



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE HONORABLE SANGGUNIANG BAYAN, TIGBAUAN, ILOILO HELD AT THE SB SESSION HALL, TIGBAUAN MUNICIPAL BUILDING ON SEPTEMBER 24, 2014 AT 1:40 IN THE AFTERNOON.

PRESENT:

HON. ROEL T. JARINA,	Vice Mayor & Presiding Officer
HON. RONNIE T. PAGUNTALAN,	Liga President & Temp. Pres. Officer
HON. JOSE DONEL T. TRASPORTO,	SB Member
HON. RENEE LIBRODO- VALENCIA,	SB Member
HON. VIRGILIO T. TERUEL,	SB Member
HON. MARLON R. TERUÑEZ,	SB Member
HON. SUZETTE MARIE HILADO-BANNO,	SB Member
HON. RICKY T. NULADA,	SB Member
HON. ARIEL I. BERNARDO,	SB Member

ON LEAVE:

HON. MA. GERRYLIN SANTUYO-CAMPOSAGRADO, SB Member

Municipal Ordinance No. 2014-021

AN ORDINANCE REGULATING COMMERCIAL, SMALL, MEDIUM AND LARGE SCALE PIGGERY FARM IN THE MUNICIPALITY OF TIGBAUAN AND PROVIDING PENALTIES IN VIOLATION THEREOF

Sponsored by: HON. RONNIE T. PAGUNTALAN, Chairman, Committee on Agriculture, Aquatic Resources and Cooperatives
 Seconded by: Hon. Suzette Marie Hilado-Banno, Hon. Ricky Nulada and Hon. Ariel Bernardo

WHEREAS, under Section 447(a) of the Local Government Code of 1991, to wit: “The Sangguniang Bayan, as the legislative body of the municipality, shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the municipality and its inhabitants pursuant to Section 16 of this Code and in the proper exercise of the corporate powers of the municipality as provided for under Section 22 of this Code”;

WHEREAS, under Section 447(a)(1)(iii) of the Local Government Code of 1991, to wit: “The Sangguniang Bayan shall approve ordinances imposing a fine not exceeding Two thousand five hundred pesos (P2,500.00) or an imprisonment for a period not exceeding six (6) months, or both in the discretion of the court, for the violation of a municipal ordinance”;

WHEREAS, under Section 447(a)(1)(vi) of the Local Government Code of 1991, to wit: “The Sangguniang Bayan shall protect the environment and impose appropriate penalties for acts which endanger the environment, such as dynamite fishing and other forms of destructive fishing, illegal logging and smuggling of logs, smuggling of natural resources products and of endangered species of flora and fauna, slash and burn farming, and such other activities which result in pollution, acceleration of eutrophication of rivers and lakes, or of ecological imbalance”;

WHEREAS, under Section 447(a)(4)(ii) of the Local Government Code of 1991, to wit: “The Sangguniang Bayan shall require that buildings and the premises thereof and any land within the municipality be kept and maintained in a sanitary condition; impose penalties for any violation thereof, or upon failure to comply with said requirement, have the work done and require the owner, administrator or tenant concerned to pay the expenses of the same; or require the filling up of any land or premises to a grade necessary for proper sanitation”.

NOW THEREFORE, BE IT ORDAINED by the Sangguniang Bayan of Tigbauan, Iloilo that:

SECTION 1. TITLE – This Ordinance shall be known as “**AN ORDINANCE REGULATING COMMERCIAL, SMALL, MEDIUM AND LARGE SCALE PIGGERY FARM IN THE MUNICIPALITY OF TIGBAUAN AND PROVIDING PENALTIES IN VIOLATION THEREOF.**”

SECTION 2. AUTHORITY – This Ordinance is enacted pursuant to Sections 15 and 16, Article II of the 1987 Philippine Constitution which respectively provide that “The State shall protect and promote the right of the people and instill health consciousness among them”, and that “The State protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature”; Section 16 of Republic Act 7160, otherwise known as the Local Government Code of 1991, which provides that the local government units shall “promote health and safety, enhance the right of the people to a balanced ecology”.

SECTION 3. COVERAGE – This Ordinance shall cover the entire area of the Municipality of Tigbauan, Province of Iloilo.

SECTION 4. DECLARATION OF POLICY – It is the declared policy of the Municipality of Tigbauan to promote and protect the health and welfare of the constituents.

SECTION 5. DEFINITION OF TERMS:

1. **Animal Wastes** –means a material composed of excreta, with or without bedding materials and/or animal dungs, collected from poultry, ruminants or other animals except humans.
2. **Body of Water** –most often refers to large accumulations of water, such as oceans, seas, and lakes, rivers but it includes smaller pools of water such as ponds, wetlands, or more rarely, puddles.
3. **Commercial Piggery Farms** – shall refer to any parcel of land devoted to the raising or breeding, depasturing, feeding or watering of pigs/swine, generally under the management of a tenant or owner, used for commercial purposes.
4. **Densely Populated Area** – residential zone area of single-family, single-detached dwellings with usual community auxiliary uses on a neighborhood scale and a gross population of about 50PPH to 150PPH.
5. **Heads** – include weanings, growers and fatteners.
6. **Irrigation Canal** – an artificial waterway or artificially improved river used for travel, shipping, or irrigation.
7. **Large Scale Piggery**- refers to more than 2 sows and more than 20 heads.
8. **Licensee** – person, group or corporation applying for the Municipal Piggery License.
9. **MAO** – Municipal Agriculture Office
10. **Medium Scale Piggery** – refers to 2 sows and 11-20 heads.
11. **MEO** – Municipal Engineering Office
12. **MHO** – Municipal Health Office
13. **MPDO** - Municipal Planning and Development Office
14. **Nearest Groundwater** – the nearest water beneath the earth's surface, often between saturated soil and rock, that supplies wells and springs.
15. **Piggery** - a farm where pigs are bred or kept.
16. **Pigpen** – a pen or enclosure for a pig or pigs.
17. **Riverbanks** – the bank of a river.
18. **Small Scale Piggery** – refers to raising of 1 sow and more than 2 but not more than 10 heads.
19. **Sow** – shall refer to a female swine.
20. **Standard Septic Tank** – a watertight, multi-chambered receptacle, constructed within the set standards that receives sewage from houses or other buildings and is designed to separate and store the solids and partially digest the organic matter in the sewage.
21. **Swine Raisers** – individuals or persons engaging in raising swine.
22. **Urban Areas** – include all barangay(s) or portion(s) of which comprising the poblacion, and other built up areas including the urbanizable land in and adjacent to said areas and where at least 50% of the population is engaged in non-agricultural activities.
23. **Waste Discharge** – Something that flows out or forth, especially an outflow from a sewer or sewage system. It also refers to the sewage or other liquid waste that is discharged, as into a body of water.

SECTION 6. REGULATED ACTS:

1. Commercial small, medium and large scale piggery farms are not allowed in urban and densely populated areas in the Municipality of Tigbauan, Province of Iloilo.
2. A “standard septic tank” is strictly required. It should be watertight. Septic tanks where a public sewerage system is not available, sewer outfalls from residences, schools, and other buildings shall be discharged into a septic tank to be constructed in accordance with the following minimum requirements:

- a. It shall be generally rectangular in shape. When a number of compartments are used, the first compartment shall have the capacity from one-half to two-thirds of the total volume of the tank.
- b. It shall be built of concrete, whether pre-cast or poured in place. Brick, concrete blocks or adobe may be used.
- c. It shall not be constructed under any building and within 25 meters from any source of water supply.
- d. Minimum requirement of the septic tank to be prescribed by the Municipal Engineering Office.
- 3. The distance of the pigpen shall be at least 25 meters from the nearest groundwater.
- 4. It shall be unlawful to directly discharge animal wastes in any irrigation canal, river/riverbanks, or any body of water.
- 5. It shall be the responsibility of piggery owners to regulate the odor/waste discharge of their own pigpens.
- 6. This regulation covers commercial small, medium and large scale piggery farms.

SECTION 7. REGULATORY COMMITTEE:

1. Composition of the Municipal Regulatory Committee

- Chairman: Municipal Mayor
- Co-Chairman: SB Member -Chairman, Committee on Health and Sanitation
SB Member - Chairman, Committee on Environment Protection, Housing and Land Utilization, Zonification and Assessment
- Members: Sanitary Inspector
MHO
MAO
MPDO
Punong Barangays
Chief of Police
LnB President

2. Responsibilities of the Regulatory Committee

- a. The committee shall have a regular quarterly meeting to discuss topics regarding this ordinance.
- b. The committee shall require a comprehensive listing of swine raising activities in all barangays in the municipality.
- c. The committee shall determine the imposition of penalties and/or closure of **COMMERCIAL, SMALL, MEDIUM AND LARGE SCALE** upon the recommendation of the Barangay Swine Raising Regulatory Committee which will be composed of the following:

- Chairman: Punong Barangay
- Members: Barangay Kagawad – Chairman, Committee of Health and Sanitation
Barangay Kagawad - Chairman, Committee on Environment Protection, Housing and Land Utilization, Zonification and Assessment
Barangay Secretary
Chief Tanod

- d. All complaints to be considered by the Municipal Swine Raising Regulatory Committee shall be coursed through to the Office of the Chairman which is the Local Chief Executive.
- e. It is the sole responsibility of the Barangay Regulatory Committee to enlist piggery farms and to collect PhP 30.00/ head in which 50% of the collected amount will go to the Barangay Trust Fund and 50% to the Municipality of Tigbauan.
- f. All Barangay Regulatory Committee are required to have intensive listings to be done every quarter of commercial piggery farms and submit to the Municipal for proper monitoring and collection of fees.

SECTION 8: ISSUANCE OF MUNICIPAL PIGGERY LICENSE

- 1. Any individual person, group or corporations intending to put up commercial small, medium and large scale piggery farm/s in the Municipality of Tigbauan shall secure a Municipal Piggery License issued by the Business Permit and Licensing Office (BPLO).
- 2. The licensee shall submit the following requirements when applying for the Municipal Piggery License:
 - a. Barangay Clearance
 - b. Completely Filled-out Application Form
 - c. Sanitary Permit from the Municipal Health Office (MHO)

- d. Certification from the Municipal Agriculture Office (MAO)
- e. Certification from the Municipal Engineering Office (MEO)
- f. Zoning Clearance/Certificate from the Municipal Planning and Development Office (MPDO)

- 3. The Sanitary Permit shall be issued after the onsite inspection was done by the Sanitary Inspector.
- 4. The Certification from the Municipal Agriculture Office (MAO) shall be issued once the Licensee has attended the Technology Training and Seminar conducted by the MAO Officer.
- 5. The Certification from the Municipal Engineering Office (MEO) shall be issued once the septic tank structure design was checked and approved by the MEO Officer.
- 6. The Municipal Piggery License is valid for one year.

SECTION 9: PENAL CLAUSE

Violators of this Ordinance shall be penalized with the following:

- a. 1st Offense – P1,000.00
- b. 2nd Offense – P2,000.00
- c. 3rd Offense– P2,500.00 and closure of pigpen and imprisonment of not exceeding 6 months upon the discretion of the court.

SECTION 10. SEPARABILITY CLAUSE

In the event any part or portion of this ordinance is declared to be illegal, unconstitutional or invalid, those parts or portions thereof which are not affected thereby shall continue to be effective and enforceable.

SECTION 11. REPEALING CLAUSE

Any prior ordinance in conflict or inconsistent with this ordinance shall be deemed repealed or amended accordingly.

SECTION 12. EFFECTIVITY CLAUSE

This ordinance shall take effect after complying with the requirements as to posting and publication as provided for under Section 59 of RA 7160.

APPROVED.

CERTIFIED CORRECT:

MARLENE TAYO-NAVA
S.B. Secretary

ATTESTED:

ROEL T. JARINA
Vice Mayor & Presiding Officer

APPROVED:

SUZETTE TENEFRANCIA-ALQUISADA
Municipal Mayor

HON. ROEL T. JARINA, M.D.
Municipal Vice Mayor

Sangguniang Bayan Members:

Hon. Jose Donel T. Trasporto, Lawyer
Hon. Renee Librodo-Valencia, CPA
Hon. Virgilio T. Teruel, Lawyer
Hon. Marlon R. Teruñez, Ph.D.

Hon. Ma. Gerrylin Santuyo-Camposagrado
Hon. Suzette Marie Hilado-Banno, M.D.
Hon. Ricky T. Nulada
Hon. Ariel I. Bernardo

Hon. Ronnie T. Paguntalan (LnB-President)

"Public office is a public trust. Public Officials must at all times be accountable to the people."