



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

EXCERPT from the Minutes of Session of the Sangguniang Bayan ng Oton, Iloilo recorded during its Regular Session held at the SB Session Hall on **September 21, 2022** at 9:00 in the morning.

PRESENT:	Vice Mayor Jose Neil Portugalete Olivares Hon. Jimmy Robles Olivares Hon. Ma. Lorna Tumambo Geonigo Hon. Dennis Quillo Geroche Hon. Ernesto Cordova Ticao Hon. Lee Cereneo Alison – Breñaña Hon. Grace Marie Escanlar-Cruz Hon. Rodolfo Zurita Alconga, Jr. Hon. Vanessa Turita Salinas Hon. Antonio Prias Masculino, Jr. Hon. Ella Mae Seguisa Yeoh Absent: NONE	Vice Mayor and Presiding Officer SB Member SB Member SB Member SB Member SB Member SB Member SB Member SB Member SB Member (LNB Representative) SB Member (PPSK Representative)
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ORDINANCE NO. 2022 – 395

AN ORDINANCE PRESCRIBING THE CODIFIED ORDINANCE ON THE LAMPIRONG INDUSTRY KNOWN AS LAMPIRONG CODE OF OTON, ILOILO.

ON MOTION of Hon. Lee C. Alison, Chair of the Committee on Agriculture, Food Security and Aquatic Resources together with Hon. Dennis Q. Geroche and Hon. Jimmy R. Olivares which was duly seconded by Hon. Ella Mae S. Yeoh,

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

SECTION 1. INTRODUCTORY CLAUSE

Oton is famous in lampirong (*Placuna Placenta*). The studies of SEAFDEC reveal that Oton's coastal waters has been rich and known as home of good quality lampirong. The Municipal Waters of Oton is hereby declared as Lampirong Reserved Area (LRA).

It is the policy of the LGU of Oton to promote the growth of lampirong, regulate its harvest, defend its industry against exploitations, declare its reserve area and regulate all acts related to its catching and gathering within the territorial waters of Oton, Iloilo.

Consonant to the policies of the State enshrined in the Constitution, as promulgated in various marine laws, the municipal ordinances of this LGU governing the lampirong industry are hereby codified in order to have an updated, streamlined and harmonized provisions pursuant to the Constitution and enabling laws of the land.

SECTION 2. DEFINITION OF TERMS AND ACRONYMS:

- a. **Placuna placenta** (Lampirong) – an edible seashell with flat and circular body utilized for shellcraft known as Capiz Shells.
- b. **Diver**- a person gathering/catching lampirong with a duly issued diver's permit.
- c. **De Mano**– diving for lampirong without the use of breathing apparatus, shallower than thirty (30) feet depth.
- d. **Compressor** – a breathing apparatus used for diving of lampirong deeper than thirty (30) feet depth.
- e. **Pumpboat** – a motorized boat carrying a compressor.
- f. **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.

- g. **Municipal Waters** – includes not only streams, lakes, inland bodies of water and tidal waters within the Municipality which are not included within the protected areas defined under Republic Act No. 7586 (the NIPAS Law), public forests, 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 island 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.
- h. **MFARMC** – Municipal Fisheries and Aquatic Resources Management Council.
- i. **SEAFDEC** – South East Asian Fisheries Development Center.
- j. **BFAR** – Bureau of Fisheries and Aquatic Resources.
- k. **FOSFA** – Federation of Oton Small Fisherfolks Association
- l. **Lampirong Collector** – a person who collects or gathers lampirong for marketing
- m. **Buyer** - a person who buys lampirong with a duly issued buyers permit.

SECTION 3. REGULATED ACTS

1. It shall be unlawful for any diver to catch/ gather lampirong smaller than three (3) inches in diameter.
2. It shall be unlawful for any diver using de mano to gather/ catch lampirong deep than thirty (30) feet depth.
3. It shall be unlawful for any diver using compressor to gather/ catch lampirong shallower than thirty (30) feet depth.
4. It shall be unlawful for any person or group of persons to gain access to the Municipal Waters of Oton for the purpose or 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, FARMC representative and least two (2) members of Bantay Dagat.
5. 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 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 of destructive method of harvesting;
 - D.4. Provision necessary to the preservation of lampirong, thus, ensuring it's abundant supply in the future;

E. Payment of the following fees and charges:

E.1. Buyer's Permit - P 500.00, good for one (1) year.

E.2. Divers Permit - P 100.00/head, good for one (1) year

E.3. Fishing Boat Owners Permit (with Compressor) - P 2,000.00 good for one (1) year.

E.4. Fishing Boat Owners Permit (manual operation) - P1,000.00, good for one (1) year.

E.5. Lampirong Unloading fee - P 1.00/kilo

6. The Task Force Lampirong composed of the Mayor, SB Members, Chair of the Committee on Environment Protection, Chair of the Committee on Agricultural and Aquatic Resources, Chief of Police, Six (6) Punong Barangays along the Coastal Waters, Municipal Agricultural Officer, MEEDO Officer, Municipal FARMC Chairman, and the FOSFA Chairman shall convene to determine the following:

a. Additional provisions on the Memorandum of Agreement;

a.1. Only registered fishing boat in the municipality shall be eligible to apply and be granted with municipal permit/license. Fishing boats outside the municipality/province are not allowed for lampirong diving.

a.2. Lampirong divers in the municipality shall apply for a municipal permit. Divers outside the municipality can be hired and eligible to apply for a municipal permit after he/she has registered with the fisherfolk registration (FishR) in the Municipal Agriculture Office.

b. Finalization of the Memorandum of Agreement

c. Additional fees and charges including the percentage of the Municipality, Barangay, FARMC, FOSFA and Bantay Dagat.

c. 1. The distribution/sharing of lampirong tax collection shall be distributed to the following: assigned collector will have 10% for all the lampirong tax collected. After getting 10% for the collector, the taxes will be distributed to Barangay association (40%) where the lampirong landed, FOSFA - 30% and Municipality - 30%.

d. Formulation of the implementing rules and procedures for the proper and effective implementation of the ordinance.

SECTION 4. ADMINISTRATIVE PROVISIONS

1. Bamboo poles spaced at one half (1/2) kilometer apart from Cabanbanan to Alegre will serve as markers for thirty (30) feet depth boundaries in our territorial waters.
2. All confiscated lampirong of less than three (3) inches in diameter when still alive shall be returned to the sea.
3. All confiscated lampirong of different sizes which are not alive shall be subjected for disposal for the consumption of the children in the Day Care Centers.

SECTION 5. PENAL CLAUSE. Any person violating this Ordinance shall be meted a fine of Two Thousand Five Hundred Pesos (P2,500.00) or imprisonment of five (5) days or both at the discretion of the Court.

SECTION 6. 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 7. SEPARABILITY CLAUSE. If any provision of this Ordinance is held invalid, the other provisions not affected thereby shall continue in operation.


SECTION 8.EFFECTIVITY CLAUSE. This ordinance shall take effect upon compliance with the mandatory posting and publication requirements prescribed under Section 511, Republic Act 7160, otherwise known as the Local Government Code of 1991.

SECTION 9.COPIES.This Ordinance shall be furnished to the Office of the Mayor; MACO, MFARMC-Bantay Dagat, 6 Coastal Barangays, FOSFA, MTO; MBO; Actg. Office; MAO; MPDC; Liga ng mga Barangay; MTC; PNP; SEAFDEC; BFAR; and the Sangguniang Panlalawigan of Iloilo for information, guidance and review respectively.

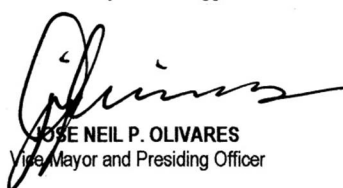
UNANIMOUSLY APPROVED.

I HEREBY CERTIFY to the correctness of the foregoing **Ordinance.**

Concurred: 
VANESSA T. SALINAS
Chair, Committee on Rules and Privileges


KERRY ANN T. LACIFICAR
Secretary to the Sanggunian

Approved: 
SOFRONIO A. FUSIN, JR.
Municipal Mayor

Attested: 
JOSE NEIL P. OLIVARES
Vice Mayor and Presiding Officer

Date Approved: OCT - 7 2022

Date Posted: OCT 07 2022 fjod