

**REPUBLIKA NG PILIPINAS  
TANGGAPAN NG SANGGUNIANG PANLUNGSOD  
LUNGSOD NG BAKOLOD  
-oOo-**

**CITY ORDINANCE NO. 901  
May 29, 2019**

**AN ORDINANCE REGULATING THE CATCHING, SELLING OR BUYING OF  
BERRIED BLUE CRABS AND CRABLETS IN THE CITY OF BACOLOD AND PROVIDING  
PENALTIES FOR VIOLATIONS THEREOF.**

**WHEREAS**, Blue swimming crabs are among the major fishery export commodities in the Philippines;

**WHEREAS**, there is a need to protect blue swimming crabs due to environmental responsibility and to prevent the decline in the production of these crabs.

**NOW, THEREFORE, BE IT ORDAINED** by the Sangguniang Panlungsod of Bacolod City, in regular session assembled, that:

**Section 1. TITLE** – This Ordinance shall be known as the “Blue Crab Fishery Regulation Ordinance”.

**Section 2. OBJECTIVE** – The Blue Crab is among the most important fishery exports in the country. Region 6, particularly the Visayan Sea and Guimaras Strait where our city's municipal waters belong, is the highest producer of Blue Crabs. It is therefore, the policy of the City of Bacolod to conserve, protect, manage and regulate Blue Crab Fishery as part of the city's environmental responsibility in addressing the problem of resource depletion of blue crabs in its municipal waters and to promote food security by properly utilizing blue crabs as a sustainable source of livelihood.

**Section 3. SCOPE.** – This Ordinance shall be enforced in the municipal waters of Bacolod City.

**Section 4. DEFINITION OF TERMS** – As used in this Ordinance, the following terms are defined as follows:

- a. Blue Crabs – refer to the invertebrate locally known as “alimasag” or “kasag”.
- b. Berried Crabs (or “bukaka”) – a female Blue Swimming Crab that carries a mass of eggs.
- c. Crablets – refer to sub-adults of the crabs below 5 cm carapace width.
- d. Carapace – refers to the external skeleton of the blue crab, the size of which may be used to determine the age of the crab.

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- e. **Mature Crabs** – refer to reproductively-capable crabs the average size of which is 11 cm for both males and females.
- f. **Blue Crab Fishing Gears** – refer to gears used specifically for catching blue crabs. These are passive fishing gears like bottom-set gill nets and crab pots.
- g. **Crab Gill Net (or "Palubog")** – a type of bottom-set gill net which target species is living on or near the bottom of the sea, like crabs and other bottom-dwelling fishes. It is a curtain-like net made up of nylon monofilament in which the capture of target species is affected by actual entangling of the target species.
- h. **Crab Pot (or "panggal")** – basket type trap.
- i. **Bantay Dagat** – a community-based group trained and deputized by the Mayor to enforce fishery laws, rules, regulations within the jurisdiction of the City under the supervision and control of the City Agriculture Office.
- j. **LGU** – refers to the Bacolod City Government.

**Section 5. PROHIBITED ACTS** – It shall be unlawful for any person to engage in any of the following fishery activities:

- a. Catching, selling or buying berried blue crabs.
- b. Catching, selling or buying blue crabs which have not reached the average size of maturity crabs with a carapace below 11 cm, for both male and female.
- c. Using gill nets to catch blue crabs with stretched mesh size of less than 12 cm.
- d. Engaging in the blue crab fishery without the required license/permit from the concerned LGU.

The use of "lukay-lukay" and "hila-hila" to catch crablets shall be strictly prohibited.

**Section 6. Allowable modes of catching crabs in Bacolod City waters** – In the enforcement of this Ordinance, the following are the modes of catching crabs which will be allowed in the municipal waters in Bacolod City:

- a. With the use of crab gill net or "palubog"
- b. With the use of crab pots.
- c. The minimum distance from the shore to deploy gill nets shall be two (2) kilometers.

**Section 7. PENALTIES** – Any person who violates this Ordinance shall be penalized as follows:

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**a. For violation of Section 5 (a) and (b)**

**First Offense** – Offender shall be given a warning and shall return into the sea all the live berried crabs, crablets and/or immature crabs;

**Second Offense** – In addition to returning the crabs into the sea, the offender shall be liable to pay a fine of P1,000.00 with reprimand and a warning that a repetition of the same offense shall cause the suspension of his fishing permit or license.

**Third Offense** – The offender shall be liable to pay a fine of P2,000.00. Furthermore the offender's fishing permit or license shall be suspended for not more than thirty (30) days.

**Fourth and Subsequent Offenses** – The offender shall be liable to pay a fine of P3,000.00 and confiscation of catch. Furthermore the offender's fishing net/paraphernalia shall be confiscated, permit or license shall be suspended for not more than thirty (30) days.

**b. For violation of Section 5 (c) and (d)**

The offender shall be liable to pay a fine of P5,000.00 or imprisonment for seven (7) days or both upon the discretion of the court; the confiscation of fishing gear and fish catch and revocation/non-issuance of permit or license.

**Section 8. PERSONS AUTHORIZED TO ENFORCE THIS ORDINANCE** – The Ordinance Enforcement Unit and deputized Bantay Dagat of the LGU are hereby authorized to enforce this Ordinance.

**Section 9. RULE OF THE LGU** – The Bacolod City Government, through the City Agriculture Officer, shall keep a record of apprehensions and issuances of warnings and/or reprimand to offenders. Upon commission of the offense for the third time, the matter shall be brought by the City Agriculture Officer for appropriate action to the Office of the Station Commander which has jurisdiction over the offense, for preparation of Complaint to be filed in Court.

**Section 10. REPEALING CLAUSE** – Any and all other existing Ordinances or parts thereof containing provisions which are inconsistent or contrary with any of the provisions declared in this Ordinance are hereby deemed repealed, amended or modified accordingly.

**Section 11. SEPARABILITY CLAUSE** – If any provision of this Ordinance is, for any reason(s), declared to be unconstitutional or invalid, the remainder of this Ordinance or any provision hereof which are not affected thereby shall continue to be valid and enforceable.

**Section 12. Effectivity Clause** – This Ordinance shall take effect after its posting at a conspicuous place in the Bacolod City Government Center for ten (10) days and after its mandatory publication in a newspaper of general circulation in Bacolod City.

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CARRIED BY THE VOTE OF:

Affirmative:

Councilors : Renecito S. Novero, Em L. Ang, Elmer T. Sy, Ana Marie V. Palermo, Wilson C. Gamboa, Jr., Dindo C. Ramos, Bartolome N. Orola, Sr., Sonya M. Verdeflor, Lady Gles Gonzales-Pallen, Ayesha Joy Y. Villaflor.

Negative : None.

Official Leave : Councilors Ricardo L. Tan, Cindy T. Rojas and Claudio Jesus Raymundo A. Puentevella.

Absent : None.

Author : Councilor Sonya M. Verdeflor.

Passed : May 29, 2019 (152<sup>nd</sup> Regular Session of the 9<sup>th</sup> Council).

Comments : Passed.

Floor Leader Caesar Z. Distrito was not around when this ordinance was passed.

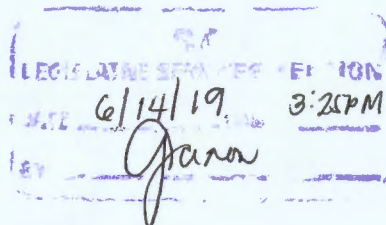
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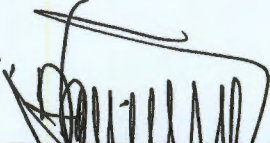
  
ATTY. VICENTE C. PETIERRE III  
Secretary to the Sanggunian

APPROVED: June 14, 2019.

  
EVELIO R. LEONARDIA  
City Mayor

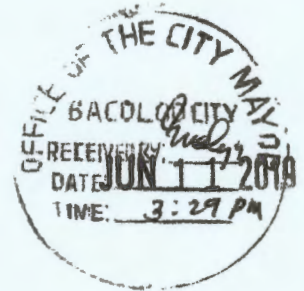
VCP/CGT/jbz



  
ELPIDIO FAMILIARAN  
Vice Mayor  
Presiding Officer



REPUBLIC OF THE PHILIPPINES  
City of Bacolod  
OFFICE OF THE CITY LEGAL OFFICER



**LEGAL OPINION NO. LO-19-087**

DATE : June 7, 2019  
FOR : **ATTY. EDWARD JOSEPH C. CUANSING**  
Secretary to the Mayor  
FROM : **THE OFFICE OF THE CITY LEGAL OFFICER**  
SUBJECT : *City Ordinance No. 901, series of 2019 Re: An Ordinance Regulating the Catching, Selling, or Buying of Berried Blue Crabs and Crablets in the City of Bacolod and Providing Penalties for Violation thereof.*

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This has reference to the City Ordinance No. 901, series of 2019 Re: An Ordinance Regulating the Catching, Selling, or Buying of Berried Blue Crabs and Crablets in the City of Bacolod and Providing Penalties for Violation thereof.

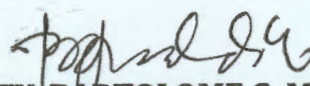
The Ordinance is promulgated in accordance to the provisions of the Local Government Code of 1991. It is sufficient in form and substance.

The provisions of Ordinance No. 901, series of 2019 truly protect the Blue Swimming Crabs and will preserve and proliferate its species. Furthermore, the Ordinance will promote food security and sustain the source of livelihood for the marginalized sector of fisher folks in the City of Bacolod.

It is recommended for the Honorable Mayor to approve Ordinance No. 901, series of 2019.

Please be reminded that our opinion is solely based on our appreciation of the Ordinance you have provided us.

For your information and guidance.

  
**ATTY. BARTOLOME G. MALDE, JR.**  
Attorney II



Republika Ng Pilipinas  
**TANGGAPAN NG SANGGUNIANG PANLUNGSOD**  
Lungsod ng Bacolod

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**CERTIFICATION**

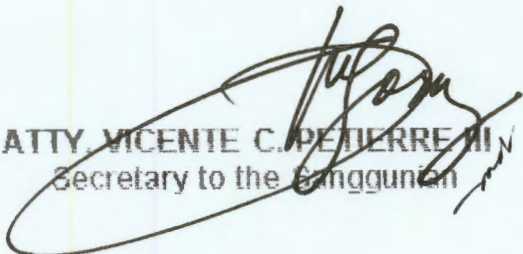
This is to certify that City Ordinance No. 901, Series of 2019 passed by the Sangguniang Panlungsod of the City of Bacolod on May 29, 2019 entitled:

**AN ORDINANCE REGULATING THE CATCHING, SELLING OR BUYING OF BERRIED BLUE CRABS AND CRABLETS IN THE CITY OF BACOLOD AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF.**

was published in Sun.Star Bacolod dated August 9, 2019 and posted for three (3) consecutive weeks in the following conspicuous places in the City of Bacolod, to wit:

1. Bulletin Board of the Sangguniang Panlungsod  
2<sup>nd</sup> Floor Bacolod City Government Center
2. Old City Hall (Araneta-Luzuriaga Streets)
3. Bacolod Public Plaza
4. Hall of Justice
5. City Health Office
6. North (Burgos) Public Market
7. South (Libertad) Public Market
8. Central Public Market

Bacolod City, Philippines, August 20, 2019.

  
ATTY. VICENTE C. PETIERRE III  
Secretary to the Sanggunian