



Sangguniang Panlungsod ng Bacolod
Lungsod ng Bacolod

CITY ORDINANCE NO. 424
December 20, 2006

AN ORDINANCE AMENDING SECTION 32 OF CITY ORDINANCE NO. 264, OTHERWISE KNOWN AS "AN ORDINANCE REGULATING FISHING OR FISHERIES IN THE CITY OF BACOLOD AND FOR OTHER PURPOSES.

WHEREAS, City Ordinance No. 264, "An Ordinance Regulating Fishing or Fisheries in the City of Bacolod, and for other purposes", was passed and approved by the Sangguniang Panlungsod on September 7, 2000;

Whereas, Section 32 of the above-mentioned ordinance provides that:

"Section 32. Miscellaneous Provisions. For purposes of penalizing acts or omissions not provided in this Ordinance, R. A. 8550 shall apply."

WHEREAS, Resolution No. 217, series of 2001, also known as "Resolution approving the Implementing Rules and Regulations (IRR) of City Ordinance No. 264, series of 2000, entitled "An Ordinance Regulating Fishing or Fisheries in the City of Bacolod and for other purposes", was subsequently passed and approved by the Sangguniang Panlungsod;

WHEREAS, Section 32 Rule 32.1 of the above-mentioned IRR expressly states that:

"Rule 32.1 - Miscellaneous Provisions. An administrative fine equivalent to One Thousand Pesos (P1,000.00) shall be collected for violation of Section 89 (Use of Fine-Meshed net) and Section 90 (Use of Active gears in municipal waters), under Republic Act 8550 or the Fisheries Code of 1998, that is not specifically provided in this Ordinance, to wit:

1st Offense	- P1,000.00
2nd Offense	- P1,000.00
3rd Offense	- P1,000.00
4th Offense	- For Legal action"

WHEREAS, our fisherfolks thru the City Fisheries and Aquatic Resource Management Council (CFARM-C) are clamoring of the rampant violations of our Fisheries Code,

WHEREAS, one of the primary reasons cited by the CFARM-C on why our Fisheries Code is often violated with impunity is that the penalties imposed as above-quoted is very light (only a fine of P1,000.00 for the first three offenses);

WHEREAS, to show their desire to help the city in curtailing the rampant violation of our Fisheries Code, the CFARM-C passed and approved a Resolution requesting the Sangguniang Panlungsod thru the Committee on Agriculture and Fisheries to increase the imposable penalties by amending our Fisheries Code;

NOW THEREFORE, be it ordained by the Sangguniang Panlungsod of the City of Bacolod in session assembled, to amend Section 32, of City Ordinance No. 264, to read as follows:

"Section 32 Miscellaneous Provisions - An Administrative Fine shall be collected for each violation of Section 89 (Use of Fine-Meshed net) and Section 90 (Use of Active Gears in Municipal waters), under Republic Act 8550 or the Fisheries code of 1998, that is not specifically provided in this Ordinance under the following schedule, to wit:

GW	1st Offense	2nd Offense	3rd Offense
1. Up to 3.0 Gross tons	P3,000.00	P4,000.00	P5,000.00
2. 3.1 to 50 GT	P4,000.00	P5,000.00	P5,000.00
3. 50.1 to 100 GT	P5,000.00	P5,000.00	P5,000.00
4. 100.1 GT up	P5,000.00		

Provided, that for violation under schedule No. 1, violator's NET and BOARD shall be confiscated, and for violation under Nos. 2-4, the NET, BOARD, and CATCH shall be confiscated, subject to release upon payment of the pertinent fine; Provided further, that in the case of the CATCH, the same shall not be returned to the violator, but shall be disposed of in accordance with the provisions of R. A. 8550."

This ordinance shall take effect upon fifteen (15) days upon publication on the local newspaper of general circulation. A copy of this Ordinance shall likewise be posted on the bulletin board at the entrance of at least two (2) conspicuous places at the Bacolod City Hall.

CARRIED BY THE VOTE OF.

Affirmative:

Councilors: Greg G. Gasataya, Ana Marie V. Palermo, Lyndon P. Caña, Homer Q. Bals, Dindo C. Ramos, Jude Thaddeus A. Sayson, Napoleon A. Cordova, Catalino T. Alisbo, Reynold I. Iledan, Arturo V. Parreño.

Negative : None.

Absent : None.

Author : Councilor Jude Thaddeus A. Sayson.

Passed : December 20, 2006 (129th Regular/Special Session)

Comments: Passed
Councilors Jocelle Batapa-Sigue, Elmer T. Sy, Al Victor A. Espino and Marx Louie S. de la Rosa were not yet around when this ordinance was passed.



RENECITO S. NOVERO
Vice Mayor
Presiding Officer

ATTESTED:



ATTY. NILO T. ALEJANDRINO
Secretary to the Sanggunian

APPROVED: January 26, 2007.



EVELIO R. LEONARDIA
City Mayor

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Republika ng Pilipinas
Tanggapan ng Sangguniang Panlungsod
Lungsod ng Bacolod


CERTIFICATION

This is to certify that **City Ordinance No. 424, Series of 2006**, passed on December 20, 2006, entitled:

"AN ORDINANCE AMENDING SECTION 32 OF CITY ORDINANCE NO. 264, OTHERWISE KNOWN AS 'AN ORDINANCE REGULATING FISHING OR FISHERIES IN THE CITY OF BACOLOD AND FOR OTHER PURPOSES'"

was published in the January 31, 2007 issue of the *Negros Daily Bulletin*, as required under the above mentioned City Ordinance and is now therefore in effect.

Bacolod City, Philippines, February 15, 2007.


ATTY. NILO T. ALEJANDRINO
Secretary to the Sanggunian

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