



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

EXCERPTS from the Minutes of the Sangguniang Bayan of Oton, Iloilo during its Regular Session held at the Municipal Session Hall last July 2, 2008 at 2:30 in the afternoon.

<p>PRESENT:</p> <p>Hon. Jose Neil P. Olivares Hon. Eusebio G. Villavicencio, Jr. Hon. Felix L. Flores Hon. Pablo S. Guevara, Jr. Hon. Francisca C. Espeleta Hon. Virginia F. Olivares Hon. Cesar B. Digao Hon. Simplicio R. Carreon, Jr. Hon. Antonio Hadji C. Gepayo Hon. Margarito T. Clavel III Hon. Michelle G. Babiera</p>	<p>Vice Mayor (Presiding Officer) SB Member (Assistant Floor Leader) SB Member SB Member (Floor Leader) SB Member SB Member SB Member SB Member SB Member (Liga ng mga Barangay Representative) SB Member (SKMF Representative)</p>
--	---

ABSENT: None.

Handwritten notes:
08-08-08
2:41 pm

ORDINANCE NO. 2008 - 192

**AN ORDINANCE REGULATING THE CUTTING OF COCONUT TREES
PURSUANT TO R.A. 8048, THE COCONUT PRESERVATION ACT.**

ON MOTION of the Committee on Agriculture and Aquaculture Resources, namely, Hon. Eusebio G. Villavicencio, Jr., Hon. Pablo S. Guevara, Jr. and Hon. Cesar B. Digao and duly seconded by Hon. Francisca C. Espeleta

BE IT ORDAINED by the Sangguniang Bayan of Oton, Iloilo, that:

SECTION 1. INTRODUCTION. In order to intensify the efforts of controlling the rampant cutting of coconut trees as mandated by R. A. 8048, otherwise known as the Coconut Preservation Act, Hon. Oscar G. Garin, Administrator of the Philippine Coconut Authority (PCA) issued Memorandum Circular No. 02 - 2008, declaring a Moratorium on issuance of Permit to cut Coconut Trees.

Section 2 of R. A. 8048 of the Coconut Preservation Act of 1995, provides that, considering the importance of the coconut industry in nation building being one of the principal industries and one of the largest income earners of the country, it becomes mandatory for the government to step - in and regulate the unabated and indiscriminate cutting of the coconut trees. For reasons of national interest, it is hereby declared the policy of the State to provide for the growth of the industry by embarking on a sustainable and efficient replanting program.

SECTION 2. REGULATED ACTS.

- 2 - A. Pursuant to R. A. 8048 or the Coconut Preservation Act and PCA Board Resolution No. 02 - 2008, no coconut trees within the territorial jurisdiction of Oton shall be cut except:
 - a. For typhoon damaged coconut trees in declared typhoon calamity areas;
 - b. Damaged coconut trees that pose imminent danger to life, limb and property;
 - c. Coconut trees in areas covered by land use conversion or crop conversion orders duly issued by DAR or DA, respectively;
 - d. Trees needed for personal use of the farmer for family housing or animal shed, not exceeding five (5) trees
- 2 - B. The determination of the exceptions above as the basis for the issuance of permits shall be made jointly by the:
 - a. Provincial Coconut Development Manager (PCDM)
 - b. Punong Barangay of the Place where the coconut trees to be cut are located; and
 - c. The Head of the Provincial Disaster Coordinating Council (PDCC) in case of typhoon damaged trees

In all circumstances other than the foregoing exceptions, no permit to cut coconut trees shall be issued.
- 2 - C. In case a permit to cut is issued, the volume must not exceed 2,000 board feet of coco lumber. Also the Transport / Transshipment Clearances (TTC) must be issued by the PCA.

SECTION 3. PENALTY. Any person found violating this Ordinance shall be meted a penalty of One (1) week imprisonment or a fine of One Thousand Pesos (P1,000.00) or both fine and imprisonment at the discretion of the court.

SECTION 4. EFFECTIVITY CLAUSE. This Ordinance shall take effect after 3 weeks following the completion of its posting in at least 2 conspicuous places in the municipality and publication in the newsletter / journal of the Municipality of Oton.

SECTION 5. REPEALING CLAUSE. All municipal ordinances or parts of any municipal ordinance inconsistent with the provisions of this Ordinance are hereby repealed or modified accordingly.

SECTION 6. SEPARABILITY CLAUSE. If any provision of this Ordinance is held invalid, the other provisions not affected thereby shall continue in operation.

SECTION 7. COPIES. Copies of this Ordinance shall be furnished to the Office of the Mayor, MPDO, GSO, MEC, Admin; Oton - PNP; 37 barangays; PCA Administrator; PCA Regional Office; MACO; and the Sangguniang Palarilawigan of Iloilo for information, guidance and review respectively.

UNANIMOUSLY APPROVED.

I HEREBY CERTIFY to the correctness of the foregoing ordinance.

Attested:
JOSE NEIL P. OLIVARES
Vice Mayor
Presiding Officer

Concurred:
NICOLAS C. DAMASCO
Secretary to the Sangguniang

PABLO S. GUEVARA, JR.
Floor Leader

Approved:
VICENTE B. FLORES, JR.
Municipal Mayor

Date Approved: Jul 2 2008 Date Posted: Jul 9 2008 /jod/