



REPUBLIC OF THE PHILIPPINES
REGION VI-WESTERN VISAYAS
PROVINCE OF ILOILO
MUNICIPALITY OF TIGBAUAN

1st Indorsement
February 16, 2026



Respectfully forwarded to the Office of the Sangguniang Panlalawigan, Province of Iloilo is Municipal Ordinance No. 2026-004, entitled:

“AN ORDINANCE ENACTING THE FISHERY CODE OF THE MUNICIPALITY OF TIGBAUAN, PROVINCE OF ILOILO, PROVIDING FUNDS FOR ITS IMPLEMENTATION AND PENALTIES FOR VIOLATIONS THEREOF”

The said Municipal Ordinance was passed by the Sangguniang Bayan on February 4, 2026.

For your information and appropriate action.

BY AUTHORITY OF THE SB

MARLENE TAYO-NAVA
SB Secretary



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Sangguniang Bayan Tigbauan

*“Public Office is a Public Trust.
Public Officials must at all times be accountable to the people”*

HON. LUGEN T. ORTILANO, *Municipal Vice Mayor*

SANGGUNIAN BAYAN MEMBERS

HON. PINKY ATADERO-JARINA, *MD Pediatrician*
HON. GENE ROSE C. CANAYA, *Lawyer*
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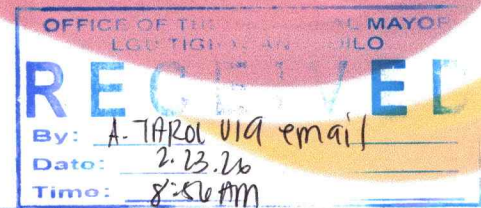
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EXCERPT FROM THE MINUTES OF THE CY 2026 – 5th REGULAR SESSION OF THE HONORABLE SANGGUNIANG BAYAN TIGBAUAN, ILOILO HELD AT THE S.B. SESSION HALL, TIGBAUAN MUNICIPAL BUILDING ON FEBRUARY 4, 2026 AT 10:10 IN THE MORNING.

PRESENT:

HON. LUGEN T. ORTILANO,	-	Vice Mayor & Presiding Officer
HON. PINKY A. JARINA	-	SB Member
HON. GENE ROSE C. CANAYA	-	SB Member
HON. ADRIAN S. CAMPOSAGRADO	-	SB Member
HON. JOEL L. SAYSON	-	SB Member
HON. MARLON R. TERUÑEZ	-	SB Member
HON. NORA ROSE T. TUBIANO	-	SB Member
HON. REYNALDO E. TUMABOTABO	-	SB Member
HON. NORBERTO T. TURALBA	-	SB Member
HON. LORNA T. DOMINGO	-	Liga President
HON. JULIANA MARIE T. JULATON	-	SKMF President



ABSENT: NONE

Municipal Ordinance No. 2026-0004

AN ORDINANCE ENACTING THE FISHERY CODE OF THE MUNICIPALITY OF TIGBAUAN, PROVINCE OF ILOILO, PROVIDING FUNDS FOR ITS IMPLEMENTATION AND PENALTIES FOR VIOLATIONS THEREOF

Authored & Moved by: HON. JOEL L. SAYSON

Sponsored by : SB Committee on Agriculture and Aquatic Resources

Chairman: Hon. Joel L. Sayson

Vice Chairman: Hon. Norberto T. Turalba

Members Hon. Marlon R. Teruñez, Hon. Reynaldo E. Tumabotabo, and Hon. Nora Rose T. Tubiano

Seconded by: Hon. Pinky A. Jarina, Hon. Gene Rose C. Canaya, Hon. Adrian S. Camposagrado, Hon. Marlon R. Teruñez, Hon. Nora Rose T. Tubiano, Hon. Reynaldo E. Tumabotabo, Hon. Norberto T. Turalba, Hon. Lorna T. Domingo and Hon. Juliana Marie Julaton



BE IT ORDAINED BY THE SANGGUNIANG BAYAN OF THE MUNICIPALITY OF TIGBAUAN IN SESSION ASSEMBLED:

**CHAPTER I
GENERAL PROVISIONS**

SECTION 1. SHORT TITLE. This ordinance shall be known as “**Fishery Code of the Municipality Tigbauan, Province of Iloilo**”

SECTION 2. DECLARATION OF POLICY. It is hereby declared the fundamental policies of the Municipality of Tigbaaun to:

1. Advance the primary purpose of the state to achieve food security as the overriding consideration in the utilization, management, development, conservation and protection of fisheries and aquatic resources in order to serve the food needs of its population;
2. Promote the effective conservation and sustainable management of coastal and marine resources and habitats of the Municipality Tigbauan using science-based and evidence-based approaches, participative decision-making and co-management, and active stakeholder collaboration and engagement;
3. Protect the rights of municipal fisherfolk in the preferential use of coastal and marine resources both inland, if necessary and in municipal waters;
4. Adopt the precautionary principle and manage fishery and aquatic resources, in a manner consistent with the concept of an ecosystem-based approach to fisheries management and integrated coastal area management;

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2/23/2026

5. Ensure rational and sustainable management, development and conservation of fisheries and aquatic resources by adopting key management strategies, such as establishment and management of marine protected areas and fish sanctuaries, implementing closed fishing season, among others;
6. Provide appropriate support to its municipal fishery sector, including women, indigenous and youth sectors, through suitable post-harvest facilities and activities, adequate financial, production and links to markets, and other relevant services;
7. Allow people's full and active participation in the sustainable development, conservation, utilization and management of the coastal and aquatic resources and promote awareness of the importance of sustainable fisheries management through appropriate education and training;
8. Ensure, for the benefit and enjoyment of the people, particularly the registered fisherfolk of Municipality of Tigbauan the judicious and wise utilization, protection, conservation and management on a sustainable basis of its coastal resources with the necessity of maintaining a sound ecological balance and protecting and enhancing the quality of the environment;
9. Promote gender equality and equity in the sustainable development, management, utilization and conservation of coastal fisheries;
10. Enhance local resilience to the adverse effects of natural disasters 54 and/or climate change, through maintaining a sound ecological balance, by adopting an ecosystems-based adaptation approach, and by protecting and enhancing the quality of the environment;
11. Ensure sustainable financing mechanisms, including sufficient budgetary support and allocation of financial and human resources to fully support protection, maintenance, administration, and regulation of coastal and fisheries resources management.

CHAPTER II DEFINITION OF TERMS

The terms and phrases that are used in this Fisheries Ordinance that are defined under Republic Act No. 8550, as amended by Republic Act No. 10654, and in administrative rules and regulations such as the Fisheries Administrative Orders (FAOs) issued by the Department of Agriculture-Bureau of Fisheries and Aquatic Resources (DA-BFAR), and by the Department of the Interior and Local Government (DILG) shall hereby be adopted and shall become an integral part hereof. In addition, the following terms and phrases as used in this Ordinance, which are especially applicable to the Municipality of Tigbauan, shall mean:

1. **Aquaculture** – The propagation, culture, breeding, and rearing of fish and other aquatic organisms in freshwater, brackish, or marine environments, including fishponds, fish cages, fish pens, and mariculture areas.
2. **Artificial Reef (AR) / Tambon** – Man-made structures placed on the seabed using BFAR-approved, non-toxic materials to serve as fish habitats, breeding, nursery, and feeding grounds for marine organisms.
3. **Bantay Dagat** – Deputized fish wardens organized by the Local Government Unit tasked to enforce fisheries, coastal, and environmental laws within municipal waters.
4. **BFAR** – The Bureau of Fisheries and Aquatic Resources of the Department of Agriculture.
5. **BFARMC (Barangay Fisheries and Aquatic Resources Management Council)** – A barangay-level advisory body composed of fisherfolk and stakeholders that assists the LGU in fisheries and aquatic resource management.
6. **Commercial Fishing** – Fishing for business or profit using fishing vessels of more than three (3) gross tons or using fishing gears not allowed in municipal waters.
7. **Compressor Fishing** – Fishing activity that uses an air compressor or similar device to supply breathing air to divers underwater, which is prohibited.
8. **Coastal Law Enforcement (CLE)** – Coordinated law enforcement operations conducted by deputized personnel and agencies to prevent, apprehend, and prosecute violations of fisheries and coastal laws.
9. **Community Fish Landing Center (CFLC)** – A municipally established facility that serves as a landing, trading, auction, and post-harvest handling center for fish and fishery products.
10. **Fish Cage** – A stationary or floating enclosure installed in water bodies for culturing fish and other aquatic organisms.
11. **Fish Corral / Fish Trap (Punot, Saludan)** – A stationary fishing structure made of bamboo, netting, or similar materials used to trap fish or shrimp in coastal or inland waters.

- 12. Fishery** – All activities relating to the taking, catching, culture, processing, preservation, marketing, and management of fish and aquatic resources.
- 13. Fishery Management Office (FMO)** – The office created under the Municipal Agriculture Office responsible for implementing fisheries management programs and policies of the Municipality.
- 14. Fishery Refuge or Sanctuary** – An area designated for the protection, conservation, and rehabilitation of fish stocks and habitats where fishing and extraction are prohibited or strictly regulated.
- 15. Fish Aggregating Device (FAD) / Payao** – Any artificial or natural floating or submerged structure installed in the water to attract and aggregate fish for fishing purposes.
- 16. Fishing Gear** – Any equipment, device, or implement used in catching or harvesting fish and other aquatic organisms, whether active or passive.
- 17. Fishing Vessel** – Any watercraft, motorized or non-motorized, used directly or indirectly in fishing operations.
- 18. Fisherfolk / Municipal Fisherfolk** – A resident of the Municipality who is directly or indirectly engaged in fishing or fishery-related activities within municipal waters.
- 19. Gravid Crab** – A female crab carrying eggs or spawn, whether externally or internally.
- 20. Marine Protected Area (MPA)** – A defined portion of municipal waters established by ordinance or law for the protection and conservation of marine ecosystems, biodiversity, and fishery resources.
- 21. Mariculture** – A type of aquaculture involving the culture of marine organisms in seawater environments such as fish cages, pens, or seaweed farms.
- 22. MFARMC (Municipal Fisheries and Aquatic Resources Management Council)** – A consultative and advisory body composed of fisherfolk, NGOs, and government representatives that assists the LGU in fisheries planning, policy formulation, and enforcement.
- 23. Municipal Waters** – Marine waters within fifteen (15) kilometers from the general coastline of the Municipality, including streams, rivers, estuaries, tidal waters, and other bodies of water under municipal jurisdiction.
- 24. Municipal Fishing** – Fishing conducted within municipal waters using fishing vessels of three (3) gross tons or less, or fishing without the use of vessels.
- 25. Payao Permittee** – A person, association, cooperative, or entity granted authority by the Municipal Government to install and operate a payao within designated municipal waters.
- 26. Post-Harvest Facilities** – Infrastructure and equipment used for handling, processing, storing, preserving, transporting, and marketing fish and fishery products after harvest.
- 27. Rare, Threatened, or Endangered Species** – Aquatic species listed under CITES, Republic Act No. 9147, or as determined by DA-BFAR to be under threat of extinction.
- 28. Red Tide** – A harmful algal bloom that produces toxins making shellfish unsafe for human consumption, as declared by DA-BFAR.
- 29. Sungkit / Sahid** – Locally known fishing gears operated manually or mechanically for catching shrimp or small fish, subject to regulation under this Ordinance.
- 30. Vessel Monitoring Measure (VMM)** – An electronic tracking system required for commercial fishing vessels to monitor location, movement, and compliance with fisheries regulations, pursuant to Fisheries Administrative Order No. 266, series of 2020.

CHAPTER III DESCRIPTION OF MUNICIPAL WATERS

SECTION 3. JURISDICTION OF THE MUNICIPAL GOVERNMENT. – The municipal government shall have jurisdiction over the municipal waters. It shall be responsible for the management, conservation, development, protection, utilization and disposition of all coastal and fishery resources within the municipal waters and water use zones. In the management of Municipal Waters of the Municipality of Tigbauan, the LGU shall coordinate with the FARMC, the Fisheries Management Area Management Body of which it is a part, and the National Government to ensure that all implementation is consistent, and have taken into account the national laws and policies relevant to the management of municipal waters and shall enact corresponding ordinances and issue executive orders thereon.

All ordinances enacted and all executive orders issued by the Municipal Government within the National Integrated and Protected Areas System (NIPAS) and the Expanded-NIPAS (E-NIPAS) shall take into account the General Management Plan (GMP) as well as the Protected Area Management Board (PAMB) guidelines, existing national and local laws, and other relevant policies and shall not endanger the sustainability of the coastal and fishery resources, or destroy its ecological balance. Provided that all local fishery-related ordinances and management plans are guided by the resolutions and plans of the Fisheries Management Area (FMA) No. Four (4), to which the municipality/city is part of.

The municipal government, in coordination with the FARMC, the Protected Area Management Office, and other concerned agencies and institutions, shall enforce all fishery and environmental laws, rules and regulations, as well as coastal and fishery resource-related ordinances enacted by the Sangguniang Bayan.

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

Whenever it is determined by the Municipal Government, in consultation with MFARMC 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.

SECTION 4. TECHNICAL DESCRIPTION OF MUNICIPAL WATERS. – The municipal waters of Tigbauan generally serve as fishing grounds in the municipality. Based on the technical description issued by the National Mapping and Resource Information Authority (NAMRIA), the municipal waters of Tigbauan have an area of 8, 746.69 hectares, stretching its boundary to the neighbouring towns of Guimbal and Oton. The coastline of the municipality from Brgy. Barroc to Brgy. Buyu-an is 8.64 kilometers.

Point	Latitude	Longitude	Remarks
Beginning at 1	10° 40' 55"	122° 25' 25"	Coastal Terminal Point
Thence 2	10° 36' 22"	122° 26' 02"	
Thence 3	10° 34' 45"	122° 23' 39"	
Thence 4	10° 34' 33"	122° 24' 27"	
Thence 5	10° 34' 23"	122° 24' 17"	
Thence 6	10° 33' 17"	122° 22' 00"	
Thence 7	10° 35' 18"	122° 21' 53"	
Thence 8	10° 36' 42"	122° 21' 37"	
Thence 9	10° 39' 30"	122° 20' 36"	
Thence 10	10° 40' 55"	122° 20' 45"	Coastal terminal point with Guimbal, mid of mouth of Nanga River

The technical map, as certified by the National Mapping and Resource Information Authority (NAMRIA), with coordinates, location of coastal terminal points and joint agreement relative thereto between the Municipalities of Oton and Guimbal, and Nueva Valencia, Guimaras are hereby recognized.

SECTION 5. ZONING OF MUNICIPAL WATERS.- The municipal water of Tigbauan is hereby zoned following the (number of appropriate major coastal zones), determined complementarily and in harmony with its Comprehensive Land Use Plan (CLUP) of Commissioners of the Department of Human Settlement and Urban Development (DHSUD), and in consideration of climate change information as provided by risk and/or vulnerability assessments, if any, without prejudice to additional zones that may later be identified, adjusted, or established wherein amendments in the zoning ordinance must also reflect in this ordinance. Provided that the coastal zoning map that is formulated and generated as a result of consultation among the stakeholders and validated in the field.

The Municipality hereby allocates its municipal waters and coastal areas, as defined under R.A. No. 8550, as amended by R.A. No. 10654, into production, protection, infrastructure and settlement zones along with its sub-zones as appropriate based on the risk assessment, uses and conservation objectives, biodiversity protection and habitat conservation. Provided, that this is subject to further changes and additional zones as may be identified, deemed appropriate and established thereafter:

5.1 PRODUCTION ZONES. The Municipality hereby designates areas for multiple uses, such as but not limited to fishing activities, fish traps/cages, fish corral and seaweed farming, other than illegal fishing activities in accordance with the similarly declared zones in the General Management Plan or Fisheries Management Area (FMA) plan, where the municipality is part of; Provided that such zones are not designated as marine protected areas and other conservation priority areas.

5.1.1. Fishing Grounds. It is hereby declared that the foregoing is considered to be fishing grounds of the Municipality of Tigbauan.

ZONE I: SALUDAN - This covers the fishing site from the marine boundary of the Municipality of Oton and Tigbauan to the mouth of Baguingin Creek.

Point	Latitude	Longitude
1.	10.655062	122.424117
2.	10.665601	122.419556
3.	10.651795	122.428413

ZONE II: PUNOT/TANGKAL-TANGKAL - Fishing site - Ledesma-TinoEynsoy (formerly Rosendo Ledesma, TinteTinoy and Tan Ensoy) extending from point in front of Baguingin Chapel towards the sea.

Point	Latitude	Longitude
1.	10.67102°	22.39584°
2.		
3.		

ZONE III: This is composed of three fishing sites: **Central, Torrelavega and Guibuangan**
Central - 13 meters to 20 meters deep located in front of the coconut grove of Maria Zayco at Brgy. Namocon, Tigbauan, Iloilo.
Torrelavega - 14 meters deep located in front of Allera Street.
Guibuangan - 9 to 20 meters deep located at the mouth of Sibalom River.

Point	Latitude	Longitude
1.	10.66794°	122.39584°
2.	10.66603°	122.38679°
3.	10.66278°	122.37942°

ZONE IV: This is composed of three fishing sites:
Liam-ao - the combination of Baoy and Binday sites 8 meters deep, located in front of Buyu-an Bridge (372 meters from monument I)
Odong Quine - located in front of the concrete school building (Gabaldon Building) of Buyu-an Elementary School.
Tia Laloy - 12 meters deep, located almost in front of the boundary of Brgy. Buyu-an and Nanga, 100 meters or less on the eastern side.

Point	Latitude	Longitude
1.	10.66734°	122.36269°
2.	10.66511°	122.35938°
3.	10.66361°	122.35020°

ZONE V: For gathering of sea shells - The shoreline from the mouth of Olo Barroc Creek at Brgy. Barroc up to the point 30 meters or less southwest of Buyu-an Bridge, this is approximately 20 meters from the shore going seaward and occupies the lowest most strata of the sea.

Point	Latitude	Longitude
1.	10.40138°	122.20509°
2.	10.40495°	122.25176°
3.		

Provided that areas for the following stationary and/or passive gears and/or fishing activity shall be determined by the fishery technician/technical staff of the Municipal Agriculture Office and or with the assistance from a competent individual, organization or agency:

1. Areas for Fish Corral Construction/Fish Cages
2. Areas for Fish Traps and Pots
3. Fish Aggregating Devices (nearshore payaos)
4. Fry gathering areas
5. Gleaning; and
6. Other areas deemed appropriate

5.1.2. Policies and Regulations for Fishing Grounds. For the purpose of sustainable utilization and management of the coastal and fisheries resources within this zone, the following policies and regulations are hereby promulgated:

1. No person shall be allowed to fish in the municipal waters or operate payaos unless he/she complies with the registration and licensing system for fishing operations and activities as specifically provided in this ordinance;
2. Only passive gears are allowed in the zone;
3. The maximum area to be occupied by one fish corral operator shall be 500 meters length, and a maximum of 9 fish corral per operator; Provided further that, the distance of fish corral from one fish corral is 200 meters;
4. Overturning of stones, corals; using of rakes, shovels and the like in gleaning is strictly prohibited.

5.1.3. Mariculture/Fishpond Areas. The Municipality hereby designates areas for sustainable mariculture and aquaculture activities, such as, seaweed farming, sea cucumber ranching, and the like, subject to such to the guideline set forth in this ordinance. These areas are zoned for the culture and/or growing of fish species and other cultivable marine organisms. Mariculture activities allowed in the zones are the following:

1. Erection and construction of fish cages and fish pens;
2. Seaweed culture; and
3. Culture of other species as may be determined by the municipality

5.1.4. Aquaculture Zone. The Municipality hereby designates areas for aquaculture zones including brackish fishpond, subject to the guideline set forth in this ordinance. Provided, moreover, that the area for fishpond establishment is located within the coastal barangays of Tigbauan and lies within the following geographical coordinates:

5.1.5. Policies and Regulations within the Mariculture/Aquaculture Zone of the Municipality of Tigbauan. The MAO shall coordinate with DA-BFAR and other relevant institutions for the technical inputs of this section. For the purpose of sound and sustainable aquaculture/mariculture practices, the following policies are hereby promulgated:

1. All aquaculture/mariculture activities shall conform and comply with the permitting and licensing system established by the municipality as defined in this ordinance;
2. A distance of 1 meter shall be established per fish cage or fish pen concession/operator; and 50 meters for each farm for seaweed culture for purposes of free passage and / or navigation. Provided that each operator has one fishing boat;
3. A maximum area of 200 sq.m. of fish cages and/or fish pens may be granted to each operator/concession; Provided, however, that the installation or construction of fish cages/fish pens shall not exceed 45 units;
4. Accredited people's organization, registered fisherfolk and qualified residents of Tigbauan shall be given priority in the grant of permits and/or licenses for aquaculture/mariculture activities;
5. Expansion or increase in number of cages and pens beyond the area or number allowed by this Ordinance and contained in the license or permit is prohibited;
6. Expansion of fishpond areas except for those covered by the existing Fishpond Lease Agreements (FLAs) and/ or application for new fishpond lease agreement is also prohibited; and
7. The source of planting stock for seaweeds, fish fries and seed stock of other cultivable organisms should come from an accredited dealer and properly quarantined before stocking and/or reseedling of the area.

5.2. PROTECTION ZONE. The Municipality of Tigbauan, in coordination with the MFARMC and other agencies and/or organizations, hereby declares Marine Protected Areas (MPAs) such as Mangrove Areas, Fishery Reserve/Sanctuary as part of the protection zone. This zone is identified and reserved for protection of critical habitats, marine species and organism(s).

5.2.1. Establishment of Fishery Reserve or Marine Protected Area (MPA). The Sanggunian may, through an appropriate ordinance, establish a Fishery Reserve or Marine Protected Area (MPA) for special or limited use, or for educational, research, and/or special management purpose. The boundaries of such Fishery Reserve/Sanctuary or MPA, and the corresponding limitations on activities

within the reserve, shall be clearly defined and publicized. Such limitations shall automatically amend all licenses issued prior to the establishment of a Fishery Reserve, or shall be automatically incorporated in the terms and conditions of licenses subsequently issued. The Municipal Mayor through the MAO/FMO, shall be responsible for determining the appropriate terms and conditions of the licenses in order to achieve the purposes of the Fishery Reserve.

5.2.2. Fish Refuge/Sanctuaries

The Sanggunian may, through an appropriate ordinance, establish Fish Refuge/Sanctuaries for the purpose of strengthening the habitat and spawning grounds of fish and other aquatic resources, ensuring sustainability of fish stocks, maintaining or rehabilitating fish stocks, and similar purposes. The boundaries of such fish refuge/sanctuaries shall be clearly defined and publicized. No fishing in any form shall be allowed within such Fish Refuges/Sanctuaries, and no license shall be interpreted as authorizing fishing activities within such areas.

5.2.3. Mangrove management system

Mangroves provide tremendous primary ecological and economic benefits. To cite a few, mangroves provide nursery grounds for fish, prawns and crabs, and support fisheries production in coastal waters; protect the environment and natural resources and coastal communities from storm surges, waves, tidal currents and typhoons. The aspects of the mangrove management system shall embody four (4) management options, namely:

5.2.4. Mangrove Nursery Establishment and Management - This involves physical selection and preparation of the site and the application of nursery technology and operations.

5.2.5. Mangrove Plantation Establishment and Management - This involves a number of stages ranging from site selection and preparation, out-planting, care and maintenance, and monitoring and evaluation.

5.2.6. Mangrove Protection And Conservation, Designation Of Barangay Baguingin And Existing Natural Stand Of Mangrove Forest In The Municipality As Reserved/Protected Area

All existing natural stand of mangrove forest within the municipality especially at Barangay Baguingin are declared as reserved/protected area.

5.2.7. Immediate Restoration of Converted Mangroves

The municipal government through the MAO/MFO shall immediately take steps for the restoration of all abandoned, undeveloped or underutilized fishponds areas to their original mangrove state.

5.2.8. Marking of Zones. The Municipality shall endeavor to mark the zones identified with visible marker buoys in order to ensure the management and enforcement efficiency of different sets of rules and regulations in every zone herein established; Provided that the cost and maintenance of buoys shall be the responsibility of the Municipality, subject to specific guidelines that may determine the specific body or committee assigned for this purpose; *Provided, however,* that it shall be unlawful for any person to remove, destroy or otherwise condemn the marker buoys without authority from the Municipality; Provided, finally, that any person who shall be found in possession for a period of more than seventy-two (72) hours, after demand for its return thereof, of any lost or detached marker buoys shall be *prima facie* considered to be in unlawfully in possession of such marker buoys.

CHAPTER IV

UTILIZATION, MANAGEMENT, DEVELOPMENT, CONSERVATION AND ALLOCATION SYSTEM OF FISHERIES AND AQUATIC RESOURCES

SECTION 6. LOCAL CLIMATE AND DISASTER RISK ASSESSMENT. – The municipal government shall endeavor to undertake a local Climate and Disaster Risk Assessment (CDRA), which will serve as one of the primary bases in the formulation of the municipal fisheries development plan, for the purpose of ensuring that the said plan is climate-responsive and adopts ecosystems-based adaptation approach.

SECTION 7. MUNICIPAL FISHERIES DEVELOPMENT PLAN. - The municipal government shall adopt a municipal fisheries development plan (MFDP), upon recommendation of the FARMC, which serves as the basis for the management, utilization, development and conservation of its coastal and fisheries resources. The MFDP shall be integrated or mainstreamed in the Comprehensive Development Plan (CDP) upon submission to the Local Development Council. The MAO, together with the Municipal Planning and Development Officer will provide support to the FARMC in the formulation of the said plan and in the submission to the LDC. In accordance with existing laws and regulations, the plan shall be aligned with its updated comprehensive land use plan and local climate change action plan, and in

accordance with the NIPAS Act, E-NIPAS Act, R.A. No. 10654 and related laws, the municipal government shall align this plan with the General Management Plan and the FMA plan, of which the municipality is part of.

7.1 MANDATE FOR FISHERIES DEVELOPMENT PLANNING. The Sanggunian, with the assistance of the MAO/MFT and Municipal FARMC, shall formulate a Municipal Fisheries Development Plan which shall be the basis for the long-term development and management of the fishery and aquatic resources of the Municipality.

7.2 FORMULATION OF FISHERIES DEVELOPMENT PLAN. A public consultation will be conducted in order to determine the needs, goals, objectives and programs for development and management of the fishery and aquatic resources of the Municipality. Using the results of the consultation as a guide, the Committee on Fisheries of the Sanggunian, MAO/MFT and the MFARMC shall, prior to the preparations of the budget for the next succeeding fiscal year, formulate a fisheries development plan of the municipality.

7.3 INTEGRATION INTO THE LOCAL DEVELOPMENT PLAN. The Fisheries Development Plan shall be formally submitted to the Local Development Council at its regular meeting. Subject to appropriate adjustments in consideration of the other plans and programs of the Municipality, the same shall be integrated into and form part of the Local Development Plan for the following year.

SECTION 8. USE AND USERS OF MUNICIPAL WATERS.- The municipal waters shall be primarily reserved for municipal fishing activities as defined under this ordinance; Provided, That the grant of preferential rights shall be awarded to any resident and registered municipal fisherfolk or fisherfolk organization/cooperative that will be accredited by the *Sanggunian* through a resolution in accordance with the guidelines and rules as may be issued hereafter; Provided, however, That municipal fishers from adjacent municipalities may be allowed to use the municipal waters after securing fishery license or permit from the municipal government, after due consultation with the MFARMC and backed by technical study on the status of the municipal waters; Provided, finally, that other activities, such as but not limited to, research and monitoring activities may be allowed under appropriate regulations, for purely research, scientific, technological and education purposes, after due consultations with the MFARMC.

SECTION 9. REGISTRATION AND LICENSING OF MUNICIPAL FISHERS, MUNICIPAL FISHING VESSELS, AND FISHING GEARS. All municipal fishers, fisherfolk organizations or cooperatives, and municipal fishing vessels operating within the municipal waters of the Municipality of Tigbauan shall be required to register annually in accordance with existing guidelines and procedures prescribed under this ordinance.

The Municipal Agriculture Office (MAO) shall be the lead office of the LGU to process the registration and licensing of municipal fisherfolk, fishing boats, fishing gears, and post-harvest facilities. The MAO shall also conduct mobile registration and licensing for far-flung barangays, serving as a one-stop shop for both registration and licensing through a unified application system and form to be developed by the MAO, in consultation with the MFARMC.

SECTION 10. BASIC CRITERIA FOR REGISTRATION AND LICENSING. Only fisherfolk who meet the following eligibility criteria shall be allowed to register with the MAO:

1. A citizen of the Philippines;
2. A resident of the Municipality of Tigbauan for at least six (6) months; and
3. Directly or indirectly engaged in fishing activities, with or without the use of municipal fishing boats.

SECTION 11. REGISTRATION AND LICENSING REQUIREMENTS. Applicants for registration and license must submit the following requirements:

1. Duly accomplished application form for fisherfolk, boat, and gears (MAO);
2. Community Tax Certificate;
3. BFARMC Certificate;
4. Barangay Certification;
5. Certificate of Registration or Accreditation (for organizations/cooperatives); and
6. Official receipt of payment for necessary fees issued by the LGU.

SECTION 12. ISSUANCE OF CERTIFICATE OF FISHERFOLK REGISTRATION. All registration requirements shall be submitted to and processed by the MAO within 10 day/s (TENTATIVE). Upon verification and encoding into the municipal fisheries database, the MAO shall issue a Certificate of Fisherfolk Registration in the form of an identification card (ID) (TENTATIVE).

The ID card shall contain the fisherfolk's name, age, barangay, municipality of residence, and fishing gear type used. It shall bear a control number for monitoring purposes, the seal of the municipality, and the signatures of the Mayor and the MAO.

SECTION 13. MAINTENANCE AND PUBLICATION OF MUNICIPAL FISHERIES REGISTRY. The Municipality of Tigbauan shall cause the annual publication of the Municipal Fisheries Registry by posting it in conspicuous places such as the Municipal Hall and coastal barangay bulletin boards, and, where applicable, on the official municipal website.

SECTION 14. ISSUANCE OF CERTIFICATE OF NUMBER AND BOAT PERMIT TO OPERATE. For purposes of registration as provided for in the preceding Section, the following requirements shall be followed:

1. The MAO shall take action on the application for boat registration simultaneously with the application for fisherfolk registration and gears.
2. If, in the review of the supporting documents of the application, the MAO found qualified pursuant to foregoing requirements, he/she shall issue the following documents, to be approved by the Mayor:
 - Permit to Operate

3. The Permit to Operate (PTO) shall be issued by the Municipal Mayor upon recommendation of the MAO after payment of following to the Office of the Municipal Treasurer.

SECTION 15. COLOR CODING OF FISHING VESSELS/BOATS. Prior to issuance of permit and license as required above, every fishing vessel/boat owned by any registered fisherfolk of the Municipality Tigbauan, less than gross tonnage and below shall be painted with orange for the body as assigned color as per Provincial Ordinance No. 2017-151. The name of the fishing banca shall be painted white color in both sides of the mid portion of the fishing vessel/boat. Further, registered numbers shall be clearly painted at both sides of the forward part of the fishing vessel and shall correspond to a code signifying the Province and Municipality; Example: ILO-D1-04-001 to up (number of registered units) and shall be inscribed in both sides of the body of the fishing boats.

SECTION 16. ISSUANCE OF PERMITS AND LICENSES FOR FISHING GEARS. Any person, cooperatives, partnerships, or corporations who are listed in the Registry of Resource Users or Fisherfolks may be issued a license for fishing gears upon payment of the prescribed fees to the Office of the Municipal/City Treasurer.

The Municipal Mayor shall issue the fishing license subject to the recommendation of the MAO; Provided, further, that the Fishery License and/or the permit are non-transferable. The licensee shall agree unconditionally to comply with all the laws, orders, policies, and rules and regulations governing fishing in the municipality. The licensee shall also assume responsibility for any and all of his/her acts in his/her fishing operation. The Municipality of Tigbauan, through the MAO, shall maintain a registry of fishing vessels, boats, types of gears and other fishing paraphernalia.

SECTION 17. RENEWAL OF PERMIT AND LICENSE. The fishery permits and license issued pursuant to the foregoing provision shall be renewed annually in a manner as prescribed in this ordinance. The renewal of permit will start during the first (1st) of January up to Twenty first (21st) of the same month. The permit will be only valid until January thirty first (31st).

SECTION 18. ACTIONS ON THE APPLICATION FOR FISHING GEAR PERMIT. The MAO, after conducting the screening and review of the documents in support of the applications, and upon consultation with the FARMC, shall recommend to the Municipal Mayor the issuance of the License and/or permit. Otherwise, the MAO shall reject the applications and state the reason(s) in writing.

SECTION 19. GROUNDS FOR REJECTION OF APPLICATION AND RENEWAL FOR PERMIT/LICENSE. The following are the grounds for rejection of an application for a permit/license, to wit:

1. Fraudulent, false and/or misleading statements in the application;
2. Failure to pay the prescribed application fees and fulfill other requirements;
3. The applicant committed an act or acts in violation of this Ordinance or fishery laws and rules and found guilty for either criminal or administrative offense, or such person shall have failed to comply with the conditions set forth in his application for permit or license; and
4. Such other instances are analogous to any of the foregoing grounds.

SECTION 20. GROUNDS FOR CANCELLATION OF PERMIT OR LICENSE The following are the grounds for the cancellation of permit/License, to wit:

1. Fraudulent, false and/or misleading statements in the application;
2. Failure to comply with the provisions of existing national laws and local ordinances;
3. Construction and operation of fish pen or fish cage outside of designated areas;
4. Abandonment and non-operation of the for 60 days and/or lack of interest of the permittee to continue;
5. Failure to pay the necessary fees and other surcharges relative thereto;
6. Non-construction of fish pen or fish cage within 60 days from the date of issuance of the permit to construct and operate;
7. The applicant committed an act or acts in violation of this Ordinance 616 or fishery laws and rules and found guilty for either criminal or administrative offense, or such person shall have failed to comply with the conditions set forth in his application for permit or license; and
8. Such other instances are analogous to any of the foregoing grounds.

SECTION 21. SCHEDULE OF FISHERY LICENSES, FEES, AND PERMITS. Privilege to occupy, produce, culture, capture or gather fish of any marine species or fishery products may be granted only upon payment of the corresponding fishery registration and license fees provided as follows:

I. Fishing Vessel Registration Fee. – There shall be collected the following registration fees from the owner of each fishing vessel of three (3) gross tons and below being operated within the municipal waters of this Municipality:

TYPE OF FISHING VESSEL	STANDARD FEES - Pesos (₱)
<i>Non-motorized</i>	
Boat	Exempted with Mayor's permit and license fee
Flat Boat	Exempted with Mayor's permit and license fee
<i>Motorized</i>	
Fishing vessels with less than 3 Gross Tonnage	
1. Motorized with engine 10 H.P. or less	150.00
2. Motorized with engine 11 H.P. or less than 15	200.00
3. Motorized with engine 16 H.P. or less than 20	250.00
4. Motorized with engine 21 H.P. or less than 25	300.00
5. Motorized with engine 26 H.P. or less than 30	400.00
6. Motorized with engine 31 H.P. or less than 35	450.00
7. Motorized with engine 36 H.P. or less than 45	550.00
8. Motorized with engine 46 H.P. or less than 50	650.00
9. Motorized with engine 51 H.P. and above	800.00

II. Municipal Fishing License Fees – The municipal fishing license shall be granted to each registered municipal fisher upon payment of the corresponding municipal license fees at a rate not exceeding those fixed hereunder.

TYPE OF ACTIVITY	STANDARD FEES - Pesos (₱)
A. For Using Nets, or Other Similar Gears	
Bottom Set Gill Net (Palugdang)	200.00
Drift Gill Net (Kurantay)	300.00
Beach Seine (Sahid)	200.00
Small scale (not more than 20 meters)	300.00
Medium scale (more than 20 to 30 meters)	500.00
Large scale (30 to 100 meters)	
B. For Using Traps	
1.) Bobo per unit	50.00
2.) Crab Pot (1-50)	300.00
Excess of 50	20.00
C. Other Means of Capture	
Hook & Line (With boat not using outboard or inboard motor (sibid-sibidan, into-into, labay, & lambo)	100.00
D. Others	
Individual Buying of Bangus, Prawn and Other Fish Fry	300.00

Auxiliary Invoice to transport fisheries and aquatic resources from the Municipality of Tigbauan to any point of destination	50/box	
Permit Fee to Berthing/Anchorage (For vessels/boat of 3-10 GT/day)	300.00	
Gathering of Sea Cucumbers/ Seaweeds	None	
For establishment of fish corrals(Punot) or Lift Net (Tangkal-Tangkal)	Fish Corral (Punot)	Lift net (Tangkal-Tangkal)
1. RosendoLedesma/TayEnsoy (Baguingin) – area fronting the Baguingin		
Minimum Annual Bid/Permit	20,000.00	8,000.00
2. TinteTinoy Area 4 fronting the bid tamarind tree of Barangay Namocon		
Minimum Annual Bid/Permit	20,000.00	8,000.00
3. Central – area fronting the coconut grove of Mrs. Maria Z. Zayco		
Minimum Annual Bid/Permit	20,00.00	8,000.00
4. Torrelavega – area located in front of Allera Street of Barangay Poblacion		
Minimum Annual Bid/Permit	20,000.00	8,000.00
5. Guibuangan – are located at the mouth of Sibalom River at Brgy. 9		
Minimum Annual Bid/Permit	30,000.00	8,000.00
6. Lim-ao – (Buyu-an) a combination of Baoy and Biday Sites located in front of Buyu-an Bridge		
Minimum Annual Bid	300,000.00	8,000.00
7. OdongQuine – (Buyu-an) located in front of the concrete school building of Buyu-an		
Minimum Annual Bid/Permit	30,000.00	8,000.00
8. Tia Laloy – (Buyu-an) located 100 meters more or less, last of Buyu-an Nanga main boundary		
Minimum Annual Bid/Permit	20,000.00	8,000.00
9. SALUDAN		
Minimum Annual Bid/Permit	30,000.00	8,000.00

SECTION 22. SCHEDULE OF OTHER FEES. - For the use and access to the coastal and fisheries resources within its municipal waters, the Municipality shall require the following:

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1. Conservation Fee - A fee of Php 20.00 per entrancde shall be collected daily from any person using the coastal and marine resources of the Municipality whether for swimming, snorkeling, or any other leisure activity; *Provided*, that municipal residents who can present identification as such are exempted from such fee unless they avail of private resort facilities in which case they shall also be charged conservation fees.

2. Diver’s Fee – All divers, whether undertaking an introductory dive or otherwise, using the coastal and marine resources of the Municipality/City are required to pay Php 500.00 per diving day, or opt to pay PhP 2000.00 for unlimited dive days in a given year.

Upon recommendation of the MFARMC, all academic and/or research institutions and other related groups which intend to undertake research and monitoring within the coastal area and municipal waters of Tigbauan shall be required to secure permit from the Municipal Agriculturist Office (MAO) to conduct academic research subject to the terms and conditions as may be provided in the implementing rules and guidelines; *Provided*, That all research outputs shall be submitted to the Municipality within one year from completion or publication. The Municipality shall collect the aforementioned as well as other fees for the use of the coastal and fisheries resources within its municipal waters according to the Schedule of Fees, as follows:

Accreditation and Registration Fees

TYPE OF ACTIVITY	STANDARD FEES
Foreign dive professionals	P 2,000.00 per year
Conservation Fee	P 20.00 per entrance

Upon recommendation of the MFARMC, and approval of the Mayor, the fees herein may be increased biennially at a maximum of 10%, without need for new legislation. The conservation, diver's and mooring fees above may be collected by the management of accredited resorts; *Provided*, that they have purchased pre-paid passes from the MAO.

SECTION 23. LICENSE TO OPERATE FISH TRAPS, PENS OR CORRALS, FISH CAGES, AND OTHER FACILITIES FOR THE CULTURE OF FISH AND OTHER FISHERY PRODUCTS.- All operators or owners of fish traps, pens or corrals, fish cages, and other facilities for the culture of fish and other fishery products shall be required to secure a license to operate such aquaculture and/or mariculture facilities, and pay the appropriate fees in accordance with schedule in Section 21 hereof; *Provided*, That such fees shall be subject to amendment in consultation with the MFARMC

CHAPTER V THE FISHERIES AND AQUATIC RESOURCES MANAGEMENT COUNCIL (FARMC)

SECTION 24. CREATION OF A FISHERY MANAGEMENT OFFICE. There is hereby created a Fishery Management Office (FMO) Pursuant to RA 7160 and E.O. 533 under the Municipal Agriculture Office. The office shall be headed by a Municipal Fishery Officer and support staff, preferably those with previous experience and background in fisheries management.

SECTION 25. CREATION OF THE MUNICIPAL FISHERIES AND AQUATIC RESOURCES MANAGEMENT COUNCIL (MFARMC). To institutionalize the major role of the fisherfolk and other resource users in the planning and formulation of policies and programs for the management, conservation, protection and sustainable development of fisheries and aquatic resources, FARMCs shall be established at the national level and in all municipalities/cities abutting municipal waters. However, the LGU may create the Barangay Fisheries and Aquatic Resources Management Council (BFARMCs)

SECTION 26. ORGANIZATION OF MFARMCS. The MFARMCs shall be formed by fisherfolk organizations/cooperatives and NGOs in the locality and be assisted by the Local Government Units (LGUs) and other government entities. Before organizing the FARMCs, the LGUs, NGOs, fisherfolk and other concerned POs shall undergo consultation and orientation on the formation of FARMCs.

- a. The Bureau of Fisheries and Aquatic Resources shall conduct massive information and education campaign on the formation of FARMCs and come up with an implementation strategy and action plan to ensure that FARMCs are formed according to the true spirit of fisherfolk empowerment.
- b. Trainor's Training shall be given to key DFAR implementing personnel, fisherfolk leaders, NGOs and LGUs.
- c. Fisherfolk organizations/cooperatives and NGOs who shall organize the FARMCs in the locality are those that are duly accredited by their respective LGUs.
- d. The LGU shall maintain a list of all existing fisherfolk organizations in the municipality which shall be a reference for the consultation and formation of FARMCs.
- e. Before the FARMC is organized, the LGU shall ensure that at least 90% of the fisherfolk/fishworkers in the municipality have been consulted and informed.
- f. Government entities who shall assist in the formation of FARMCs are the following: Departments of the Interior and Local Government (DILG), Environment (DENR), Social Work and Development (DSWD), Education, Culture and Sports (DECS) Justice (DOJ), Commission on Human Rights (CHR), League of Municipalities of the Philippines (LMP) and other concerned special agencies.

SECTION 27. TERMS OF OFFICE. The members of MFARMC, except the representative of different agencies concerned, shall serve for a term of three (3) years unless otherwise re-elected by their organization to represent as such.

SECTION 28. FUNCTIONS OF THE MFARMCS. The MFARMCs shall have the following functions:

- A. Assist in the preparation of the municipal fisheries development plan and submit such plan to the Municipal Development Council. The MFARMCs shall also evaluate implementation of the plan and submit recommendations for effective implementation.
- B. Recommend the enactment of municipal fishery ordinances to the Sangguniang Bayan through its committee on Fisheries.
- C. Assist in the enforcement of fishery laws, rules and regulations in municipal waters.
- D. Advise the Sangguniang Bayan on fishery matters through its Committee on Fisheries, if such has been organized.
- E. Perform such other functions which may be assigned by the Sangguniang Bayan.

F. The FACRMCs shall be consulted by the LGUs in:

- The management, conservation, development, protection, utilization and disposition of all fish and fishery/aquatic resources within their respective municipal waters.
- The enactment of appropriate ordinances;
- The determination of license fees of fishery activities in municipal waters. The FARMCs may also recommend the appropriate license fees that will be imposed;
- The establishment of catch ceiling limitations in municipal waters for conversation and ecological purposes.
- The establishment of closed seasons in municipal waters. The FARMCs may also recommend the establishment of closed seasons in fisheries management areas and other areas reserved for the use of municipal fisherfolk;
- Authorizing or permitting small and medium commercial fishing vessels to operate within the ten point one (10.1) to fifteen (15) kilometer are from the shoreline in municipal waters, though a public hearing;
- The formulation of necessary mechanisms for inclusion or exclusion procedures in limiting entry into the municipal waters that shall be most beneficial to the resident municipal fisherfolk. The FARMCs may likewise recommend such mechanisms;
- The designation/establishment of zones for the construction of fish pens, fish cages, fish traps and other structures for the culture of fish and other fishery products;
- Determination of defined migration paths of migratory fish species;
- The establishment of post-harvest facilities for fishing communities;
- Recommending to the Department that portion of the municipal waters for declaration as fishery reserves for special or limited use., for educational, research and/or special management purposes; and
- The establishment and designation of areas for fishery refuges and sanctuaries.

G. Submit to the LGU the list of priorities for consideration in determining priorities among those who will be allowed to fish in municipal waters.

Assist the LGU in maintaining a registry of municipal fishing vessels by type of gear and other boat particulars.

Be coordinated with by the BFAR in the development, conservation, protection, utilization and management of fisheries and aquatic resources.

The FARMCs shall also be coordinated with by the BFAR in:

- I. The establishment of a monitoring, control and surveillance system.
- II. The determination of overfished areas or areas in danger of being overfished or in need of regeneration in municipal waters.
- III. The settlement of conflicts in resource use and allocation.

H. Be coordinated with by the DENR in determining which abandoned, undeveloped, or unutilized fishponds covered by FLAs can be reverted to their original mangrove state.

I. The FARMCs through the NFARMC, shall also be consulted by the BFAR in the promulgation of Fisheries Administrative Orders (FAOs) or regulations for the conservation, preservation, management and sustainable development of fisheries and aquatic resources. These include, but not limited to: issuance of FAO regarding Non-Obstruction to Navigation, Non-Obstruction of Defined Migration Paths, in the drafting of the Code of Practice for Aquaculture, in certifying the necessity of importing fishery products, and in the promulgation of rules and regulations on the importation and exportation of fish and fishery resources. Consultations with FARMCs regarding the promulgation of FAOs shall be facilitated by BFAR.

J. The FARMC may recommend to the Department that portion of the municipal waters to be declared as fishery reserves for special or limited use, for educational, research and/or special management purposes.

SECTION 29. CREATION OF BFARMCS. Whenever necessary, the LGUs may create Barangay Fisheries and Aquatic Resources Management Councils (BFARMCs) and shall serve in an advisory capacity to the LGU.

SECTION 30. CREATION OF BANTAY DAGAT. There shall be created a Municipal Bantay Dagat under the Office of the Municipal Mayor to be composed of at least three (3) members from each coastal barangay of the municipality. Punong Barangays, barangay officials, BFARMC officials who have undergone training on law enforcement, to be deputized by the Municipal Mayor. They shall enforce this ordinance and other fishery laws and regulations with added duties and responsibilities:

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- a. To enforce all fishery laws, rules and regulations governing the use, conservation and protection of fishery and aquatic resources within the municipality;
 - b. To make arrest even without warrant of any person or persons who committed or are committing in their presence any of the offenses penalized under existing laws;
 - c. To formulate a law enforcement plan and standard operating pro
 - d. procedures to guide law enforcement operations;
 - e. To conduct surveillance patrols as a means of deterrence against would be violators;
 - f. To conduct on the spot and random boarding and search of fishing vessels operating in the municipal waters to determine any violators of fishery laws, observing due process and respect for human and property rights;
 - g. To apprehend fishing vessels and crew fishing in the municipal waters that are caught violating fishery laws, observing at all times due process and respect for human and property rights;
 - h. To escort apprehended vessels and crew safely to port for appropriate action;
 - i. To prepare required documents needed in filing a complaint against the apprehended fishing vessels and crew caught in municipal waters violating fishery laws;
 - j. To document and preserve all evidences seized in connection with the apprehension of fishing vessels and crew caught in municipal waters violating fishery laws;
 - k. To maintain a logbook containing an accurate record of the events and circumstances during boarding, apprehension, and escorting to port fishing vessels and crew caught in municipal waters violating the laws;
 - l. To act as government witness in court for the prosecution of criminal complaints against fishery violators and attend administrative or court hearings diligently until the case is resolved;
 - m. To conduct community and public information and education campaign in the Barangays, public markets, and schools on applicable fishery laws, rules and regulations, marine ecology, conservation and protection;
 - n. To enlist the active support and cooperation of the fishing communities, traders, private business, churches, non-government organizations, and the general public for the campaign;
 - o. To submit quarterly accomplishment reports to the Office of the Municipal Mayor, detailing the accomplishments, problems, and recommendations, and
 - p. To coordinate and collaborate with the Provincial Prosecutors Office of the department of Justice, Fisheries and Aquatic Resources Management Councils, Bureau of Fisheries and Aquatic Resources, Department of Environment and Natural Resources, Philippine National Police, Philippine National Police-Maritime Command, Philippine Coast Guard, and other law enforcement agencies in the enforcement of laws.

The Sangguniang Bayan may appropriate funds for the accident insurance of each bantay dagat members and honorarium of personnel conducting actual sea patrolling and operating expenses in maintaining a regular sea borne patrol.



SECTION 31. TENURE, MEETING AND COMPENSATION. The Municipal and Barangay FARMC members shall serve for three (3) years, with election of officers conducted every three (3) years. The election process will be facilitated by the MAO. The FARMC shall hold regular meeting every two months and may hold special meetings whenever necessary. Funds for the FARMC operations shall be sourced out from the budget of the MAO and the DA-BFAR.

SECTION 32. INCENTIVES TO BANTAY DAGAT MEMBERS OR LAW ENFORCEMENT OFFICERS. All fines or proceeds from law enforcement operation be it sale or confiscated catch or from administrative fines generated out of extra judicial settlements shall accrue to the following:

- a. fifty percent (50%) to the Municipal Government;
- b. fifty percent (50%) to the bantay dagat members and law enforcement officers responsible in the apprehension of the violator as incentive: and

SECTION 33. TAKING, CATCHING, SELLING, PROCESSING OR TRANSPORTING GRAVID CRABS, UNDERSIZED CRAB AND CRABLETS. It shall be unlawful to take, catch, sell, process or transport gravid crab and crablets, mud crabs and/or blue crabs with a carapace less than 11 centimeters Or 4.6 inches, in this municipality whether dead or alive.

SECTION 34. CAPTURE OF SABALO OR AWA AND OTHER BREEDERS/SPAWNERS. It shall be unlawful for any person to catch, gather, capture or possess mature milkfish or "Sabalo or Awa" and such other breeders or spawners of other fishery species as may be determined by the DA-BFAR. Provided that catching of "Sabalo or Awa" and other breeders/spawners for local breeding purposes or scientific research purposes may be allowed subject to guidelines promulgated by the DA-BFAR.

SECTION 35. BAN ON CORAL EXPLOITATION AND EXPORTATION. It shall be unlawful for any person or corporation to gather, possess, sell or export ordinary, precious and semi-precious corals,

whether raw or in processed form except for scientific or research purposes. Confiscated corals shall either be returned to the sea or donated to schools and museums for educational or scientific purposes or disposed through other means.

SECTION 36. FISHING OR TAKING OF RARE OR THREATENED SPECIES. It shall be unlawful to fish or take rare or threatened species as listed in the CITES and as determined by DA-BFAR to include pawikan and dugong (critically identified, threatened and endangered species).

SECTION 37. GATHERING, TAKING, REMOVING OR COLLECTING OF CAPIZ SHELLS (PLACUNA PLACENTA). It shall be unlawful to gather, take, remove or collect capiz shells less than 80 millimeters in diameter measured from the base perpendicular towards the top edge of the shell, and the use of mechanical rakes and dredges or the use thereof on board a motorized boat are hereby prohibited.

SECTION 38. GATHERING AND MARKETING OF SHELLFISH. It shall be unlawful for any person to take, sell, transfer, or have in possession for any purpose any shellfish from the municipal waters of this municipality which is sexually mature or below the minimum size or above the maximum quantities prescribed for the particular species and/or have been declared contaminated with RED TIDE TOXINS by the DA-BFAR.

SECTION 39. USE OF TRAWL, "PAGUYOD" OR "HULBOT-HULBOT." It shall be unlawful for any person to fish with the use of trawl, "paguyod" and "hulbot-hulbot" in municipal waters.

SECTION 40. FISHING WITHIN ESTABLISHED ARTIFICIAL REEF OR FISH SHELTERS. Established artificial reef or fish shelters are hereby declared as restricted areas whereby no fishing shall be allowed within the distance of fifty (50) meters from the said reefs/shelters. Provided, however, that only exclusive grantee or license of artificial reefs or fish shelters can fish within their respective fish aggregates.

SECTION 41. ILLEGAL CONSTRUCTION AND OPERATION OF FISH CORRALS/TRAPS, FISH PENS AND FISH CAGES. It shall be unlawful to construct and operate fish corrals/traps, fish pens and fish cages without a license/permit. Likewise, it is unlawful to construct the same outside the designated zones, and within a distance of two hundred (200) meters of another fish corral or one hundred (100) meters in Freshwater unless they belong to the same licensee or grantee but in no case less than sixty (60) meters apart except in waters less than two (2) fathoms at low tide.

SECTION 42. ILLEGAL SUB-LEASE, TRANSFER OF RIGHTS, QUIT CLAIMS, WAIVER OF RIGHTS, ETC. Licenses/permits shall not be transferred by lease or mortgage. The licensee/permittee shall not sub—lease a fishery farm lot under license or any part thereof. He may however transfer his rights and interest over the farm lot in accordance to Section 46, hereof.

SECTION 43. FAILURE TO COMPLY WITH MINIMUM SAFETY STANDARDS. The owner and boat captain of a fishing boat engaged in fishing who upon demand by proper authorities, fails to exhibit or show proof of compliance with the safety standards, shall be immediately prevented from continuing with his fishing activity and escorted to the nearest port or landing point. The license to operate the fishing boat shall be suspended until the safety standard has been complied with.

SECTION 44. FISHING THROUGH THE USE OF EXPLOSIVES, NOXIOUS OR POISONOUS SUBSTANCES, ELECTRICITY AND COMPRESSOR. 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, compressor, explosives, and noxious or poisonous substances in the municipal fishery areas. The use of poisonous substances to eradicate predators in fishponds, in accordance with accepted scientific practices and without causing adverse environmental impact in 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 and compressor in any vessel or in the possession of any fishers, operator or fish worker, shall constitute a 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 the use of explosive, noxious or poisonous substances, or by electricity and compressor, shall constitute prima facie evidence, that the owner, operator, or fisher is fishing with the use thereof.

CHAPTER VI COASTAL AND FISHERIES RESOURCES MANAGEMENT STRATEGIES

SECTION 45. FISH AGGREGATING DEVICE (FAD)/PAYAO USE.- The Municipality/City shall strictly regulate the installation and use of fish aggregating devices, locally known as 'payaos', and other fish attracting devices that may be developed within its municipal waters; Provided, however, that in no case shall such fish aggregating device be installed within marine protected areas and distance from MPAs shall be recommended by the MFARMC in consultation with the DA-BFAR and academic institutions.

No operator or owner of commercial fishing vessels shall be allowed to invest in, use and/or utilize such fish aggregating device within the municipal waters; *Provided, finally*, that the Municipality/City shall not allow any person to install more than one fish aggregating device at any time.

SECTION 46. ESTABLISHMENT OF PAYAO/ FISH AGGREGATING DEVICES (FADs). The establishment of "payao" in the Municipal waters shall be regulated. As such any person or entity who shall establish/install such structure shall secure a permit from the Municipal Mayor upon the recommendation of the MFARMC and subject to the following policies:

- a. Artificial reefs/payao shall be established/installed primarily to enhance fish stocks;
- b. The establishment/installation of artificial reefs/payao shall be two hundred (200) meters from the existing "punot" saludan or where rights have been granted.
- c. The permittee shall have exclusive fishing rights within fifty (50) meter radius from the artificial reef/payao.

SECTION 47. USE OF PAYAO.

1. The municipal government shall regulate the use of payao or other fish aggregating devices in the municipal waters. Only registered fisherfolks, fisherfolk associations/cooperatives and the LGU shall be allowed to install payao or any kind of fish aggregating devices in the municipal waters for their exclusive use.
2. The registered fisherfolk, fisherfolk associations or organizations are allowed to invite commercial fishing vessels (small and medium commercial fishing vessels) to fish in payao, provided it is beyond 10.1 kilometers to (15) kilometer area from the shoreline in municipal waters or not less than seven (7) fathoms deep.
3. Not more than five (5) units of Municipal payao(s) shall be allowed to be installed by fisherfolk-permittee and not more than five (5) units of payao(s) for fisher folks cooperative/association-permittee.
4. Municipal Payao(s) must be made of bamboo with a flasher light. Payao installed by fisherfolk permittee shall be deployed not less than five (5) kilometers distance from the shoreline. For payao(s) of recognized fisherfolk cooperatives/associations they are allowed within 5 kilometer distance from the shoreline provided in observance to criteria recommended by the office of the Municipal Agriculturist and only hook and line fishing gear is allowed. (and installed not below five (5) kilometers from the shoreline, except for payao(s) of recognized fisherfolk cooperatives/associations which is allowed within 5 kilometer distance from the shoreline in observance to criteria recommended by the office of the Municipal Agriculturist and only hook and line fishing gear is allowed.)
5. Commercial Payao(s). The payaos shall be made of styrofoam or based in BFAR design and ring nets and purse seine fishing gear is allowed.
6. Permittee of payao shall have the obligations to:
 - a. Submit complete requirements and accomplish the required forms to the Fisheries Resources Management Office under the Municipal Agriculture Office. Provide the proposed position for deployment and for validation using the Global Positioning System (GPS) for coordinates of payao(s) to be installed in the municipal waters prior issuance of permit and monitoring.
 - b. Provide in every payao a proper signage made of cloth colored orange with one (1) meter in width and one and a half (1 1/2) meters in length fixed in a pole of at least two meters in height and with printed number assigned by the Local Government Unit.
 - c. Provide in every payao a plate made of acrylic colored white with one (1) foot in width and one (1) foot in length and with printed number assigned by the Local Government Unit. To maintain the markings and should not tamper the information in the plate.
 - d. For commercial payao applicant vessels as well as the ship-owner, employer, captain and crew have been certified by the appropriate agency as not having violated Code, environment laws and related laws.
 - e. Submit monthly fish catch report for fisherfolk association funded project and annual fish catch report for fisherfolk permittee and commercial payao for proper monitoring and ensure sustainable fishing practices.

SECTION 48. IMPOSITION OF FEES AND CHARGES ESTABLISHMENT OF PAYAO

An amount of seven thousand five hundred (7, 500.00) per unit shall be collected yearly from the operators/owners for every commercial payao installed. However, no charges will be collected for payao(s) from the government-funded and operated by the fisherfolk association.

SECTION 49. FINES AND PENALTIES

Violators of Section 48 of this Ordinance shall be meted out the following fines & penalties:

- 49.1 Unless otherwise specifically provided in this Ordinance, the imposition of administrative fines and penalties shall follow the schedule provided below:
- a.) 1st Offense: - {P500.00} every violation committed;

49.2 All fines imposed under this Section shall accrue to the General Fund of the Municipality

SECTION 50. FISH CATCH DOCUMENTATION. The Municipality Tigbauan requires all registered fisherfolk and fish traders, to submit fish catch data to the M/CAO in a manner that is agreed upon by the stakeholders and in consultations with the M/CFARMC. The M/CAO shall coordinate with the DA-BFAR for technical support.

SECTION 51. WATER QUALITY MANAGEMENT. The Municipality/City, in coordination with the M/CAO and/or M/CENRO, shall undertake to ensure the management of water resources and its quality in its municipal waters. The M/CAO in coordination with the M/CENRO shall conduct regular monitoring and evaluation of the status of the water quality in coordination with the DENR and other appropriate agencies/institutions.

SECTION 52. USE OF "SUNGKIT." The use of sungkit in the municipality is allowed provided the following conditions are met:

- a. the operator has complied with all requirements and paid the corresponding license, permit and other payments;
- b. fishing operation or the use of such gear is intended only for "hipon" (ascetis sp.)
- c. Only motorized banca with 3GT and below using a single piston motor is allowed.

SECTION 53. USE OF SAHID (100 METERS, manually operated). The use of sahid is allowed in municipal waters provided the following conditions are met:

- a. the operator has complied with all the requirements and paid the corresponding license, permit and other payments;
- b. fishing net to be used is 3cm and above.
- c. The beach seine shall not exceed 100 meters.

SECTION 54. ESTABLISHMENT/INSTALLATION OF "SALUDAN." The establishment of "saludan" in the municipality is allowed provided the following conditions are met:

- a. the operator has complied with all requirements and paid the corresponding license, permit and other payments;
- b. fishing operation or catch should be mostly "hipon" (ascetic sp.)

SECTION 55. SUPPORT TO MUNICIPAL FISHERS.- The Municipality/City, in coordination with appropriate agencies and institutions, shall provide budgetary allocation and other forms of support to municipal fishers and/or fisherfolk organizations or cooperatives through appropriate technology and research, credit, production and marketing assistance and other services, such as, but not limited to, trainings for alternative or supplementary livelihoods.

SECTION 56. MANDATORY USE OF PERSONAL FLOTATION DEVICES (PFDS)/LIFE JACKETS. Requiring fisherfolk to wear or bring life jackets during fishing operations.

56.1. Terms and Requirements for the Mandatory Use of Personal Flotation Devices (PFDs)/Life

Jackets

- a. All registered fisherfolk operating within the municipal waters of Tigbauan, regardless of the type or size of the fishing vessel, or whether the operation is for commercial or subsistence purposes, shall wear or have readily accessible a properly fitted and U.S. Coast Guard-approved (or equivalent international/national standard) Personal Flotation Device (PFD) or Life Jacket for each person onboard the vessel during the entire duration of the fishing operation, from departure until safe return to shore.

- b. Condition and Maintenance. All mandated PFDs/Life Jackets must be maintained in serviceable condition, free from rot, tears, mildew, or damage that would impair their buoyancy or effectiveness. They must be appropriately sized for the intended wearer.
- c. Exceptions. The Municipal Mayor, upon the recommendation of the Municipal Disaster Risk Reduction and Management Office (MDRRMO) and the Municipal Fisheries and Aquatic Resources Management Council (MFARMC), may issue a temporary exemption for specific, controlled fishing activities or areas where the use of PFDs/Life Jackets presents a demonstrated, unavoidable safety hazard or operational constraint; however, such exemptions shall be rare and narrowly defined.
- d. Penalty for Non-Compliance. Any fisherfolk or vessel owner/operator found to be in violation of this Section shall be subject to the penalties outlined in Chapter IX (Penal Provisions) of this Ordinance
 - a. Fine Remittance. All fines collected under this Ordinance shall be remitted to the Municipal Treasurer's Office and shall be used primarily for the Fisheries and Coastal Resource Management Fund and the procurement of safety equipment for local fisherfolk.
- e. Enforcement Authority. The primary enforcement of this section shall be vested in the Municipal Fisheries and Aquatic Resources Management Council (MFARMC) Bantay Dagat unit, the Philippine Coast Guard Sub-station Tigbauan, the Philippine National Police (PNP) Maritime Group, and the Municipal Agricultural Office (MAO), who shall issue citation tickets for violations.
- f. Due Process. Any fisherfolk or operator cited for a violation shall be given the opportunity to contest the citation before the Municipal Mayor within seven (7) days of issuance.

CHAPTER VII ESTABLISHMENT OF TAMBON (ARTIFICIAL REEF)

It is the policy of the Municipality Tigbauan to conserve, protect, and rehabilitate marine and coastal resources, and to promote sustainable fisheries in accordance with Republic Act 8550 (Philippine Fisheries Code of 1998), as amended by RA 10654, and RA 7160 (Local Government Code). The artificial reef will restore degraded marine habitats, establish artificial reefs to enhance fishery productivity, provide breeding, nursery, and feeding grounds for marine species, protect coastal ecosystems from illegal fishing, promote community-based marine resource management, Encourage eco-tourism compatible with marine conservation.

SECTION 57. DESIGNATION OF ARTIFICIAL REEF (AR) SITES. The LGU shall identify and designate specific sites within municipal waters as Artificial Reef Zones, based on technical assessments conducted by the Municipal Agriculture Office – Fisheries Section, BFAR, FARMC, and other concerned agencies.

57.1. Site Selection Criteria. Artificial Reef sites shall meet the following criteria: Water depth suitable for AR installation 15-25 meters, Substrate composed of sand, rubble, or barren area, located outside navigation routes, no conflict with existing fishing grounds or MPAs, approved by BFAR and FARMC.

57.2. Mapping and Documentation. All AR sites shall be geotagged and reflected in the Municipal Fisheries Ordinance Map and included in the Coastal Resource Management (CRM) database.

SECTION 58. ARTIFICIAL REEF MATERIALS AND STANDARDS. Only non-toxic, durable, and BFAR-approved materials shall be used, such as: Concrete modules, Marine-safe composites, bamboos, Pre-cast structures specifically designed for reefs.

58.1. Prohibited Materials. The following materials shall not be used for artificial reefs: Junk vehicles, appliances, or scrap metal, tires, plastics, or chemical-contaminated material, any structure that may threaten navigation or marine life.

SECTION 59. IMPLEMENTING AGENCIES. The following agencies shall oversee the Artificial Reef Program: Municipal Agriculture Office – Fisheries Section, Municipal/ Fisheries and Aquatic Resources Management Council (FARMC), Bureau of Fisheries and Aquatic Resources (BFAR), Accredited fisherfolk organizations and NGOs.

59.1. Responsibilities: Conduct site assessment and installation, monitor and report AR effectiveness annually, conduct community consultations, submit annual report to the Mayor and Sangguniang Bayan.

59.2. Community Participation: Local fisherfolk, people's organizations, coastal communities, and accredited NGOs may participate in AR construction, deployment, protection, and monitoring.

SECTION 60. REGULATION AND PROTECTION. Prohibited Acts in Artificial Reef Zones. The following shall be strictly prohibited: Use of active fishing gear (trawl, purse seine, compressor fishing, etc.), Anchoring, grounding, or dragging of boats, Removal or destruction of AR structures, Collection of marine organisms without permit, Dumping of garbage, waste, or toxic materials, Any activity that may cause siltation, damage, or pollution.

60.1. Special Use Permits: Scientific research, eco-tourism activities, diving, and educational activities may be allowed with written authorization from the Local Chief Executive, upon recommendation of FARMC.

60.2. Imposition of Fees. A fee of Two Thousand Five Hundred Pesos (P2,500.00) shall be collected from interested tourists and local anglers who wish to conduct fishing activities within the Artificial Reef (AR) area. An Environmental Fee of One Hundred Pesos (P100.00) shall likewise be imposed on all tourists and local visitors entering the AR site.

CHAPTER VIII POST-HARVEST FACILITIES AND ACTIVITIES

SECTION 61. ESTABLISHMENT OF POST-HARVEST FACILITIES. The Municipality/ City shall coordinate with the M/CFARMC, private sector, and other concerned agencies in the establishment of post-harvest facilities, such as, but not limited to, municipal ports, municipal or community fish landing sites, ice plants, cold storage, and other fish processing establishments to serve primarily the needs of the municipal fishers.

SECTION 62. CONSTRUCTION AND MANAGEMENT OF MUNICIPAL FISH PORTS. The Municipality shall coordinate with the Philippine Fishport Development Authority (PFDA) in the construction and management of municipal fish ports in areas that are designated in their Coastal and Fisheries Resources Management Plan and in accordance with the General Management Plan and the FMA plan. Such municipal fish ports shall be designed in a manner that the water quality parameters, such as salinity, temperature, dissolved oxygen, bathymetry, and the like, shall be taken into consideration; *Provided*, That such municipal/city fish ports and facilities shall secure the necessary permits and environmental compliance certificate as required by existing environmental laws and regulations.

SECTION 63. COMMUNITY FISH LANDING CENTER (CFLC). The municipal government in collaboration with the federation or fisherfolk organization shall maintain and operate the CFLC to serve its purpose in consultation and assistance from B/MFARMC and identified partner fisherfolk organization, allocation of funds in the operation and adaptation of the Approved Operations and Maintenance Manual thereof.

SECTION 64. OPERATION AND MAINTENANCE OF CFLC. The CLFC is intended to improve the lives and livelihood of municipal fisherfolk through:

1. Providing better post-harvest handling and processing systems, and faster access to markets to reduce post-harvest losses and increase incomes;
2. Sharing of knowledge and information, to improve the quality of the products and increase the fisherfolk's fair share in the value of the products;
3. Providing access to vital services to ensure clean, safe and legitimate fishing practices, including post-harvest handling and processing technologies, registration and licensing, weather and disaster warning, and the like;
4. Enhancing sustainable fisheries management with the help of science based monitoring of the condition of the fishing grounds and fish stocks at the local level;
5. Facilitating organizational development and strengthening of fisherfolk, including women so they can effectively participate in decision-making processes and avail of the services that affect their welfare;
6. Providing incentives for aggregating the harvests of small-scale fishers to increase market value and market access.

The CFLC is envisioned to provide the fishing community with a simple and cost effective support infrastructure that will serve the following functions:

1. Trading hub for fresh catch and processed products;
2. Post-harvest handling and processing center;

3. Training center for skills development, including data collection for fisheries management;

SECTION 65. IMPOSITION OF FEES is hereby amended as follows:

The following shall be the fees and charges that will be imposed in availing the services of the Tigbauan CFLC:

SECTION 66. COMMISSION BASED SYSTEM. All fish supplies will be auctioned at Tigbauan Community Fish Landing Center and will be deducted by five (5) percent (%) commission rate.

SECTION 67. ACCREDITATION FEE. No person from outside Tigbauan can transact in Tigbauan CFLC without first paying an Annual Accreditation Fee of Three Hundred (Php 300.00) to the Municipal Treasurer, and having been issued a Certificate of Accreditation by the Municipal Mayor as Chairman of the CFLC Management Board, may transact business inside the CFLC with the duly accredited brokers, vendors, and clients.

SECTION 68. SPACE/STALL RENTALS. Any qualified person as may be determined by the CFLC Management Board may be allowed to rent stalls or spaces inside the CFLC premises, provided that the lessee shall follow the terms and conditions of the CFLC, to include but not:

- i. First Floor – fifty per square meter {Php 50.00/sq. m. (area)/stall} every month (ex. {P50 x9 sq. m} = four hundred fifty{Php 450.00}). Exclusive only for non-fishery products.
- ii. Second Floor – Five Hundred {Php 500.00/day} inclusive of electricity and table and chairs.

SECTION 69. BIDDING SYSTEM. The bidding system will follow the highest bidding price policy. If there is no one else bidding against the bidder, the auctioneer will announce on bidder's hammer price.

SECTION 70. MANNER OF PAYMENT. After Auction/Bidding, the commission rate is charged to the purchased fish supply and paid to the CFLC Cashier.

SECTION 71. EVIDENCE OF PAYMENT. All fees/charges shall be issued ticket stubs or corresponding forms or receipts by the collector assigned/authorized by the Municipal Treasurer and shall accrue to the Trust Fund of the Municipality of Tigbauan.

SECTION 72. AUXILIARY INVOICE. - All fish and fishery products must have an auxiliary invoice to be issued by the Municipality through the Municipal Agriculturist Office prior to their transport to and/or from their point of origin within the municipality from and/or to their point of destination in the Philippines, including those for export purposes upon payment of the prescribed fee to therefor; *Provided*, that the municipal government, in the issuance of such auxiliary invoices for the transport of fish and fishery products, must provide a monthly summary thereof to the Provincial Fisheries Office. No auxiliary invoice shall be issued to culture pearls, products transported or unloaded by Philippine Registered fishing vessels, products caught or gathered in violation of fisheries laws or declared as health hazard. The Municipality/City shall ensure that no fish caught through the use of explosives shall be issued an auxiliary invoice; *Provided, finally*, that the LGU personnel authorized to issue Auxiliary invoice shall also undergo the mandatory training on the detection of fish caught through the use of explosives.

CHAPTER IX ADMINISTRATION AND MANAGEMENT

SECTION 73. FUNCTIONS OF MUNICIPAL AGRICULTURE OFFICE (MAO) IN FISHERIES MANAGEMENT. As responsible for the management, conservation, development, protection utilization, and disposition of all fish and fishery/aquatic resources within the municipal waters of Tigbauan, the LGU through its MAO, and in coordination with the Municipal Planning and Development Office (MPDO), and/or MENRO, and other relevant offices shall have the following functions:

1. Assist in the organization and reorganization of FARMCs;
2. Prepare and implement its Municipal Fisheries Development Plan, in consultation with the MFARMC;
3. Issue licenses for the operation of municipal fishing vessels, in coordination with the Municipal Treasurer's Office (MTO);
4. Issue certificate of number to all the registered municipal fishing vessels, in coordination with the Municipal Treasurer's Office (MTO);
5. Issue certificate of fisherfolk registration cards to registered fisherfolk engaged in municipal fishing;
6. Grant privileges to erect fish corrals, oyster mussels or other aquatic beds or bangus fry areas.
7. Grant privileges to gather or catch bangus fry, prawn fry, or fry of other species.

8. Authorize the establishment and operation of ferries, wharves, and other structures, also included are marine and seashore activities intended to accelerate production, and
9. Regulate the preparation and sale of fish for public consumption
10. Establish and maintain data base system or Comprehensive Information System;
11. Provide extensive development support services in all aspect of fisheries production, processing and marketing;
12. Coordinate with BFAR in the provision and technical assistance on the improvement of quality of fish from the time it is caught (i.e. on board fishing vessel, at landing areas, fish markets, to the CFLC and to the distribution and marketing chain);
13. Coordinate efforts relating to fishery production undertaken by the primary fishery producers, BFAR, FARMCs and other fishery organizations/cooperatives.
14. Maintenance of proper sanitation and hygienic practices in fish markets and fish landing areas;
15. Coordinate with BFAR, DILG and other related agency for the efficient monitoring, control and surveillance of fishing activities within Philippine territorial waters and provide the necessary facilities, equipment and training therefor;
16. Coordinate with the DILG Regional Offices in the reporting and submission of the Fisheries Compliance Audit (Fish CA);
17. Implement an inspection system for all fishery/aquatic products, consistent with international standards to ensure product quality and safety;
18. Coordinate with BFAR and other concerned agencies for the establishment 823 of productivity enhancing and market development programs in fishing communities to enable women to engage in other fisheries/economic activities and contribute significantly to development efforts;
19. Enforce all laws, formulate and enforce all rules and regulations governing the conservation and management of fishery resources within municipal waters, and to settle conflicts of resource use and allocation in consultation with the M/CFARMC;
20. Develop value-added fishery-products for domestic consumption and export;
21. Assist the LGUs in developing their technical capability in the development, management, regulation, conservation, and protection of the fishery resources;
22. Adopt an appropriate monitoring, control and surveillance and traceability system for municipal fishing vessels supplying exporters with concurrence of the local government units;
23. Perform such other related functions which shall promote the development, conservation, management, protection and utilization of fisheries and aquatic resources.

SECTION 74. MUNICIPAL FISHERY TECHNICIAN. The Municipal Government of Tigbauan, through its Sangguniang Bayan, shall create the position of a Municipal Fishery Technician who will be under the direct supervision of the Municipal Agricultural Officer (MAO) of the Local Department of Agriculture.

SECTION 75. FUNCTIONS OF THE MUNICIPAL FISHERY TECHNICIAN. The MFT shall have the following functions:

- a. To formulate and recommend to the Municipal Development Council a comprehensive plan for the Municipal Fishery Sector;
- b. To establish and maintain a comprehensive fishery information system;
- c. To provide technical assistance and other support services to the Municipal Fisherfolks in all aspects of modern fisheries production, processing and marketing;
- d. To provide advisory services to the Local Chief Executive, Sangguniang Bayan of fisheries sector, Municipal Agriculture Office;
- e. To advice and coordinate with the Local Government on the maintenance of proper sanitation and hygienic in fish market and fish port areas;
- f. To coordinate efforts relating to fishery production undertaken by a fishery producer, the FARMC, fishery organizations and cooperatives;
- g. To maintain the list of all registry of the names of all fisherfolks including fish workers in the Municipal Waters;
- h. To implement and inspection system for import and export of fishery and other aquatic products;
- i. To enforce all laws and ordinances governing the conservation, protection, development and management of fishery and aquatic resources of the Municipality;
- j. To perform such other functions which shall promote the development, management, protection and utilization of fisheries and aquatic resources;

To see to it that all fisherfolks fishing within the Municipal Waters has complied with license and permit fees imposed by the municipality.

SECTION 76. ROLE OF BARANGAYS.- In the implementation of fisheries management programs of the Municipality/City, the Barangays shall provide complete and total support, and shall coordinate or assist endeavors of the city or municipality. The Barangay shall be tasked with the following powers and responsibilities:

1. Assist in the organization and reorganization of BFARMCs
2. Coordinate and/or participate in the preparation and implementation of the Municipal Fisheries Development Plan;
3. Maintain proper sanitation and hygienic practices in fish markets and fish landing areas and in the barangay through the full enforcement of R.A. No. 9003, the Ecological Solid Waste Management Act and pertinent city/municipal ordinances;
4. Formulate and enforce all rules and regulations governing the conservation and management of fishery resources within municipal waters, and to settle conflicts of resource use and allocation in consultation with the MFARMC; and
5. Perform such other related functions which shall promote the development, conservation, management, protection and utilization of fisheries and aquatic resources.

**CHAPTER X
COASTAL LAW ENFORCEMENT (CLE)**

SECTION 77. CREATION OF THE CLE TEAM: ITS COMPOSITION, POWERS AND FUNCTIONS. -

A Municipal Coastal Law Enforcement Team is hereby created and shall be composed of the following:

1. Municipal Agriculturist Officer and/or Municipal Fishery Technician
2. Municipal/City Disaster Risk Reduction and Management Officer;
3. Deputized Bantay Dagat (fish wardens);
4. M/FARMC;
5. Philippine National Police and;
6. DA-BFAR;
7. Philippine Coast Guard (whenever applicable).
8. Civil society sector representative (optional or whenever applicable)

SECTION 78. ROLES AND RESPONSIBILITIES. It shall perform the following functions and responsibilities:

1. Implement the penal provisions of the Ordinances as well as fisheries laws, rules and regulations;
2. Undertake various strategic operations, such as, but not limited to, seaborne, land-based, market-denial, checkpoints, against illegal, unreported and unregulated fishing;
3. Formulate and implement operations plans for the purposes 876 of preventing, arresting and apprehending, searching, prosecuting, among others, against fisheries law violations;
4. Coordinate with the Protected Area Office and/or Protected Area Superintendent in protected areas to ensure the effective enforcement of protected area and other environment laws and regulations;
5. Act as complainant and whenever necessary, act as witnesses, in any suit, including citizen's suits, that are filed for any violation of fisheries, protected area and other environmental laws and regulations;
6. Conduct boarding and inspection in fishing boats operating inside municipal waters;
7. Improve capacities for law enforcement through trainings, seminars, workshops and meetings;
8. Collaborate with stakeholders for capacity training;
9. Perform such other functions as may be necessary and prescribed by laws, rules and regulations.

SECTION 79. DEPUTATION OF BANTAY DAGAT/PARK RANGER. - No person shall be deputized as Bantay Dagat (Fish warden) or Park Ranger unless he or she has completed a comprehensive training course for Bantay Dagat or Park Rangers as prescribed by the Department of Environment and Natural Resources (DENR) and/or BFAR. After the completion of such training course, the Municipal/City Mayor and/or DENR shall issue a certificate of deputation and identification cards to each deputized Bantay Dagat/Park Ranger.

**CHAPTER XI
PROHIBITIONS AND PENALTIES**

SECTION 80. ENFORCEMENT OF FISHERY LAWS, RULES AND REGULATIONS. The Municipality/City shall assist in the enforcement against prohibited acts or omissions as provided in the Philippine Fisheries Code (Republic Act 8550, as amended by Republic Act 10654), Philippine Wildlife Act (Republic Act 9147), and other environmental laws. The rules and regulations under the NIPAS Act and E-NIPAS Act and those identified by the PAMB and by the FMA Management Board shall likewise be deemed included in the list of prohibited acts herein. In addition to these acts, the following are considered as offenses against this ordinance:

1. Undertaking activities that would cause damage to the resources within the various zones as identified in Section 6 hereof;
2. Removing, damaging or stealing marker buoys established in accordance with Section 7.2 hereof;
3. Fishing and/or operating in municipal waters by municipal fishers, municipal fisherfolk organizations or cooperatives, and municipal fishing vessels without registration, including those in adjacent municipalities, in violation of Section 10 hereof;
4. Operating municipal fishing vessels in municipal waters without complying with the color and letter coding as an identification scheme in violation of Section 16 and Section 17 hereof;
5. Fishing without observing the number, size or length of fishing gears per fisherfolk as may be imposed by the Municipality/City in violation of Section 18 hereof;
6. Acting or practicing trade as dive guides, instructors, dive masters, 'spotters', and the like without securing the necessary accreditation and registration in violation of Section 24 hereof;
7. Operating commercial establishments and/or resorts without the necessary accreditation and registration of their commercial activities in violation of Section 24 hereof;
8. Using the coastal and marine resources of the Municipality/City whether for swimming, snorkeling, or any other leisure activity without the payment of the necessary conservation fee in violation of Section 24 hereof;
9. Anchoring, mooring, berthing or docking in any part of the municipal waters by any vessel without the payment of the necessary fees, or non-payment of terminal fees in violation of Section 24 hereof;
10. Using and/or utilizing fish aggregating device or "payao" by any operator or owner of commercial fishing vessels, installing fish aggregating device outside the designated areas, or installing more The required number of fish aggregating device in violation of Section 37 hereof;
11. Failure to report their catch in violation of Section 38 hereof;
12. Fishing in areas declared as overfished areas by the Municipality/City in violation of Section 39 hereof;
13. Operating aquaculture and/or mariculture facilities or undertaking aquaculture and/or mariculture activities in violation of the prescribed guidelines or failure to meet the minimum standards in violation of Section 44 hereof;
14. Failure to register or secure a license to operate aquaculture and/or mariculture facilities by operators or owners of fish traps, pens or corrals, fish cages, and other facilities for the culture of fish and other fishery products in violation of Section 44 hereof;
15. Obstructing navigational routes or defined migration routes in violation of Section 46 hereof;
16. Constructing or operating municipal/city fish ports and facilities without the necessary permits and environmental compliance certificate as required by existing environmental laws and regulations in violation of Section 48 hereof;
17. Transporting of fish and fishery products without the necessary auxiliary invoice in violation of Section 51 hereof.

SECTION 81. USE OF COMPRESSORS. It shall be unlawful for any individual who is engaged in fishing activities to use or cause to be used a compressor as a breathing apparatus for fishing activities. The discovery of a compressor in a fishing boat or vessel while engaged in fishing activities shall vessel will use the same.

SECTION 82. NON-COMPLIANCE WITH VESSEL MONITORING MEASURES (VMM) TRANSITING, ANCHORING AND/OR DOCKING IN PUBLIC OR PRIVATE PORTS INSIDE MUNICIPAL WATERS. For purposes of monitoring commercial fishing vessels within municipal waters, all commercial fishing vessels transiting, anchoring and/or docking in public or private ports inside the municipal/city waters of this Municipality are required to install a VMM device on their fishing vessel within a period of 6 months from the effectivity of this Ordinance. Such a VMM device shall be that which is required by and defined in Fisheries Administrative Order 266, series of 2020. It shall be unlawful to transit, anchor and/or dock in private or public ports inside municipal/city waters without complying with the VMM requirement. It shall also be unlawful to intentionally tamper with, switch off or disable the VMM device. The discovery of any person operating a commercial fishing vessel inside municipal waters without any VMM device or having inoperable units shall constitute a prima facie presumption that the person is not in compliance with this provision.

SECTION 83. PENALTIES. All above-mentioned offenses shall have uniform penalties depending on the frequency of the commission of the offense:

1. First Offense: Fine ranging from P500.00 but not more than P1,000.00 at the discretion of the court.

2. Second Offense: Fine ranging from P1,000.00 to P2000.00 or imprisonment for 10 days but not more than 1 month or both at the discretion of the Court.
3. Third Offense: Fine ranging from P2,000.00 but not more than P2,500.00 or imprisonment for 1 month and 1 day but not more than 2 months or both at the discretion of the Court.

Any fisherfolk who had been found guilty for more than three (3) times of one (1) or a combination of two (2) or more offenses herein listed shall no longer be eligible to avail of administrative adjudication allowing payment of fines. Instead, he/shall be prosecuted criminally and be made to pay the maximum penalty of fine and imprisonment. *Provided*, That in case of failure to pay the fine the violator shall be required to render community service equivalent to his penalty computed at P100.00 per day. *Provided*, further, That the Municipal/City Adjudication Board (M/CAB) in the exercise of its power may impose the penalty of fine to offenders who are willing to plead guilty to the offense and express willingness to pay the fines as hereinabove stated.

SECTION 84. OBSTRUCTION IN THE ENFORCEMENT OF FISHERY LAWS. Any person who evades, obstructs or hinders any fishery office of the Department or BFAR or its deputy fishery officer and deputized fish warden and Bantay Dagat of the Municipality and the FARMC to perform their duties, to enforce Fishing Laws, shall be fined Two Thousand Five Hundred Pesos (PhP2,500.00). In addition, the registration, permit and/or license of the vessel and as fisherman shall be cancelled.

SECTION 85. OTHER VIOLATIONS. Other violations on fishery laws or existing ordinances not herein included in this code shall be governed by the provisions of Republic Act No. 8550, otherwise known as the Philippine Fisheries Code of 1998; and the Bohol Environment Code of 1998.

In addition to the previous section, the following acts or omissions are likewise prohibited:

1. Taking of any animal, plant or abiotic element of the ecosystem within the MPAs, except for scientific purposes and under a permit issued by the Municipality and appropriate national government agencies;
2. Ferrying or providing services to divers without a Dive Pass or with a tampered or blank dive pass, provided that in every case, the boat captain shall be held liable for violation of this provision; and
3. Building of any structures from the no-build zone and beyond (seaward), except for temporary floating piers, boat ramps, safety buoys and the like, that do not obstruct the passage of people and boats.

CHAPTER XII FUNDING PROVISIONS

SECTION 86. FINANCING AND SOURCES OF FUNDS.- The Municipality shall ensure the annual allocation of budget for the implementation of this Ordinance, including specific budget allocations for the activities of the FARMCs, and coastal law enforcement reflecting regular benefits and remuneration of Bantay Dagat/Park Rangers, among others. For this purpose, the amount of One Hundred Thousand (P100,000.00) Pesos is hereby appropriated yearly to support the implementation of this Ordinance.

SECTION 87. CREATION OF SPECIAL TRUST FUND.- There is hereby created a Special Trust Fund which shall be the repository for all the monies received, including the share in the registration fees, fishery license/permit fees and charges, donations or endowments, fines and penalties, and other amounts as a consequence of the implementation of this ordinance. It shall be administered by the Municipality as a special account in any government financial institution. For this purpose, the Municipality hereby adopts a revenue sharing scheme, as follows:

Fifty percent (50%) for the Municipality,
Fifty percent (50%) for the fisheries management operations.

SECTION 88. EXERCISE OF OVERSIGHT FUNCTION. The Sangguniang Bayan shall hereby exercise its inherent oversight function pertaining to the use of the aforementioned budgetary allocation for the implementation of the coastal and fisheries resources management programs and strategies by the executive department pursuant to this Ordinance.

SECTION 89. IMPLEMENTING RULES AND REGULATIONS. A Technical Working Committee Ordinance within sixty (60) days of its effectivity: *Provided, however*, that the formulated rules and regulations, after due consultations to FARMCs, shall be submitted to the Municipal/City Mayor who shall issue an Executive Order for the purpose of adopting such implementing rules and guidelines. Such
in public places as identified in the said Order.

SECTION 90. SEPARABILITY CLAUSE. If any provision of this Ordinance be declared unconstitutional or invalid, the other provisions thereof not affected shall remain valid and enforceable.

SECTION 91. TRANSITORY PROVISION. All existing laws, rules, regulations, executive orders not inconsistent with this Ordinance shall remain operative until amended, repealed, or revoked. Towards this end, the incumbent members and appointed officials within the bodies which are amended or repealed by this Ordinance shall continue in office until such time as the duly appointed members and officers of such bodies have been appointed and taken their oath of office.

SECTION 92. REPEALING CLAUSE. All ordinances, executive orders, rules and regulations or parts thereof whose provisions are inconsistent to this Ordinance are hereby repealed.

SECTION 93. MANDATORY LEGISLATIVE REVIEW. The Sangguniang Bayan/Sangguniang Panlungsod shall undertake the mandatory legislative review of this Ordinance at least once every three (3) years or as often as may be deemed necessary, to ensure that the policies, programs and strategies will remain responsive to changing circumstances in the Municipality.

SECTION 94. EFFECTIVITY CLAUSE. This Ordinance shall take effect immediately after compliance with the posting and publication requirement pursuant to Section 59 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991.

ENACTED.

CERTIFIED CORRECT:


MARLENE TAYO-NAVA
SB Secretary

ATTESTED:


LUGEN T. ORTILANO
Vice Mayor & Presiding Officer

APPROVED:


ATTY. VIRGILIO T. TERUEL
Municipal Mayor
FEB 16 2026
(Date signed)

