DECLARATION OF POLICY

It is hereby declared the policy of the City to:

1. Promote conservation and ensure sustainable equitable utilization of its coastal areas and resources in conformity with the Bacoor Coastal Development Plan.
2. Ensure, for the benefit and enjoyment of the people of Bacoor, the judicious and wise utilization, protection, conservation and management on sustainable basis of its coastal and fishery resources with the necessity of maintaining a sound ecological balance and protecting and enhancing the quality of the environment.

SECTION 3. APPLICATION OF ITS PROVISIONS

The provisions of this Ordinance shall be enforced in:

1. All Municipal water of City of Bacoor, as defined in this ordinance;
2. All coastal and marine resources in the municipal waters;
3. All land activities or businesses relating to the use, development, conversion and management of municipal waters and its coastal marine resource: and
4. All person, entities, or corporations that the use and/or intend to the coastal and fishery resources of Bacoor.

SECTION 4. DEFINITION OF TERMS (Similar with RA 8550 AS AMMENDED BY R.A. 10654)

1. *Ancillary Industries – firms or 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 other pre-harvest and post-harvest facilities.*
2. *Appropriate Fishing Technology – adaptable technology, both in fishing and ancillary industries, that is ecologically sound, locally source-based and labor intensive.*
3. *Aquatic Pollution – the introduction by humans or machines, directly or indirectly, of substances or energy to the aquatic environment which results 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, hindrance to aquatic activities such as fishing and navigation, including dumping/disposal of waste and other marine litters, discharge of petroleum or residual products of petroleum or carbonaceous materials/substances and other radioactive, noxious or harmful liquid, gaseous or solid substances, from any water, land or air transport or other human-made structure. Deforestation, unsound agricultural practices such as the use of banned chemicals and excessive use of chemicals, intensive use of artificial fish feed, and wetland conversion, which cause similar hazards and deleterious effects shall also constitute aquatic pollution.*
4. *Aquatic resources – includes fish, all other aquatic flora and fauna and other living resources of the aquatic environment, including but not limited to salt and corals.*
5. *Artificial Reefs – any structure of natural or man-made materials placed on a body of water to serve as shelter and habitat, source of food, breeding areas for fishery species and shoreline protection. 7.*
6. *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.*
7. *Coastal Area/Zone– is a 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 within the 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 200 meters is Or bath to include coral reefs, algal flats, seagrass beds and other soft-bottom areas.*

8. *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:
- a. *Small scale commercial fishing* – fishing with passive or active gear utilizing fishing vessels of 3.1 gross tons (GT) up to twenty (20) GT;
 - b. *Medium scale commercial fishing* – fishing utilizing active gears and vessels of 20.1 GT up to one hundred fifty (150) GT; and
 - c. *Large scale commercial fishing* – fishing utilizing active gears and vessels of more than one hundred fifty (150) GT.
9. *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.
10. *Community Service* – means any service or activity that is performed for the benefit of the community or its institutions in lieu of payment of fine imposed as administrative or criminal penalty.(new provision in RA 10654)
11. *Conservation and Management Measures* – means measures to conserve and manage living marine resources that are adopted and applied consistently with the relevant rules of international law including those reflected in conventions, RFMO resolutions and laws of other coastal states where Philippine-flagged vessels fish.(n)
12. *Coral* – hard calcareous substance made up of the skeleton of marine coelenterate polyps which includes reefs, shelves and atolls or any of the marine coelenterate animals living in colonies where their skeletons form a stony mass. They include: (a) skeletons of anthozoan coelenterates characterized as having a rigid axis of compact calcareous or horny spicules, belonging to the genus corallum as represented by the red, pink and white corals which are considered precious corals; (b) skeletons of anthozoan coelenterates characterized by thorny, horny axis such as the antipatharians represented by the black corals which are considered semi-precious corals; and (c) ordinary corals which are any kind of corals that are not precious nor semi-precious.
13. *Coral Reef* – a natural aggregation of coral skeleton, with or without living coral polyps, occurring in intertidal and subtidal marine waters.
14. *Demarcated areas* – boundaries defined by markers and assigned exclusively to specific individuals or organizations for certain specified and limited uses such as: a. Aquaculture, sea ranching and sea farming; b. Fish aggregating devices; c. Fixed and passive fishing gears; and a d. Fry and fingerling gathering.

15. *Department – shall mean the Department of Agriculture.*
16. *Distant Water Fishing – means fishing in the high seas or in waters of other states.(n) .*
17. *Electrofishing– the use of electricity generated by batteries, electric generators and other source of electric power to kill, stupefy, disable or render unconscious fishery species, whether or not the same are subsequently recovered.*
18. *Endangered, Rare and/or Threatened Species – aquatic plants, including some varieties of corals and sea shells in danger of extinction as provided in existing fishery laws, rules and regulations or in the Protected Areas and Wildlife Bureau of the Department of Environment and Natural Resources (DENR) and in the Convention of the International Trade of Endangered Species of Flora and Fauna (CITES).*
19. *Exclusive Economic Zone (EEZ)– an area beyond and adjacent to the territorial sea which shall not extend beyond 200 nautical miles from the baselines as defined under existing laws.*
20. *FARMCs– the Fisheries and Aquatic Resources Management Councils.*
21. *Farm-to-Market Roads – shall include roads linking the fisheries production sites, coastal landing points and other post-harvest facilities to major market and arterial roads and highways.*
22. *Fine Mesh Nets – net with mesh size of less than three centimeters (3 cm.) measured between two (2) opposite knots of a full mesh when stretched or as otherwise determined by the appropriate government agency.*
23. *Fish and Fishery/Aquatic Products – include not only finfish but also mollusks, crustaceans, echinoderms, marine mammals, and all other species of aquatic flora and fauna and all other products of aquatic living resources in any form.*
24. *Fish Fingerlings– a stage in the life cycle of the fish measuring about 6-13 cm. depending on the species.*
25. *Fish Fry– a stage at which a fish has just been hatched usually with sizes from 1- 2.5 cm.*

26. *Fisherfolk*– people directly or personally and physically engaged in taking and/or culturing and processing fishery and/or aquatic resources.
27. *Fisherfolk Cooperative* – a duly registered association of fisherfolk with a common bond of 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.
28. *Fisherfolk Organizations* – an organized group, association, federation, alliance or an institution of fisherfolk which has at least fifteen (15) members, a set of officers, a constitution and by-laws, an organizational structure and a program of action.
29. *Fisheries* – refers to all activities relating to the act or business of fishing, culturing, preserving, processing, marketing, developing, conserving and managing aquatic resources and the fishery areas, including the privilege to fish or take aquatic resource thereof.
30. *Fisheries Observer* – refers to a person duly authorized by the Philippine government or under a Regional Observer Program of the RFMO, to collect scientific technical or fishing-related data, and other information that may be required by the government or the RFMO and/ or in compliance to a conservation and management measure.(n)
31. *Fishing Vessel/Gear License* – refers to a permit to operate specific types of fishing vessel/gear for specific duration in areas beyond municipal waters for demersal or pelagic fishery resources. (aa)
32. *Fishery Management Areas*– a bay, gulf, lake or any other fishery area which may be delineated for fishery resource management purposes.
33. *Fishery Operator*– one who owns and provides the means including land, labor, capital, fishing gears, and vessels, but does not personally, engage in fishery.
34. *Fishery Refuge and Sanctuaries*– a designated area where fishing or other forms of activities which may damage the ecosystem of the area is prohibited and human access may be restricted.
35. *Fishery Reserve*– a designated area where activities are regulated and set aside for educational and research purposes.

36. *42. Fishery Species – all aquatic flora and fauna including, but not restricted to, fish, algae, coelenterates, mollusks, crustaceans, echinoderms and cetaceans.*

37. *Fishing – the taking of fishery species from their wild state or habitat, with or without the use of fishing vessels.*

38. *Fishing Gear – refers to any instrument or device and its accessories utilized in taking fish and other fishery species.*

(a) Active Fishing Gear – is a fishing device characterized by the pursuit of the target species by towing, pushing the gears, surrounding, covering, dredging, and scaring the target species to impoundments; such as, but not limited to, trawl, purse seines, Danish seines, pooling and drift gill net.(aa)

(b) Passive Fishing Gear – is characterized by the absence of pursuit of the target species; such as, but not limited to, hook and line, fishpots, traps and gill nets set across the path of the fish.(aa)

39. *Fishing Light Attractor – refers to a fishing aid which employs lights using, among others, mercury vapor, high pressure sodium vapor, standard tungsten, tungsten halogen, fluorescent or light-emitting diode, that are attached to a structure above water or suspended underwater to attract both fish and members of their food chain to specific areas in order to harvest them.(n)*

40. *Fishing vessel– any boat, ship or other watercraft equipped to be used for taking of fishery species or aiding 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. 4*

41. *Fishing with Explosives –the use of the dynamite, other explosives or other chemical compounds that contains combustible elements or ingredients which upon ignition by friction, concussion, percussion 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 causes an explosion that is capable of producing the said harmful effects on any fishery species and aquatic resources and capable of damaging and altering the natural habitat.*

42. *Fishing with Noxious or Poisonous Substances – the use of any substance, plant extracts or juice thereof, sodium cyanide and/or cyanide compounds or other chemicals either in raw or processed form, harmful or harmless to human beings, which will kill, stupefy, disable or render unconscious any fishery species and aquatic resources and capable of damaging and altering the natural habitat.*

43. *Fish worker* – 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 6 farms, sea farms, salt beds, fish ports, fishing boat or trawlers, or fish processing and/or packing plants. Excluded from this category are administrators, security guards and overseers.
44. *Food Security*– refers to 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
45. *Foreshore Land* – a string of land margining a body of water, the part of a seashore between the low-water line usually at the seaward margin of a low tide terrace and the upper limit of wave wash at high tide usually marked by a beach scarp or berm.
46. *Fully-developed Fishpond Area* – a clean leveled area enclosed by dikes, at least one 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.
47. *Gross Tonnage*– includes 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 bases of one hundred cubic feet (that equals one gross ton).
48. *Harvest Control Rules* – refers to actions or set of actions to be taken to achieve a medium or long term target reference point while avoiding reaching or breaching a limit reference point.(n)
49. *Illegal Fishing* – means fishing activities conducted by Philippine fishing vessels operating in violation of Philippine laws, Regional Fisheries Management Organization resolutions, and laws of other coastal states.(n)
50. *Inland Fishery* – the freshwater fishery and brackishwater fishponds.

51. *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.
52. *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 Code.
53. 59. *Mangroves*– a community of intertidal plants including all species of trees, shrubs, vines and herbs found on coasts, swamps, or border of swamps.
54. *Marine Protected Area* – means a defined area of the sea established and set aside by law, administrative regulation, or any other effective means in order to conserve and protect a part of or the entire enclosed environment through the establishment of management guidelines. It is considered a generic term that includes all declared areas governed by specific rules or guidelines in order to protect and manage activities within the enclosed area.(n)
55. *Maximum Sustainable Yield (MSY)* – is the largest average quantity of fish that can be harvested from a fish stocks/resource within a period of time (e.g. one year) on a sustainable basis under existing environmental conditions.
56. *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 waters of the ocean as part of their behavioral adaptation for survival and speciation: 7
- (a) *Anadromous species* – marine fishes which migrate to freshwater areas to spawn;
- (b) *Catadromous species* – freshwater fishes which migrate to marine areas to spawn.
57. *Monitoring, Control and Surveillance* –
- a. *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);
 - b. *Control*– the regulatory conditions (legal framework) under which the exploitation, utilization and disposition of the resources may be conducted; and
 - c. *Surveillance* – the degree and types of observations required to maintain compliance with regulations.

58. *Municipal fisherfolk*– persons who are directly or indirectly engaged in municipal fishing and other related fishing activities.
59. *Municipal fishing*– refers to fishing within municipal waters using fishing vessels of three (3) gross tons or less, or fishing not requiring the use of fishing vessels.
60. *Non-governmental organization (NGO)* – an agency, institution, a foundation or a group of persons whose purpose is to assist peoples organizations/associations in various ways including, but not limited to, organizing, education, training, research and/or resource accessing.
61. *People’s Organization* – a bonafide 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 voluntarily band themselves together to work for and by themselves for their own upliftment, development and greater good.
62. *Person*– natural or juridical entities such as individuals, associations, partnership, cooperatives or corporations.
63. *Philippine waters* – include all bodies of water within the Philippine territory such as lakes, rivers streams, creeks, brooks, ponds, swamps, lagoons, gulfs, bays and seas and other bodies of water now existing or which may hereafter exist in the provinces, cities, municipalities, and barangays and the waters around, between and connecting the islands of 8 the archipelago regardless of their breadth and dimensions, the territorial sea, the sea beds, the insular shelves, and all other waters over which the Philippines has sovereignty and jurisdiction including the 200-nautical miles Exclusive Economic Zone and the continental shelf.
64. *Port State Measures* – refers to the requirements established or interventions undertaken by port states, which a Philippine flagged or foreign fishing vessel must comply with as a condition for the use of ports within the port state.(n)
65. *Post-harvest facilities*– these facilities include, but are not limited to, fishport, fishlanding, ice plants and cold storages, fish processing plants.
66. *Purse Seine*– a form of encircling net having a line at the bottom passing through rings attached to the net, which can be drawn or pursed. In general, the net is set from a boat or pair of boats around the school of fish. The bottom of the net is pulled closed with the purse line. The net is then pulled aboard the fishing boat or boats until the fish are concentrated in the bunt or fish bag. 76.

67. *Reference Points* – means benchmark values often based on indicators such as fishery stock size or the level of fishing that serves as standard to compare estimates of a fishery stock size and fishing mortality over time depending on the biological characteristics of the species. Reference points can mark: (a) a limit or a level that should be avoided; (b) a target, which should be achieved and maintained; or (c) a trigger that signals the need to take prescribed actions.(n)
68. *Regional Fisheries Management Organization (RFMO)* – means a multi-lateral organization with responsibility to coordinate management and establish conservation and management measures for highly migratory fish stocks, fish stocks that straddle national fisheries management boundaries and other high seas species.(n)
69. *Resource Rent*– the difference between the value of the products produced from harvesting a publicly owned resource less the cost of producing it, where cost includes the normal return to capital and normal return to labor.
70. *Sea farming* – the stocking of natural or hatchery-produced marine plants or animals, under controlled conditions, for purposes of rearing and harvesting, but not limited to commercially-important fishes, mollusks (such as pearl and giant clam culture), including seaweeds and seagrass.
71. *Sea ranching* – the release of the young of fishery species reared in hatcheries and nurseries into natural bodies of water for subsequent harvest at maturity or the manipulation of fishery habitat, to encourage the growth of the wild stocks.
72. *Serious Violation* – means any of the following violations of the provisions of this Code:
- (a) Fishing without a valid license, authorization or permit;
 - (b) Fishing without reporting the catch or misreporting the catch;
 - (c) Fishing in a closed area or during a closed season;
 - (d) Fishing of prohibited species;
 - (e) Fishing with the use of prohibited gear or methods;
 - (f) Falsifying, concealing or tampering with vessel markings, identity or registration to conceal vessel identity or lack of registration;
 - (g) Concealing, tampering or disposing of evidence relating to an investigation of a violation;
 - (h) Assaulting, resisting, intimidating, harassing, seriously interfering with, or unduly obstructing or delaying a fisheries law enforcer, authorized inspector or observer or another duly authorized government officer;

(i) Intentionally tampering with or disabling the vessel monitoring system; and

(j) Committing multiple violations which taken together constitute a serious disregard of this Code.(n)

73. *Superlight*– also called *magic light*, refers to a type of light using halogen or metal halide bulb 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. *Transshipment* – refers to the transfer of all or any fish or fishery product from one fishing vessel to another.(n)

75. *Total Allowable Catch (TAC)* – the maximum harvest allowed to be taken during a given period of time from any fishery area, or from any fishery species or group of fishery species, or a combination of area and species and normally would not exceed the MSY.

76. *Trawl* – an active fishing gear consisting of a bag shaped net with or without otter 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.

77. *Unregulated Fishing* –refers to fishing activities conducted by:

a) Vessels without nationality but operated by Filipino and/or Filipino corporation;

b) Philippine flagged fishing vessels operating in areas managed by RFMOs to which the Philippines is not a party to; or

a) Philippine flagged fishing vessels operating in areas or fish stocks where there are no applicable conservation and management measures.

78. *Unreported Fishing* – refers to fishing activities which have not been reported, or have been misreported to the Department, in contravention of national laws and regulations of the Philippines, or undertaken in the area of competence of a relevant RFMO which have not been reported or have been misreported, in contravention of the reporting procedures of that organization and further elaborated by regulations to be promulgated by the Department.(n)

Additional Terms. – Additional terms and their definitions, as used in these Implementing Rules and Regulations (IRR), are as follows:

a) *Aquarium ornamental animals* – refer to aquatic animals kept in the aquarium as a hobby or as pets or

- for ornamental purposes, including fishes, invertebrates, crustaceans, and mollusks.
- b) *Automatic Location Communicator (ALC) or Mobile Tracking-Transceiver Unit* – refers to an automatic tracking device approved by the Bureau to be installed on fishing vessels that utilize a satellite navigation and communication system for the purpose of transmitting information concerning the Philippine flagged fishing vessel positions, fishing activities and any other activity of the vessel as may be required.
- c) *Drift gillnet* – as provided for in Item 45 (a) of Section 4, refers to a large-scale drift gill net which is more than 500 meters in length and has an impact on the by-catch of threatened, protected and endangered species.
- d) *Ecosystem-based approach to fisheries management* – means an approach to fisheries that strives to balance diverse societal objectives or needs by taking account of the knowledge and uncertainties about biotic, abiotic, and human components of ecosystems and their interaction and applying an integrated approach to fisheries management within ecologically meaningful boundaries. It may be synonymously used with “ecosystem approach to fisheries management” (EAFM).
- e) *Fishing for daily food sustenance* – refers to fishing in which the fish caught, and/or the proceeds thereof, are consumed directly by the families and kin rather than being bought by intermediaries and sold at the next larger market.
- f) *Group Seine Operation/ Group Seining* – refers to the fishing operations of purse seine or ring net fishing fleet consisting of a group of vessels that include the catcher vessel and its support vessels such as carriers, rangers, sonar boats, search boats, scout boats and light boats.
- g) *Lumen* – is a measure of the total amount of visible light emitted by a source.
- h) *Marine habitat* – refers to an ecological or environmental area inhabited by one or more living species of marine life. It can be divided into coastal and open ocean habitats.
- i. Coastal habitats are found in the area that extends from as far as the tide comes in on the shoreline out to the edge of the continental shelf. ii)

- ii. *Open ocean habitats are found in the deep ocean beyond the edge of the continental shelf, including the extended continental shelf. Marine habitat includes the very organisms that make it up such as but not limited to corals, seagrass, seaweeds, and mangroves. i)*
- i) *Migration path – means the migration route of spawning, schooling or feeding migratory species, going downstream or upstream migration.*
- j) *Multiple violations – as provided in Item 82 (j) of Section 4, refer to the commission by an offender at any one instance, of three (3) or more violations as defined in this Code, which are not enumerated under (a) to (i) of Item 82 of Section 4, resulting to actual damage of at least PhpFive (5) Million, which, taken together constitute a serious disregard of the Code, and therefore qualify as a serious violation.*
- k) *Obstruction to navigation and flow of water – refers to all forms of water and landbased structures, whether permanent or movable, constructed without proper authorization from an appropriate government agency, which obstruct navigation or impede the flow of water, causing water stagnation, pollution or massive flooding, provided, that in the case of rivers or streams, the structures are constructed at least one-fourth (¼) of the width of the river or stream measured from where the structure is erected or constructed.*
- l) *"Pakura" – means a small motorized boat, three (3) gross tons (GT) or less, using handline fishing gear and operates in conjunction with a commercial tuna handline vessel.*
- m) *"Sabalo" – refers to wild milkfish measuring at least sixty (60) cm from snout to end of caudal*
- n) *Single Seine Operation/ Single Seining –refers to the fishing operations of a purse seine catcher vessel having the capacity to store or preserve its catch, including the search and support operations of its skiff boats, fast craft, aircraft, drone or any other support vessel.*
- o) *"Sudsud" or Push net – refers to a fishing gear also known as "sakay", "suro" or "patono", consisting of a synthetic or natural fiber material attached to a rigid framed bamboo pole or wooden post or log, operated either manually or by the use of a motorized boat with single piston engine of not more than sixteen (16)*

horsepower, and used to catch acetes, small shrimps, anchovies and other fish.

- p) Three highest officers – for purposes of this Code, the Captain or Maestro shall be considered the highest officer and the Master Fisherman the second highest officer. The third highest officer shall be the next highest responsible person after the Master Fisherman and determined to have been responsible for decision-making in fishery operations. The three (3) officers must be on board the vessel. q)
- q) Value of species –except for threatened, endangered or rare species, this refers to the regional market value of the species for the previous year as determined by the Philippine Fisheries Development Authority (PFDA) or in other cases, as the evidence may warrant.

ARTICLE II

UTILIZATION, MANAGEMENT, DEVELOPMENT AND CONSERVATION OF COASTAL AND FISHERY RESOURCES IN THE MUNICIPAL WATER

SECTION 5. JURISDICTION OF CITY GOVERNMENT

The jurisdiction of the City, for police purposes only, shall be coextensive with its territorial jurisdiction and, for the purpose of protecting and ensuring the purity of the water supply of the City, such police jurisdiction shall also extend over all the territory within the drainage area of such water supply, or within one hundred meters (100 m.) of any reservoir, conduit, canal, aqueduct or pumping station used in connection with the city water service.

The city court of the City of Bacoor shall have concurrent jurisdiction with the city or municipal court of the adjoining municipalities or cities, to try crimes and misdemeanors committed within said drainage area or within said spaces of one hundred meters (100 m.).

The court first taking cognizance of such an offense shall have jurisdiction to try cases to the exclusion of others. The police forces of several municipalities and cities concerned shall have concurrent jurisdiction with the police forces of the City for the maintenance of good order and the enforcement of ordinances throughout said zone, area or spaces. But any license that may be issued within said zone, area or spaces shall be granted by the proper authorities of the city or municipality concerned, and the fees arising therefrom shall accrue to the treasury of the said city or municipality concerned and not to the City.

SECTION 6. REGULATION OF FISHERY ACTIVITIES

Fishery activities are subject to the regulation of the city government. No person, cooperative partnership, firm or corporation shall exploit, occupy, produce, breed, culture, capture or gather fish, fry or fingerlings of any species and other coastal and fishery activity in municipal waters without license, lease or permit secured from the city government.

Whenever it is determined by City Government, in consultation with CFARMC and other organizations and institutions, that a specific area in the municipal

waters is over-fished based on available data or information, or in danger of being over-fished, and that there is a need to regenerate the coastal and fishery resources in that AREA. IT MAY REGULATE OR PROHIBIT FISHERY ACTIVITIES IN THE SAID AREA. *All National and City Fishery laws must be enforced by a trained and deputized Fish warden by the City Agriculture Office and or Bureau of Fisheries and Natural Resources (BFAR). The Deputies Fish warden of the city should conduct coastal and seaborne patrol against illegal, unreported and unregulated fishing activity within the coastal zonation of the city and also can conduct landing and market denial and mobile checkpoints for fisheries law purposes*

SECTION 7. ZONATION OF THE MUNICIPAL WATER

The municipal waters of City of Bacoor are hereby classified according to the following priority coastal zone

Zone 1. (**NAVIGATIONAL ZONE**) – covers the Municipal water with the area of 30 meters in width bordering the barangay's of Maliksi 1, Maliksi 3 and Alima preceding to the Municipal water boundaries.

	Latitude	Longitude
NAVIGATIONAL WAY 1 (Alima)		
Point 1	14° 27' 49" N	120° 56' 05" E
Point 2	14° 27' 50" N	120° 56' 10" E
Point 3	14° 28' 55" N	120° 55' 57.95" E
Point 4	14° 28' 51.75" N	120° 55' 53.73" E

	Latitude	Longitude
NAVIGATIONAL WAY 2 (Maliksi 1, Maliksi 3)		
Point 1	14° 28' 01.50" N	120° 56' 55.39" E
Point 2	14° 28' 03.01" N	120° 56' 59.91" E
Point 3	14° 29' 28.70" N	120° 56' 37.54" E
Point 4	14° 29' 24.84" N	120° 56' 33.38" E

Zone 2. (**AQUACULTURE ZONE**) - covers the area of 382.40 hectares beyond Buffer zone from Talaba 2 to Sineguelasan, covers 40% of the Municipal Waters

	Latitude	Longitude
AQUACULTURE		
Point 1	14° 28' 25" N	120° 57' 20" E
Point 2	14° 28' 02" N	120° 55' 58" E
Point 3	14° 28' 53" N	120° 55' 48" E
Point 3	14° 29' 16" N	120° 57' 07" E

Zone 3. (**ECO-TOURISM ZONE**) – covers the area of 5,778.4090 km shoreline from longos Zapote 5 to Sineguelasan

Zone 4. (**BUFFER ZONE**) – covers the area of 100 meters beyond Cavitex, from Longos to Sineguelasan.

	Latitude	Longitude
BUFFER ZONE		
Point 1	14° 27' 46" N	120° 55' 57.59" E
Point 2	14° 27' 49" N	120° 55' 56.39" E
Point 3	14° 28' 18" N	120° 57' 36" E
Point 3	14° 28' 15" N	120° 57' 38.32" E

Zone 5. (**FISHING GROUND ZONE**) – covers an area of 132.82 hectares of municipal waters.

Zone 6. (**MANGROVE AREA**) – covers the area of 40 hectares of shoreline of *Sitio Dulong Pulo barangay Sinaguelasan declaring as Bacoor Bay's Marine Protected and Bio-Diverse Area and a portion of the City's Artificial Reef zone*

MANGROVE AREA	Latitude	Longitude
Point 1	14° 27' 57" N	120° 55' 49" E
Point 2	14° 27' 46" N	120° 55' 23" E
Point 3	14° 28' 04" N	120° 55' 21" E
Point 3	14° 28' 12" N	120° 55' 45" E

Provided, however, that this zonation does not preclude as appropriate within these priority zone

ARTICLE III

MUNICIPAL WATER

SECTION 8. MUNICIPAL WATER DEFINED

The terms "Municipal water" as used in this ordinance shall include not only streams, lakes, inland bodies of water and tidal waters within the City Bacoor which are not included within the protected areas as defined under RA no. 7586 (the "NIPAS LAW"), public forest, timber lands, forest reserves or fishery reserves, but also marine waters included between two (2) lines drawn perpendicular to the general coastline from points where the boundary lines of the city touch the sea at low tide and a third line parallel with the general coastline including offshore inlands and fifteen (15) kilometers from such coastline as well as all lands devoted to aquaculture or businesses and activities relating to fishery, whether private or public lands located within the territorial jurisdiction of City of Bacoor, Cavite.

The said term shall also refer to the general coastline area **5,778.4090** kilometers of the City of Bacoor, Cavite with the total area of **957.2472** hectares with the following meters and bounds described as follows:

Point	Latitude	Longitude	Remarks
Beginning at 1	14° 27' 48" N	120° 55' 25"	Coastal terminal point
thence 2	14° 28' 35" N	120° 55' 22"	
thence 3	14° 29' 34" N	120° 56' 33"	
thence 4	14° 29' 38" N	120° 56' 36"	
thence 5	14° 28' 37" N	120° 58' 08"	Coastal terminal point
thence following the coastline to 1			

SECTION 9. AQUACULTURE DEFINED - The term "aquaculture zones" as used in this Ordinance shall refer to areas located within the municipal waters of Bacoor - which may or may not be contiguous- devoted to fishery operations

involving all form of raising and culturing of fish and other fishery species in fresh, brackish and marine or salt water areas.

SECTION 10. FISH CAGE DEFINED - The “fish cage” as used in this Ordinance shall refer to an enclosure which is either stationary or floating made up of nets or screens sewn or fastened together and installed in the waters with opening at the surface or covered and held in place by wooden/bamboo posts or various types of anchors and floats

SECTION 11 FISH CORAL OR BAKLAD DEFINED - The term “fish corral” or “baklad” as used in this Ordinance shall refer to stationary wire or trap devised to intercept and capture fish consisting of rows of bamboo stake, plastic nets and other materials fenced with split bamboo matting’s or wire matting with one or more enclosure, usually with easy entrance but difficult exit, and with or without leaders to direct the fish to catching chambers, purse or bags.

SECTION 12. FISHPEN DEFINED - Term “fish pen” as used in this Ordinance shall refer to an artificial enclosure constructed within a body of water for culturing fish and 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 any similar structure or contrivance

SECTION 13. FISHPOND DEFINED - The term “fishpond” as used in this Ordinance shall refer to a land-base facility enclosed with earthen or stone material to impound water for growing fish and other marine products or for the cleaning or processing of such products

SECTION 14. MUSSEL/OYSTER FARM DEFINED - an area more or less contiguous where bamboo poles (to be referred also hereinafter as “tulos”) are embedded on the seabed on which mussels (tahong) and/or oyster (talaba) germinate and grow.

SECTION 15. USE OF MUNICIPAL WATER

These use and exploitation of the coastal and fishery resources in the municipal waters shall be reserve for the use of resident of Bacoor. Provided, however that other activities such as but not limited to, research and survey activity may be allowed under appropriate regulation for purely research, scientific, technological and educational purposes that would benefit the Bacoor coastal and fishery interest.

SECTION 16. USERS OF MUNICIPAL WATER

Subject to existing laws and regulation, all fishery and coastal-related activities in the Municipal water shall be utilized by the people of Bacoor, the city fishers and their organization and cooperatives duly accredited by the Sangguniang Panglungsod. Provided, however, that city fishers from other municipalities/city maybe allowed to used and exploit the coastal and fishery resources in the municipal waters, subject to existing national laws, rules, regulation and local ordinance. Provided, further, that no commercial fishing vessel is allowed to operate within the Municipal water.

SECTION 17. ACCESS TO COASTAL AND FISHERY RESOURCES.

The number of license, lease or permits to be granted by the City Government should take into consideration the principle of maximum yield of the resources. Resident city fishers of the city and their organizations or cooperatives shall have the priority to utilize and exploit city and demarcated fishery areas in the municipal waters.

SECTION 18. REGISTRY OF COASTAL AND FISHERY RESOURCES USERS.

The City Government, through the Agriculture office shall maintain the registry of coastal and fishery resource users for the purposed of determining priorities among them, of regulating and limiting entry into the municipal water, and of monitoring fishing activities and/or other related purpose. Such list for registry shall be updated annually or as maybe necessary, and shall be posted in barangay halls or other strategic location where it shall be open to the public for the purpose of validating the correctness and completeness of the list.

The City Government, in consultation with the CFARMC, shall lay down and review, as maybe necessary, the criteria and mechanism. The City Agriculture Office shall also maintain a registry of city fishing vessel, type of gears and other boat and fishing particulars, with the assistance of CFARMC.

SECTION 19. FISHERS ORGANIZATION AND/ OR COOPERATIVES

Fishers organization and/or cooperatives whose member are listed in the registry of city fishers (fishersfolk), maybe granted used of demarcated fishery areas to engage in fish capture, coastal aquaculture and/or fish farming. Provided, however, that an organization/cooperative member whose household is already in possession of a fishery privilege other than fish capture cannot enjoy the fishery privilege granted to the organization or cooperative.

SECTION 20. ENHANCEMENT OF PUBLIC AWARENESS AND PARTICIPATION

The City shall ensure the enhancement of public awareness on the need of mother protection and management of coastal fishery resources and the participation of the communities in the policy making, decision making and management processes. Towards this end, the city government shall subject policy recommendation, proposed ordinance, plans and programs related to fishery and coastal resources to consultation with city fisherfolk communities and other stockholders. Such public consultation shall be recorded.

SECTION 21. ENVIRONMENTAL IMPACT ASSESSMENT SYSTEM

"An Environment Impact Assessment System is governed by the prevailing laws, local ordinances, and issuance of National Government Agencies".

SECTION 22. MONITORING CONTROL AND ENFORCEMENT

All proposed projects and undertaking by agencies and institutions of government, including a government-owned and controlled corporation, as well as Private Corporations, firms, and entities that may significantly affect the quality of the environment should be guided by the Environmental Impact Statement system. The preparation of EIS shall form an integral part of the entire planning process. No person, natural or judicial, shall undertake any development project without first securing Environmental Compliance (ECC) from the concerned agency of the City Government, in consultation with the CFARMC and other agencies and institutions, shall establish effective mechanisms and guidelines for monitoring, control, and enforcement to ensure compliance with policies, programs, and

projects on conservation, protection, and management of coastal and fishery resources. Provide, however, that the city government, in consultation with the FARMC shall establish mechanisms and guidelines for water quality monitoring and surveillance. Provided, further, that such mechanisms and guidelines shall be subject to periodic review by the city government, in consultation with the CFARMC.

SECTION 23. ISSUANCE OF AUXILIARY INVOICE TO TRANSPORT FISHERY AND AQUATIC RESOURCES

The document issued by the city government prior to the transport of fishery products from the point of origin to their point of destination upon payment of the fee prescribed by the ordinance

ARTICLE IV

EXCLUSIVE FISHERY PRIVILEGES

SECTION 24. GRANT OF EXCLUSIVE FISHERY PRIVILEGES IN MUNICIPAL WATER

The Sangguniang Panglunsod may grant exclusive fishery privileges in designated areas in the municipal water waters of Bacoor, pursuant to section 149 of Local government code of 1991. Exclusive fishery privileges shall be granted for the construction of fish corals, fish traps, and gathering of fries. Provided, however, that pursuant to section 53 of RA 8550 as amended by R.A. 10654, no new concession, licenses permits, leases and similar privileges for the establishment or operation of fish pens, fish cages, other aquaculture activities, fish corals, fish traps and other similar structures in the city areas shall be granted except to city fisherfolk and their organizations. Provided, further, that those fisherfolk organization and associations in city will be granted the exclusive fishery privileges in municipal waters.

SECTION 25. PREFERENCE IN GRANTING OF EXCLUSIVE FISHERY PRIVILEGE IN MUNICIPAL WATER

The duly registered and accredited organization, cooperatives of the city fishers, people's organization and registered fisherfolk, which have city fishers comprising the majority of members, shall have preferences in the grant of exclusive fishery privileges.

SECTION 26. PROCEDURE IN THE GRANTING OF EXCLUSIVE FISHERY PRIVILEGES

The Sangguniang Panglunsod, in consultation with the CFARMC, shall draw up criteria for selecting the organization/cooperative who shall be granted the privilege. Through the resolution, shall award the grant to the selected fisherfolk organization or cooperative; and the grantee organization/cooperative shall enter into a written agreement with the city government pertaining to the exclusive fishery privileges.

ARTICLE V

ECO-TOURISM MANAGEMENT

SECTION 27. FORMULATION OF CITY TOURISM DEVELOPMENT PLAN

The city government shall formulate a City Tourism Development Plan, taking into consideration the zonation of the municipal water as provided for in Section 7 hereof. Such City Tourism Development Plan shall provide the requirements for the establishment and operation of tourism facilities within the city, taking into consideration, in addition to the zonation of the municipal waters, environmental health, sustainable development, and equitable access to the resource of city fisherfolk.

ARTICLE VI

MANAGEMENT AND CONSERVATION OF MANGROVE

SECTION 28. MANGEMENT OF MANGROVE

The city government, in coordination with the CFARMC and the people and their organizations in the adjacent barangay's where mangroves are located shall promote the proper management of mangroves areas in the city. Provided, however, that the city government shall develop a program that will promote and ensure community participation in their rehabilitation and management of existing mangrove areas.

SECTION 29. BAN CONVERSION OF MANGROVE AREAS

All existing and natural stands of mangrove forest within the city are declared forests as reserve/ protected areas. The cutting of mangroves and/or conversion of mangrove areas into fishponds shall be prohibited. *However, if needed the City Agriculture Office shall demand specific programs as equivalent activities for the reforestation program by the city*

SECTION 30. IMMEDIATE RESTORATION OF CONVERTED MANGROVE

The city government in coordination with the FARMC and the people and their organization in the adjacent barangay's where mangroves are located and the other concerned agencies, shall immediately take steps for the restoration of all abandoned, undeveloped or underutilized fish pond to their original state.

ARTICLE VII

MANAGEMENT AND CONSERVATION OF COASTAL AQUACULTURE

SECTION 31. PROMOTION OF AQUACULTURE

The city shall consider aquaculture, including cultured-based fisheries, as a means to promote diversification of income and preservation and conservation of coastal and fishery resources. Provided, however, that the city and adverse impacts on the environment and on local communities are minimized. Provided, further, that Aquaculture and Mari culture development shall consider the genetic diversity and ecosystem integrity of the municipal waters. Provided, furthermore, that the city government shall ensure that the livelihood of the people and their access to fishing grounds are not adversely affected. Provided finally that the city shall establish effective procedures to undertake appropriate environmental assessment, monitoring, and mitigation with the aim of minimizing adverse ecological changes and related economic and social consequences resulting from water extraction, discharges of effluents, use of drugs and chemicals, and other aquaculture activities.

SECTION 31-A COASTAL RESOURCE MANAGEMENT BOARD – it is to formally state that the current composition of the city Fisheries Aquatic Resources Management Council with the E.O. from the Local Chief Executive shall be known to be the Coastal Resource Management Board and shall enact to create the formulation of Coastal Resource Management Plan.

SECTION 32. NON-DISPOSITION OF PUBLIC LANDS FOR FISHERY PURPOSES

Public lands such as tidal swamps, mangroves, marshes, foreshore lands shall not be disposed or alienated for any purposes, unless otherwise allowed under prevailing laws and issuances by the National Government Agencies,

SECTION 33. QUALIFICATIONS OF APPLICANTS TO CONSTRUCT AND OPERATE AQUACULTURE ACTIVITIES

The following are the minimum qualification of any applicants who wish to secure a permit or lease to construct and operate any aquaculture activities in the municipal water;

1. Residents of City of Bacoor, of legal ages and registered voters of City of Bacoor and/or
2. Accredited people's organizations and other organizations in Bacoor with at least sixty percent (60%) of their members being residents of Bacoor.

SECTION 34. REGULATED OPERATION OF MUSSEL/OYSTER FARMS AND OTHER SIMILAR STRUCTURES OR BUSINESS

Pursuant to Section 51 of RA 8550, as amended by R.A. 10654 the operation and construction of mussel/oyster farms and other similar structure or businesses for the culture of fish and other fishery products shall be allowed hereunder provided that the same shall only be constructed and shall only operate within the aquaculture zone/s duly designated by the City Mayor. Provided, however, that not over **Forty percent (40%)** of the suitable waters

surface area of the Municipal Water of Bacoor shall be allotted for aquaculture purposes like fish pens, fish cages and fish traps; and the stocking density and feeding requirements which shall be controlled and determined by its carrying capacity. Provided, however, that the design, location, construction, and operation of the structures covered by this Ordinance shall be subject to various regulations to be promulgated by the Office of the City Mayor in consultation with the FARMC after this Ordinance takes effect. Provided, lastly, such regulations must be in compliance with the law and this Ordinance.

SECTION 35. DESIGNATED AREAS FOR FISH PEN, FISH TRAPS AND OTHER SIMILAR STRUCTURE

The City Government shall designate the following sub-zones of the coastal zones as areas for the establishment and operation of fish pen, fish traps and other similar structure within the municipal water; Provided, however, that no fish pens, fish traps and other similar structure shall be allowed outside of the designated areas or within zone 2 except scientific, technological, and educational purposes. Provided, further that the establishment operation and management of aquaculture structure shall not exceed the carrying capacity of the area.

SECTION 36. DISTANCE FROM THE SHORELINE

No fish pen, fish traps and other similar structure shall be constructed within hundred (100) meters from the lowest tidemark except in cove areas. Provided, however that no fish pen, fish cages, fish traps and other similar structure shall be also constructed in designated Navigational route. Provided, further, that no fish pen, fish cage, fish traps and other similar structure shall also be constructed in front of any wharf. Provided, furthermore, that violators of this section shall demolish their structure at their own expense.

SECTION 37. STOCKING DENSITY

An ecologically and economically optimum stocking density for fish pen, fish cages and other similar structure the operation should be observe.

SECTION 38. PERMIT AND ANNUAL FEES

Any person or entity that wish to construct and operate a fish pen, fish cages, fish traps and other similar structure within the designated area in zone 2 shall pay the required fees fixed by the Sangguniang Panglungsod . Provide, however, that the permit to construct and operate a fish pen, fish cages, fish traps and other similar structure shall only last for one (1) year and may renewed upon the discretion of the City Government. Provided, however that no fish pen, fish cages, fish traps and other similar structure shall be constructed without obtaining, and/or complying with all the necessary requirements in securing a permit.

SECTION 39. LIMITATION OF THE GRANTING OF PERMITS TO CONSTRUCT AND OPERATE MUSSEL/OYSTER FARM, FISH TRAPS, FISH PEN AND OTHER SIMILAR STRUCTURE.

The following limitation shall be strictly followed:

1. Permit to construct and operate a mussel/oyster farm and other similar structure shall be binding and legal for one (1) year and may be renewed for yearly at a discretion of the city government
2. The use of dummies shall be sufficient cause for the disqualification of an applicant from obtaining such permit.
3. The permittee may be allowed to construct and operate to a maximum of one (1) hectare of mussel/ oyster farm and other similar structures.

IMPOSITION OF FEES - The following fees shall be paid by the owners or operators of all fish cages, fish corals, fish pens, Fishponds, oyster/mussel farms and other similar structures and businesses covered by this Ordinance every year, to wit:

Fish cages, fish corals, fish pens, sapra/baklad, and similar structures with an area of Fee

500 sq.m. or less	P	550.00
501 sq.m. or more but less than 1,000 sq.m.	P	850.00
1,001 sq.m. or more but not less than 5,000 sq.m.	P	1,150.00
5,001 sq.m. or more but not less than 10,000 sq.m.	P	1,450.00
10,001 sq.m. or more	P	1,950.00

Operation of mussel/oyster farm/s

For every square meter	P	00.50
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In terms of the issuance of an Auxiliary invoice:

Mussel - per sack	P 10.00 per sack
Per sack of Mussel	P 10.00 per sack
Per sack of Oyster	P 10.00 per sack
Other kind of shellfishes.	P 10.00 per sack
All kinds of raw fin fish	P 20.00 from 1 kg to 100kgs
Other kinds of fisheries and marine resources	P 50.00 from 1 kg to 100 kgs

Note: In traveling of shellfish and fin fish outside of Cavite failure to secure an auxiliary invoice issued by the city Agriculture office shall be penalized with:

1 st Offence -	P 1,000.00
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2 nd Offense	-	P 2,000.00
3 rd Offense	-	P 5,000.00 as succeeding offences

Registration of Fishing Gear

For grant of privilege to fish in municipal water with the use of nets

For net used in catching shrimp P 100.00

For net used in catching crabs P 100.00

For net used in catching fish and other Marine Resources P 100.00

SECTION 40. SURCHARGE FOR LATE PAYMENT

A surcharge equivalent to 20% of the fee/s mentioned above shall be imposed on any person who fails to pay the said fee/s within the period specified in "Imposition of Fees" hereof. The same surcharge shall be imposed against any person who fails to pay the said fines imposed against him by a court of law within twenty (20) days after the court's decision has become final.

Interest on Unpaid or Under Fines

In case a person found to have violated this Ordinance fails to pay the fine/s imposed against him by the a court of law or underpays such fine, an interest equivalent to 10% of the fine/s imposed or of the unpaid balance of such fine shall also be charge against him. The said 10% interest shall be collected annually until the said fine has been paid fully. Otherwise, no new permit or license shall be issued by the City government in favor of the said offender.

UNREPORTED, AND UNREGULATED FISHING-- (a) It shall be unlawful for any person to capture or gather or to cause the capture or gathering of fish, fry or fingerlings of any fishery species or fishery products without license or permit from the Department or LGU.

Except in cases specified under this Code, it shall also be unlawful for any commercial fishing vessel to fish in municipal waters.

The discovery of any person in possession of a fishing gear or operating a fishing vessel in a fishing area where he has no license or permit shall constitute a prima facie presumption that the person is engaged in unauthorized fishing: Provided, That fishing for daily food sustenance or for leisure which is not for commercial, occupation or livelihood purposes may be allowed.

Upon a summary finding of administrative liability, the offender of this provision shall be punished with an administrative fine equivalent to twice the value of catch or

Five thousand pesos (P5,000.00), whichever is higher, and confiscation of the catch and fishing gear:

Provided, That if the offender fails to pay the fine, he shall render community service.(aa)

SECTION 41. MUSSEL/OYSTER FARMS AND OTHER SIMILAR STRUCTURE PENALTIES

Any fish pen, fish cage, fish coral, fish pond, oyster/mussel farms or any other similar structures or businesses found to be in violation of this Ordinance may be demolished by the City government. Provided, that the owner of such fish coral, fish cage, fish pen, fish pond, oyster/mussel farms shall first be notified in writing by the City Agriculture Office and shall be given at least five (5) days from receipt of such notice within to pay the necessary fees or to comply with this Ordinance. Provided, further that if the owner of such structure/s fails to comply with this Ordinance despite his/her receipt of the above-mentioned notice, the city government shall initiate the proper court action against such owner and secure the necessary writ of demolition after a hearing on the merits.

Additionally, any person who violates any provision of this Ordinance shall be charge a fine of Two Thousand Pesos (Php 2,000.00) or shall be imprisoned for at least one (1) month but not more than six (6) months at the discretion of the proper courts of law.

ARTICLE VIII

PREVENTION OF AQUA POLLUTION

SECTION 42. COASTAL/ AQUATIC POLLUTION

All activities in the grounds or water directly and indirectly, which result or likely to result in such deleterious effect which may harm living and non-living aquatic resources, are hazard to human health, hindrance to coastal fishery activities such as fishing and navigation including dumping/disposal of waste and other marine litter shall be prohibited. Provided, however, that it shall be responsibility of the polluter to contain, remove, and clean-up pollutants at his/her own expenses, when appropriate and possible. Provided, further, that in case of failure to do so, the person having violated shall be liable to undertake containment, removal and clean up operation, or otherwise be fined by city government in coordination with other agencies accordingly. In all cases, prevention of pollution will be the best strategy, since most pollution cannot be undone through man made means.

SECTION 43. PEOPLE PARTICIPATION IN WASTE MANAGEMENT

The city government in coordination with the different people's organization and the cooperatives, agencies and institution concerned shall conduct continuous education on proper management of solid and liquid waste. Provided, further, that all laws and regulations on waste disposal and pollution control shall be strictly enforced.

SECTION 44. ROLE IN BARANGAY IN WASTE MANAGEMENT

The city government in coordination with Barangay shall provide measures to facilitate collection, transportation, processing and disposal of waste. Wherever feasible, every household is encouraged to maintain a viable management scheme.

ARTICLE IX

FISHERY LICENCES AND PERMITS

SECTION 45. FISHERY LICENSE AND PERMIT

All individuals, cooperatives, partnerships, firms or corporations who are listed in the registry of resources. User shall be issued Fishery License holders must secure permit from the city government before engaging in fishing using particular gear and/or boat or engage in any fisheries activities within the city. Provided, however, that the fishery license and the permit are non-transferable. Provided, furthermore that the holder agree unconditionally to comply with all the laws, order, policies and his acts with his fishing operation.

FISH EXAMINER shall conduct inspection and provide a certification before the issuance of auxillary invoice to RAW FIN FISH AND ORNAMENTAL FISH.

SECTION 46. RENEWAL OF FISHERY LICENSE AND PERMIT

The fishery license and permit shall be renewed annually. The holder shall have sixty (30) day's prior to the expiration of the license and permit to renew.

- a) **Registration of fisherfolk-** the City Agriculture Office shall provide the registration system (FishR) for the Municipal Fisherfolk. The fisherfolk applying for the registration should secure their transaction at the city Agriculture Office provided a 2-hour allowable processing time.
- b) **The registered fisherfolk of the city shall secure its fishing vessel and gear licenses from the City Agriculture Office. A 2-hour processing time from the point of application and submission of pertinent requirements is the allowable processing time for the transaction.**
- c) **Renewal of Fisherman's License. – A Fisherman's License may be renewed one (1) month before its expiration. The non-appearance of the licensee may be allowed during applications for renewal; provided, that the person appearing on his behalf must present a certificate of employment of the licensee issued by the company or operator.**

SECTION 47. REGISTRATION OF FISHING VESSEL

The City of Bacoor through the City Agriculturist Office shall keep a registry of fishing vessel 3 gross tonnages and below. The registry shall be for purpose of

information generation, monitoring and regulation, establishment of identity and ownership of vessel, maritime safety.

DEFINITION OF TERMS --
term as follows:

As used in the ordinance, the following

ADMEASUREMENTS

The measure of the volumetric capacity of the fishing Vessel to determine its Gross Tonnage (GT).

CERTIFICATE OF NUMBER

Proof of identity of fishing vessel.

FISHERFOLK

People directly or indirectly personally or physically engaged in taking and/or culturing and processing fishery and or aquatic resources.

FISHERFOLK COOPERATIVE

A duly registered association of Fisherfolk with a common bond interest, who have voluntarily joined together to achieved a lawful common social or economic end, making equitable contribution to the capital requirements and accepting a fair share of the risk and benefits of the undertaking in accordance with universally accepted cooperative principle.

FISHING VESSEL

Any watercraft use for fishing or in support to fishing Operations in Municipal waters weighing three (3) GT and below

NET TONNAGE

The GT modified by a factor 0.32

REGISTERED BREADTH
widest part of the hull, excluding

The transverse distance taken at a rub rails from the outer board side of the skin on one side of the hull to the outboard side of the skin on the other side of the hull.

REGISTERED DEPTH

The vertical distance taken at or near mid ships from a line drawn horizontally through the gunwale of the skin of the side of the hull (excluding the rail) to the outboard face of the bottom skin of

the hull, excluding the keel.

REGISTERED LENGTH
outboard side of the

The horizontal distance between the foremost part of the stem and the outboard side of the aftermost part of the stem, excluding fittings and attachments.

TONNAGE BREADTH	Measured at the mid part from the gunwale inside of the skin on the other side of the hull.
TONNAGE DEPTH	Measured at the centerline from a point bellow the line of tonnage deck. Measurement taken at right angle to the vessel centerline of the vessel down to the bottom skin of the hull.
TONNAGE LENGTH	The length measured at the centerline of the fishing vessel from the point forward where the line of the tonnage deck intersects the line of the inboard faces at the stem to the point aft where the line of the tonnage deck intersects the inboard face of the stern.
GROSS TONNAGE	The product of vessel tonnage length, vessel depth, and vessel modified by a factor of 0.70 divided by 2.83.
HOMEPORT	Refers to the locality where the fishing vessel is registered.
LGU's	Local Government Units, refers to Cities and Municipalities.
MARINA	Maritime Industry Authority
PNP MARIG Group	Philippine National Police Maritime
PCG	Philippine Coast Guard
COMMERCIAL FISHING BOAT	Refers to fishing boats weighing more than tree (3) gross ton

SECTION 48. LICENSING AND PERMITTING

Application for fishery license shall submit the following document to the City Agriculturist.

For Motorized Banca/vessel 3gross tonnage below:

1. Duly accomplished application form (registered fisherfolk , annex A, B, C,)
2. Community Residence Certificate
3. Barangay Clearance
4. Official receipt of payment for registration
5. BFARMC Clearance
6. Admeasurements
7. Colored apple green
8. Picture (for boat 4x8, for permit 1x1 I.D. picture)

Applicants for permits shall submit the following documents to the City Agriculturist.

For Mussel/Oyster farm, fish traps fish pen and other similar structure:

1. Registered Fisherfolk

2. Community Residence Certificate
3. Certification of Registration or Accreditation (for organization or cooperatives)
4. Barangay Clearance
5. Official receipt of payment for registration
6. BFARMC Clearance
7. Admeasurements
8. Voter's I.D. / Voters Certification from Comelec
9. Residence of Bacoor
10. Other documents depending on the permit applied for

License or permit should be given to registered Fisherfolk and should inventory and validated by the FARMC.

SECTION 49. COLOR CODING

Color code and registry number – for administrative efficiency and enforcement of regulation, registered fishing banca shall bear a color Apple Green as may be determined by the LGU and assign a registry number.

SECTION 50. GROUNDS FOR THE REJECTION OF APPLICATIONS/ RENEWAL FOR PERMIT TO CONSTRUCT AND OPERATE MUSSEL/OYSTER FARM, FISH CAGE, FISH TRAPS AND OTHER SIMILAR STRUCTURES

The following are the grounds for the rejection of an applicant for a permit to construct and operate mussel/oyster farm and other similar structure:

1. Fraudulent, false and misleading statement in the application;
2. Failure to pay the prescribed application fees and to fulfill other requirements;
3. When public welfare so requires and;
4. Failure to comply the condition of the contract with the City government.

SECTION 51. GROUNDS FOR CANCELATION OF PERMIT

The following are the grounds for the cancellation of permit to construct and operate mussel/oyster farm and other similar structure:

1. Fraudulent, false and misleading statement in the application;
2. Failure to comply with the provisions of existing national laws and local ordinances;
3. Construction and operation of mussel/oyster farm and other similar structure outside of the designated area;
4. Failure to pay the necessary fees and other surcharges relative thereto;
5. Non-operation of mussel/oyster farm and other similar structure within 90 days from the date of issuance of the permit to construct and operate; and
6. When public welfare so requires as deemed by the City Government
7. Fishing without a valid license, authorization or permit;
8. Fishing without reporting the catch or misreporting the catch;
9. Fishing in a closed area or during a closed season;
10. Fishing of prohibited species;
11. Fishing with the use of prohibited gear or methods;
12. Falsifying, concealing or tampering with vessel markings, identity or registration to conceal vessel identity or lack of registration;
13. Concealing, tampering or disposing of evidence relating to an investigation of a violation;

14. Assaulting, resisting, intimidating, harassing, seriously interfering with, or unduly obstructing or delaying a fisheries law enforcer, authorized inspector or observer or other duly authorized government officer;
15. Intentionally tampering with or disabling the vessel monitoring system;

SECTION 52. SCHEDULE OF PERMIT FEES AND OTHER CHARGES

Permit fees for specific fishery activity shall be granted only to licensed individuals, organization, cooperatives, partnership and corporation upon payment of corresponding fees at the rate not exceeding those fixed hereunder:

For motorized banca	
Mayor's Permit	P100.00
Registration of Fishing Banca	<u>P200.00</u>
TOTAL	300.00

For non-Motorized- Color must be Apple green and registered with permit - P100

FINES AND PENALTIES FOR MOTORIZED BOAT	
1 st offence	₱ 500.00
2 nd offence	₱ 1,000.00
3 rd offence	₱ 1,5000.00

ARTICLE XIII

PROHIBITION AND PENALTIES

SECTION 53. COMPLIANCE WITH NATIONAL LAWS

The city government notes its support and application of existing national laws, orders rules and regulations such as but not limited to RA 8550 as amended by R.A. 10654, RA 7160 especially with regards to their penalties.

SECTION 54. FISHING WITHOUT LICENSE (MOTORBOAT OPERATOR LICENSE) AND PERMIT TO OPERATE (unauthorized fishing activity)

No person shall exploit, occupy, produce, breed, culture, capture or gather in the municipal waters without a license and permit. Violation of this section shall subject to offender of penalty or fine of One thousand pesos (P 1,000.00) and confiscation of fish caught.

SECTION 55. BAN ON COMMERCIAL FISHING IN THE MUNICIPAL WATERS

It shall also be unlawful for any commercial fishing vessel to fish in the water within the municipal water of Bacoor as it is defined in this ordinance and in RA 8550 as amended by R.A. 10654 and other relevant nation laws. Violators

of this section shall subject the offender a penalty or fine of P 5,000.00 or six (6) months imprisonment and confiscation of fish caught, gears and revocation of license.

SECTION 56. BANNING OF FISHING THROUGH THE USE OF EXPLOSIVE, NOXIOUS OR POISONOUS SUBSTANCES AND OR ELECTRICITY

It shall be unlawful for any person to catch, take or gather or cause to be caught, taken or gathered, fish or any fishery or coastal resources in the municipal waters with the use of electricity, explosive, and noxious or poisonous substance in the city fishery areas. The use of poisonous substance to eradicate predator in fishponds, in accordance with accepted scientific practices and without causing adverse environment impact in the neighboring waters and grounds, shall be regulated. It shall likewise be unlawful for any person, corporation, or entity to possess or sell any fish or fishery products which have been illegally caught taken or gathered.

The finding of dynamite, other explosives, and chemical compounds containing combustible elements, or noxious or poisonous elements, or equipment or device for electro fishing in any fishing vessel or in the possession of any fishers, operator or fish worker, shall constitute prima facie evidence that the same was used for fishing in violation of existing laws. The finding in any fishing vessel, of fish caught, or killed by used of explosive, noxious or poisonous substance, or by electricity, shall constitute prima facie evidence, that the owner, operator, or fisher is fishing with the use thereof. Violations of this section shall subject the offender of penalty or fine of five thousand pesos (P 5,000.00) each and the owner of the vessel shall be fined of Ten thousand pesos (Php 10,000.00) and confiscation of fishing paraphernalia including fishing boat.

SECTION 57. USE OF FINE MESH NET IN FISHING

It shall be unlawful to engage in fishing using nets with mesh size smaller than 3 centimeter, Provide, however, that the prohibition on the use of fine mesh net shall not apply to fish corals, and the gathering of fry, glass ell, alamang and such other species, which by their nature are small but mature. Violators of this section shall subject the offender of penalty or fine of five thousand pesos (P 5,000.00) to seven thousand pesos (P 7,000.00) per person or six (6) months imprisonment or both the discretion of the court.

SECTION 58. CONSTRUCTION OF ANY STRUCTURE ON THE SHORE

Construction of any structure for poultry raising near and or on the shore is prohibited. Dumping of solid waste from swine and poultry facilities into the sea likewise be prohibited. Violation of this section shall be penalized and under RA 8550 as amended by R.A. 10654 and other relevant nation laws and shall be penalized and under this section with a fine of Five Thousand Pesos (P 5,000.00) or imprisonment of six (6) month or at the discretion of the court.

SECTION 59. BANNING USE OF ACTIVE FISHING GEARS AND OTHER FISHING GEARS DESTRUCTIVE TO MARINE HABITATS

It shall be unlawful for any person to use active fishing gears in fishing within the municipal waters. Other fishing gears such as, but not limited to Hulbot-

hulbot, Trawl and other similar fishing gears and methods are classified as active fishing gears, and are thus included in the prohibition. Violators of this section shall subject the offender of penalty or fine of five thousand pesos (P5, 000.00) per person or six (6) months imprisonment or both fine and imprisonment at the discretion of the court.

SECTION 60. BANNING USE OF FRAUDULENT INSTRUMENTS OF WEIGHT AND MEASURES

It shall be unlawful to possess or use fraudulent instrument of weight and measures in selling and trading fish and fishery products. Violators of this section shall penalize or fine of five thousand pesos (P5, 000.00)

SECTION 61. USE OF FORTIFIED PROPERTY

Whenever forfeiture of property is imposed as a penalty, such property or proceeds from the sale shall go to the trust fund of the city government to serve coastal and fishery resources management purposes. Fish found caught with the use of explosives, noxious or poisonous substance, or prohibited gears shall immediately seize or confiscated. If fit for human consumption, the seized or confiscated fish shall be in orphanages or similar institutions.

SECTION 62. ILLEGAL CONSTRUCTION AND OPERATION OF FISH CORALS, FISH PENS, FISH CAGES, MUSSEL/OYSTER FARMS AND OTHER SIMILAR STRUCTURES

It shall be unlawful to construct and operate fish coral, fish pens, fish cages, mussel/oyster farm and other similar structure without permit and or outside of the designated areas. Violators of this section shall be penalized and prosecuted and subject to a penalty of fine of five thousand pesos (P 5,000.00) and fish corals, pens, cages and or similar structures shall be demolished at owner's expenses.

SECTION 63. ILLEGAL TRANSFER OF EXCLUSIVE FISHERY PRIVILEGES, RIGHTS, LICENSES AND PERMITS

It shall be unlawful to transfer to exclusive fishery privilege, right, license and permit of any individual, partnership and corporation to others. Violators of this section shall subject the offender of penalty or fine of Two thousand pesos (P 2,000.00) and his/her right and privilege to fish are fortified.

SECTION 64. USE OF SUPERLIGHT

It shall be unlawful to use super lights in the fishing within the municipal waters; Violation of this section shall be penalized and prosecuted under RA 8550 as amended by R.A. 10654 and other relevant national laws. Violators of this section shall subject the offender a fine of Five thousand Pesos (P 5,000.00) per super light or six (6) month shall imprisonment fishing gears, super light shall be confiscated.

SECTION 65. OTHER PROHIBITION AND PENALTIES

Any violation of the above prohibited acts the boat captain and master fisherman if first offense was committed can enter an amicable settlement to the office of the mayor or his authorized representative, that they will pay a fine of Php 5,000.00 each. The owner of the vessel shall be fined of Php 10,000.00 and fish catch shall be confiscated and forfeited and sold to fish broker and the proceeds shall be deposited to the City treasurer's office as trust fund.

SECTION. 66. Any persons violating the provision of this ordinance shall pay the necessary fine/penalty to the City Treasurer Office of Bacoor, 20% of fine for Operational expense of CFARMC, 50% of fine for City retained fund to local treasury, 30% of fine for Bantay Dagat Apprehending Team.

ARTICLE XI

GENERAL PROVISIONS

SECTION 67. PERSONS AND DEPUTIES TO ENFORCE THIS ORDINANCE

All law enforcement officers of City Government, Philippine National Police (PNP) Punong Barangays and Barangay Kagawad, Bantay Dagat, and other law enforcement groups are hereby authorized to enforce this ordinance, other competent local government officials and members of fisher folk organizations, cooperatives who have undergone training on law enforcement may be designated in writing by the city government as deputy fish warden in the enforcement of this ordinance, fishery laws, and regulations.

SECTION 68. MANDATORY REVIEWS

The Sangguniang Panglungsod with the CFARMC shall undertake the mandatory review of this ordinance at least once every three (3) years and as often as it is may necessary, to ensure that coastal and fisheries policies and guidelines remain responsive to the changing circumstances.

ARTICLE XII

TRANSITORY PROVISIONS

SECTION 69. EXISTING MUSSEL/OYSTER, FISH CAGES, FISH PENS AND OTHER SIMILAR STRUCTURE

Fish pens and Fish cages existing and operating prior to the effectivity of the ordinance shall continue to operate until their contract with City hall expire. Provided, however, that those whose contract has already expired and those whose operation have stopped prior to the affectivity of this Ordinance not be allowed to continue subject to the provision of this code. Operators of these fish pens and fish cages shall be responsible for the demolition of the structures.

SECTION 70. REPEALING CLAUSE

All ordinances, resolutions, local executive orders, rules and regulations or parts thereof in conflict or inconsistent with this ordinance are hereby repealed and/or modified accordingly

SECTION 71. EFFECTIVITY

This ordinance shall take effect after posting thereof in public and conspicuous places and in all shall Barangay halls in City hall for a minimum period of three (3) consecutive weeks after its approval.

ENACTED this 24th day of April 2023 by the 5th Sangguniang Panlungsod of the City of Bacoor, Cavite.

I hereby certify that the foregoing Ordinance was approved in accordance with law by the 5th Sangguniang Panlungsod of the City of Bacoor, Cavite.

Certified by:

HON. REYNALDO D. PALABRICA
City Councilor/Acting Presiding Officer

Attested by:

ATTY. KHALID A. ATEGA JR.
Sangguniang Panlungsod Secretary

Approved by:

HON. ROWENA BAUTISTA-MENDIOLA
Acting City Mayor

Date of Approval: _____

ANNEX B



Republic of the Philippines
Province of Cavite
CITY OF BACOOR

OFFICE OF THE CITY LEGAL SERVICE

INDORSEMENT LETTER NO. 168 SERIES OF 2023.

TO: MR. ALLAN CHUA
OIC – City Agriculture Office

CC: HON. SIMPLICIO DOMINGUEZ
Chairman – Committee on Agriculture and Food
Sangguniang Panlungsod

RE: Comments on Proposed City Ordinance 068-2023 or “THE COMPREHENSIVE FISHERY ORDINANCE OF THE CITY OF BACOOR.”

Date: 16 March 2023

On 9 March 2023, this Office was invited by the Chairman of the Committee on Agriculture of the Sangguniang Panlungsod to attend a committee hearing on the above entitled proposed city ordinance.

Kindly note of the following observations and recommendations on the draft ordinance:


1. Section 21 entitled “Environmental Impact Assessment System” incoherent. It only states: “Government as provided by law”.

It is humbly submitted that the proponent either delete the provision entirely or in the alternative fill the same with the following: “An Environmental Impact Assessment System is governed by the prevailing laws, local ordinances, and issuances of National Government Agencies.”

2. Section 32 entitled Non-disposition of Public Lands for Fishery Purposes provides that “Public lands such as tidal swamps, mangroves, marshes and foreshore lands shall not be disposed or alienated for any purposes”.

It is humbly submitted that an exemption be added as follows: “Public lands such as tidal swamps, mangroves, marshes and foreshore lands shall not be disposed or alienated for any purposes, unless otherwise allowed under prevailing laws and issuances by the National Government Agencies”.

RESPECTFULLY,


ATTY. NATHANIEL C. DE LEON
Office of the City Legal Service

NOTED BY:


ATTY. EUGENE L. DE JESUS
City Legal Officer

STRIKE AS



SCAN ME



Republic of the Philippines
 Province of Cavite
 City of Bacoor



5th SANGGUNIANG PANLUNGSOD

**COMMITTEE ON AGRICULTURE AND FOOD
 COMMITTEE ON RULES AND PRIVILEGES, LAWS AND ORDINANCES
 COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES**

JOINT COMMITTEE MINUTES

NO. AAF003-PCO-068-S-2023

Subject: *An Ordinance providing for sustainable management, development and conservation of the Bacoor Municipal Water and its fishery resources harmonizing and integrating all Ordinances, otherwise known as "The Comprehensive Fishery Ordinance of the City of Bacoor" (PCO No. 068-2023 dated 20 February 2023)*

1. The joint committee hearing on March 30, 2023 held at the Sangguniang Panlungsod started at exactly 09:30a.m.
2. Councilor Simplicio Dominguez presided over the hearing and acknowledged the presence of the committee members and resource persons.
3. After review of the proposed ordinance, Hon. Reynaldo Palabrica feels that there is still a need to further review the said ordinance. Thus, he motioned to conduct another hearing after the Holidays to give time for the City Legal and City Agriculture Office to further review and finish the draft ordinance.


There being no other matters of concerned or for discussion, the Committee Hearing was adjourned at exactly 09:43am.

Prepared by:



ARLENE C. HERNANDEZ
 Local Legislative Staff I

Attested By:



COUN. SIMPLICIO G. DOMINGUEZ
 Committee Chairman

3/20/2023



SANGGUNIANG PABLUNGSOC





Republic of the Philippines
Province of Cavite
City of Bacoor



5th SANGGUNIANG PANLUNGSOD

COMMITTEE ON AGRICULTURE AND FOOD COMMITTEE ON RULES AND PRIVILEGES, LAWS AND ORDINANCES COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES

JOINT COMMITTEE MINUTES


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Subject: *An Ordinance providing for sustainable management, development and conservation of the Bacoor Municipal Water and its fishery resources harmonizing and integrating all Ordinances, otherwise known as "The Comprehensive Fishery Ordinance of the City of Bacoor" (PCO No. 068-2023 dated 20 February 2023)*

1. The joint committee hearing on March 9, 2023 held at the Sangguniang Panlungsod Session Hall started at exactly 11:00a.m.
2. Councilor Simplicio Dominguez presided over the hearing and acknowledged the presence of the committee members and resource persons.
3. After review of the above subject matter, Hon. Reynaldo Palabrica motioned to conduct another hearing to give time for the City Legal and City Agriculture Office to further review and finish the draft ordinance if there is no conflict with our on-going reclamation project.

There being no other matters of concerned or for discussion, the Committee Hearing was adjourned at exactly 11:10am.

Prepared by:



ARLENE C. HERNANDEZ

Local Legislative Staff I

Attested By:



COUN. SIMPLICIO G. DOMINGUEZ
Committee Chairman



Republic of the Philippines
Province of Cavite
City of Bacoor

5th SANGGUNIANG PANLUNGSOD

COMMITTEE/S		TITLE OF PROPOSED MEASURE	CONTROL NUMBER	
<i>Committee on Agriculture and Food</i> <i>Committee on Rules and Privileges, Laws and Ordinances</i> <i>Environment and Natural Resources</i>		AN ORDINANCE PROVIDING FOR SUSTAINABLE MANAGEMENT, DEVELOPMENT AND CONSERVATION OF THE BACOR MUNICIPAL WATER AND ITS FISHERY RESOURCES HARMONIZING AND INTEGRATING ALL ORDINANCES, OTHERWISE KNOWN AS "THE COMPREHENSIVE FISHERY ORDINANCE OF THE CITY OF BACOR"	PCO- 068 - 2023	
VENUE	Sangguniang Panlungsod Session Hall		DAT/TIME	March 9, 2023/ 11:00 AM

ATTENDANCE

Name	Association	Position/ Designation	Mobile No. or E-mail address	Signature
Coun. Simplicio Dominguez	SP	Sangguniang Panlungsod Member		
Coun. Michael Solis	SP	Sangguniang Panlungsod Member		
Coun. Rey Palabrica	SP	Sangguniang Panlungsod Member		
Coun. Adrielito Gawaran	SP	Sangguniang Panlungsod Member		
Coun. Levy Tela	SP	Sangguniang Panlungsod Member		
Coun. Alejandro Gutierrez	SP	Sangguniang Panlungsod Member		
Coun. Reynaldo Fabian	SP	Sangguniang Panlungsod Member		
Atty. Eugene De Jesus	City Legal	Department Head	pin abcs	

