

Republic of the Philippines
SANGGUNIANG PANLALAWIGAN
PROVINCE OF NEGROS ORIENTAL

Received for GA

22 APR 2002

EXCERPT FROM THE JOURNAL OF THE SANGGUNIANG PANLALAWIGAN SESSION ON:

Received with GA

22 APR 2002

Date: April 11, 2002 - 3:15 P.M.

Classification: Regular Session

RECORD OF ATTENDANCE:

HON. JOSE A. BALDADO
Vice Governor & Presiding Officer
Present



HON. ERNESTO T. TIJING	- Present	HON. MA. ANTONIA E. VILLEGAS	- OB Mla.
HON. MARCELO G. ADANZA	- Present	HON. LUISA A. VILLEGAS	- Present
HON. JOSELITO V. PARAS	- Present	HON. ARTURO V. UMBAC	- Present
HON. LORENZO C. DY	- Present	HON. ROLANDO O. GAGA-A (INMB)	- Present
HON. ERWIN MICHAEL L. MACIAS	- Present	HON. JUAN MIGUEL G. ROMERO (SK)	- OB Mla.
HON. NAPOLEON E. VILLEGAS, JR.	- Present	HON. LEE F. DY (PCL)	- Absent

RESOLUTION NO. 272

"Submitted Resolution No. 663, series of 2001, of the Sangguniang Panlungsod of Bayawan, this province, enacting Ordinance No. 40, an ordinance establishing the Lampirong Marine Reserve in Barangays Villareal, Malabugas and Pagatban, all in the City of Bayawan;

"Said resolution/ordinance conforms to the provisions of the Local Government Code of 1991 and other related laws;


"On motion of Honorable Member Rolando O. Gaga-a, seconded by Honorable Member Napoleon E. Villegas, Jr., the Sangguniang Panlalawigan

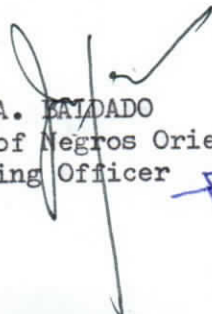
"RESOLVES, To declare VALID Resolution No. 663, series of 2001, of the Sangguniang Panlungsod of Bayawan, this province; and to furnish a copy hereof for their information.

"Approved."

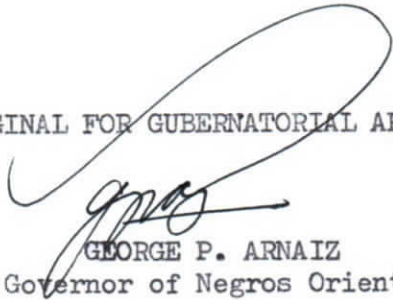
- - -

I hereby certify to the correctness of the above-quoted resolution.


GEOFFREY H. VILLAHERMOSA
Board Secretary IV - OIC


JOSE A. BALDADO
Vice Governor of Negros Oriental
Presiding Officer

ORIGINAL FOR GUBERNATORIAL APPROVAL:



GEORGE P. ARNAIZ
Governor of Negros Oriental

Date: 22 APR 2002

Copy For:

The Sangguniang Panlungsod
Bayawan City

GPV/mpby

Republic of the Philippines
PROVINCE OF NEGROS ORIENTAL
CITY OF BAYAWAN
Office of the City Council

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION HELD BY THE CITY COUNCIL OF BAYAWAN, NEGROS ORIENTAL ON NOVEMBER 13, 2001 AT 9:00 O'CLOCK A. M. AT THE SP SESSION HALL.

PRESENT:

Hon. Rene G. Gaudiel	Vice mayor, Presiding
Hon. Peter Paul F. Renacia	Councilor
Hon. Rowena T. Cabanban	-do-
Hon. Agustin L. Barte, Jr.	-do-
Hon. Douglas T. Tijjing	-do-
Hon. Ma. Emma D. Dael	-do-
Hon. Antonio B. Villamil	-do-
Hon. Francisco T. Diao	-do-
Hon. Hearty N. Soldevilla	Exec. Vice Pres., LNMB
Hon. Fred Ian T. Trayvilla	SK Federated President

ABSENT:

Hon. Guillermo A. Diao	(O.B. Tagaytay)	Councilor
Hon. Mario L. Recamara	(O.B. Tagaytay)	-do-
Hon. Novelito A. Herrero	(O.B. Tagaytay)	-do-

RESOLUTION NO. 663

“Submitted for Third and Final reading an “Ordinance Establishing the Lampirong Marine Reserve in Barangays Villareal, Malabugas and Pagatban, all in Bayawan City, Negros Oriental.

“On motion of Honorable Councilor Barte and duly seconded by Honorable Councilor Villamil, the Council

“RESOLVED, To enact, as it hereby enacts the following ordinance, to wit:

ORDINANCE NO. 40

AN ORDINANCE ESTABLISHING THE LAMPIRONG MARINE RESERVE IN BARANGAYS VILLAREAL MALABUGAS AND PAGATBAN, ALL IN BAYAWAN CITY, NEGROS ORIENTAL.

Be it ordained that:

SECTION 1. Declaration of Policy, Pursuant to Section 447 (a) (1) of Republic Act 7160 the Lampirong Marine Reserve is hereby established for the protection, conservation and rehabilitation of the fishery resources in the city.

SECTION 2. Definition of Terms.

- a. Marine Reserve Area – is an area within the Municipal Waters set aside by the City for special protection, rehabilitation and spawning grounds for fish and all other marine organism.

SECTION 3. Location. The Lampirong Marine Reserves are hereby established in Barangays Villareal, Malabugas and Pagatban, all in the city of Bayawan, Negros Oriental, Philippines containing a total area of 69.518 hectares and more particularly described as follows, to wit:

1. Barangay Villareal

Total Area : 298.140 square meters

Technical Description : "Beginning at a point marked 1 on plan being South 10 deg. 30 minutes West., 890 meters from Lot No. 245, Pls-764-D, to corner 1, City of Bayawan, Negros Oriental. Thence South 30 deg. 37 minutes West., 672.21 meters to point 2; thence North 52 deg. 29 minutes West., 435.00 meters to point 3; thence North 31 deg. 57 minutes East., 733.02 meters to point 4; thence South 44 deg. 10 minutes East., 430.00 meters to point of beginning. Containing an area of Two Hundred Ninety Eight Thousand One Hundred Forty (298,140) Square Meters, more or less."

2. Barangay Malabugas

Total area : 184,606 square meters

Technical Description : "Beginning at a point marked 1 on plan being North 51 deg. 45 minutes East., 1,060.00 meters from Lot No. 456, Pls-764-D, City of Bayawan, Negros Oriental. Thence, South 75 deg. 05 minutes East., 370.00 meters to point 2; Thence South 21 deg. 30 minutes West., 345.00 meters to point 3; thence South 34 deg. 25 minutes West., 290.00 meters to point 4; thence North 43 deg. 29 minutes West., 115.00 meters to point 5; thence North 35 deg. 12 minutes West., 200.00 meters to point 6; thence North 15 deg. 06 minutes East., 436.47 meters to point of beginning. Containing an area of One Hundred Eighty Four Thousand Six Hundred Six (184,606) Square Meters, more or less.

3. Barangay Pagatban

Total Area : 212,434 square meters

Technical Description: "Beginning at a point marked "1" on plan Being North 31 deg. 20 minutes West, 830 meters from Lot No. 349, Pls-764-D, City of Bayawan, Negros Oriental. Thence South 06 deg. 15 minutes West, 350.00 meters to point 2; thence North 86 deg. 53 minutes West, 555.00 meters to point 3; thence North 06 deg. 25 minutes West., 370.00 meters to point 4; thence South 85 deg. 30 minutes East., 635.59 meters to point of beginning. Containing an area of Two Hundred Twelve Thousand Four Hundred Thirty Four (212,434) Square Meters, more or less.

SECTION 4. Prohibition. It shall be unlawful for any person whether natural or juridical to conduct or cause to be conducted, any fishing operation, anchorage, take, catch or gather, destroy or kill any lampirong, fish or other marine organism within the Lampirong Marine Reserve or in any manner disturb or drive away or conduct any activity that will endanger the Lampirong or any marine organisms. Provided that only fishing boat with 3 gross tons or less, shall be allowed to navigate or pass through the said area. Provided further, that the Mayor may issue a permit to any person or group of persons, institutional local or foreign, duly recognized as a research institution to conduct research or any related activities within the area. Provided, finally that such government institution or duly recognized research institution must submit its written report or findings to the city.

SECTION 5. Persons charge to enforce this ordinance.

1. The Mayor or his duly authorized representatives;
2. Local Philippine National Police; and
3. Deputized Bantay Dagat members in the City.

Provided, that the city may seek the assistance of the Philippine Maritime Command, the Philippine Coastguard, the Fishery and DENR personnel in the province to enforce this Ordinance and for the prosecution of persons found violating this ordinance.

SECTION 6. Penalty. Any violation of the provision of this ordinance shall be subject the offender to a fine of not more that PHP5,000.00 and an imprisonment of not more than One Year or both such fine and imprisonment at the discretion of the Court. This is without prejudice to the confiscation of the fishing boat and other fishing paraphernalia used in the offense in favor of the city.

SECTION 7. Separability Clause. In case any part of this ordinance is declared invalid by a competent court that part which is valid may be sustained if severable from the rest.

SECTION 8. Effectivity . This Ordinance shall take effect upon compliance with the provisions of R. A. 7160.


“Enacted.”

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I hereby certify to the correctness of the foregoing resolution.

* * *




FE BOLLOS ARAULA
City Government Department Head I
(City Secretary)

ATTESTED:

APPROVED: Nov. 21, 2001


RENE G. GAUDIEL
Vice Mayor
Presiding


GERMAN SARAÑA JR.
Mayor

CC:

- The Honorable Provincial Board, Dumaguete City