



Republic of the Philippines
Province of Iloilo
MUNICIPALITY OF OTON
OFFICE OF THE SANGGUNIANG HAYAN

RESOLVED: That the Members of the Sangguniang Bayan of Oton, Iloilo do hereby declare the waters of the Municipality of Oton, Iloilo as a Lampirong Reserve Area on May 21, 2000 as follows:

- | | |
|---------------------------------|--------------------------------|
| Hon. Jose V. Alvarez, Jr. | Vice Mayor (President Officer) |
| Hon. Jose Neil P. Obvarez | SB Member |
| Hon. Vicente B. Flores, Jr. | SB Member (Floor Leader) |
| Hon. Perfecto C. Sabar | SB Member |
| Hon. Felimon Gregorio M. Calvo | SB Member |
| Hon. Romeo P. Mad | SB Member |
| Hon. Jose F. Tupan III | SB Member |
| Hon. Marco D. Balandra | SB Member (ABC Representative) |
| Hon. Edan H. Javellana | SB Member (SK Representative) |
| Hon. Mary Jean G. de los Santos | SB Member (Asst. Floor Leader) |

ABSENT:

Hon. Francisco C. Espalita



ORDINANCE NO. 2000 - 78

AN ORDINANCE DECLARING THE MUNICIPAL WATERS OF OTON AS LAMPIRONG (CAPIZ SHELL) RESERVE AREA THEREBY REGULATING HIS HARVEST AND EXPLOITATION.

AS PROPOSED by Hon. Marco D. Balandra, on motion of the Committee on Legal Affairs, namely: Hon. Felimon Gregorio M. Calvo, Hon. Edan H. Javellana and Hon. Vicente B. Flores, Jr. and duly seconded by Hon. Perfecto C. Sabar

BE IT ORDAINED by the Sangguniang Bayan of Oton, Iloilo an Ordinance, to wit:

SECTION 1. PRELIMINARY.

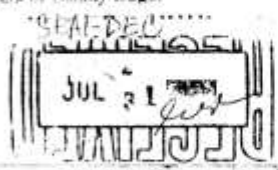
This Ordinance shall be known as Lampirong Reserve Ordinance. The objective of this Ordinance is to promote the natural growth, preservation and protection of lampirong in the Municipal waters of Oton.

SECTION 2. DEFINITION OF TERMS:

- a. ***Placuna Placenta (Lampirong)*** - an edible flat bivalve with translucent and rounded shell
- b. ***Lampirong Reserve Area (LRA)*** - an area designated by law and provided in this Ordinance where human access is regulated for the purpose of protecting the habitat and sustaining the supply of lampirong.
- c. ***Municipal Waters*** - include not only streams, lakes, inland bodies of water and tidal waters within the Municipality which are not included within the protected areas as defined under Republic Act No. 7586 (the NIPAS Law), public forest timber lands, forest reserves or fishery reserves, but also marine waters included within two (2) lines drawn perpendicular to the general coastline from points where the boundary lines of the Municipality touch the sea at low tide and a third line parallel with a general coastline including offshore islands and fifteen (15) kilometers from such coastline. Where two (2) municipalities are so situated on opposite shores that there is less than thirty (30) kilometers of marine waters between them, the third line shall be equally distant from opposite shore of the respective municipalities.
- d. ***MUFARRC*** - Municipal Fisheries and Aquatic Resources Management Council
- e. ***SEAFDEC*** - South East Asian Fisheries Development and Ecology Center.
- f. ***BFAR*** - Bureau of Fisheries and Aquatic Resources.

SECTION 3. ADMINISTRATIVE PROVISION.

- 1. The Municipal Waters of the Municipality of Oton is hereby declared as Lampirong Reserve Area (LRA).
- 2. It shall be unlawful for any person or group of persons to gain access to the Municipal Waters of Oton for the purpose of gathering, collecting, selling or trading of lampirong except personnel of BFAR, SEAFDEC and other educational/research entities provided however that clearance from the Mayor have been secured. Provided further that, the gathering shall be accompanied by the MAO Personnel, FAPMAC representative and at least two (2) members of Binay Dagat.



Jose V. Alvarez, Jr.

Marco D. Balandra

Edan H. Javellana

3. The Municipal Mayor shall authorize or issue permit to gather, collect harvest lampirong (capiz shell) in the Municipal Waters of Oton to any person or group of persons provided the following conditions are complied with:
 - A. Certification issued by the SEAFDEC that the Municipal Waters of Oton has abundant stock of matured lampirong fit for harvest.
 - B. Recommendation from the chairman of the Municipal FARMC.
 - C. Recommendation from the Punong Barangay where the area subject for collecting, gathering, harvesting falls under his/her jurisdiction.
 - D. Memorandum of Agreement duly signed by the Mayor and the applicant for a permit containing the following stipulations:
 - D.1. Duration and specific area of harvest
 - D.2. Size of shell
 - D.3. Prohibition on destructive method of harvesting
 - D.4. Provisions necessary to the preservation of lampirong thus ensuring its abundant supply in the future.
 - E. Payment of the following fees and charges:

E.1. Diver's Permit	P 50.00
E.2. Fishing Boat Owner's Permit	P1,000.00
E.3. Mayor's Permit	P2,000.00
4. The Task Force Lampirong composed of the Mayor, SB Member, Chairman of the Committee on Environmental Protection, Chief of Police, Six (6) Punong Barangays along the coastal waters, Municipal Agricultural Officer and Municipal FARMC Chairman shall convene to determine the following:
 - 4.a. Additional provisions on the Memorandum of Agreement
 - 4.b. Finalization of the Memorandum of Agreement.
 - 4.c. Additional Fees and Charges including the percentage of the Barangay, FARMC and Bantay Dagat.

SECTION 4. PENALTIES.

Any person violating this Ordinance shall be meted a fine of Two Thousand Pesos (P2,000.00) or imprisonment of five (5) days or both at the discretion of the court.

SECTION 5.

Any Ordinance inconsistent with the provisions of this Ordinance shall be considered repealed.

SECTION 6. EFFECTIVITY CLAUSE.

This Ordinance shall take effect after fifteen (15) days from date of approval.

Copies of this Ordinance be furnished to the 6 coastal barangays; Mayor's Office, MTO, MBO, Acctg., MAO, MPDC, ABC, MTC, PNP, SEAFDEC, FARMC, BFAR, and the Sangguniang Panislawigan of Iloilo for information and guidance.

UNANIMOUSLY APPROVED.

I HEREBY CERTIFY to the correctness of the foregoing Ordinance.

Attested:

Jose V. Olivares, Jr.
JOSE V. OLIVARES, JR.
Vice Mayor

Nicolas C. Damasco
NICOLAS C. DAMASCO
Secretary to the Sanggunian

Concurred:

Vicente B. Flores, Jr.
VICENTE B. FLORES, JR.
Floor Leader

Approved:

Carina V. Flores
ATTY. CARINA V. FLORES
Municipal Mayor

Date Approved: JUN 07 2000

Date Posted: JUN 08 2000

MAO
FARMC
7-6-00

PNP 7/05/2000
PNP 6/20/2000

Alegre - 6/29/00
Pob. East - 6/29/00
Pob. South - 6/29/00
Botong - 7.3.2000
Mga - 6/29/00
TRAPILO - 7/5/2000
ACC - 7/9/2000
Cocombonan - 7/10/00