



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 **November 21, 2025** at 9:00 the morning.

<b>PRESENT:</b>	Vice Mayor Jose Neil Portugalete Olivares, Hon. Annie Rose Dajay Paro Hon. Dennis Quillo Geroche Hon. Dell Cartago Hosillos Hon. Evaristo Miguel Ledesma Flores, Jr. Hon. Ma. Lorna Tumambo Geonigo Hon. Josephus Ambrosius Renatus Talamera Escanlar Hon. Rodolfo Zurita Alconga, Jr. Hon. Paul Mediavilla Buenafe Hon. Hyacinth Celiz Gardose Hon. Jimmy Robles Olivares	Vice Mayor and Presiding Officer SB Member SB Member SB Member SB Member SB Member SB Member SB Member SB Member (LNB Representative) SB Member (PPSK Representative) SB Member (On Official Business)
<b>ABSENT:</b>		



**ORDINANCE NO. 2025 – 498**

**PRESCRIBING THE PROTECTION, REHABILITATION, AND SUSTAINABLE MANAGEMENT OF THE ILOILO -BATIANO RIVER, PROVIDING PENALTIES FOR VIOLATIONS, FUNDS THEREFOR AND FOR OTHER PURPOSES.**

**AS PROPOSED AND ON MOTION OF** Hon. Evaristo Miguel L. Flores, Jr., Chair Committee on Environmental Protection and Climate change adaptation together with Hon. Rodolfo Z. Alconga, Jr. and Hon. Paul M. Buenafe and Hon. Hyacinth C. Gardose, duly seconded by Hon. Jimmy R. Olivares,

**BE IT ORDAINED** by the Sangguniang Bayan ng Oton in session assembled, that:

**SECTION 1. RATIONALE.**

The Iloilo - Batiano River is one of the most vital natural resources within the Municipality of Oton, serving as a lifeline for local communities, agriculture, and ecosystems. It plays a crucial role in providing water for irrigation, supporting biodiversity, and sustaining the livelihoods of residents who depend on its resources. However, in recent years, the Batiano River has faced increasing environmental threats due to pollution, improper waste disposal, siltation, encroachment, and the effects of rapid urbanization and climate change.

Protecting and maintaining the Iloilo - Batiano River is therefore essential not only to preserve its ecological balance but also to ensure the continued availability of clean water and a healthy environment for present and future generations. Rehabilitation and conservation efforts will help restore its natural flow, improve water quality, and enhance its capacity to mitigate flooding and other climate-related risks.

Through coordinated actions between and among the municipal government, barangays, local organizations, and residents, the protection and maintenance of the Iloilo - Batiano River will promote sustainable development, environmental resilience, and community well-being — aligning with national and local environmental laws such as the Clean Water Act (Republic Act No. 9275) and the Ecological Solid Waste Management Act (Republic Act No. 9003).

**SECTION 2. SHORT TITLE.**

This Ordinance shall be known as the **“Iloilo - Batiano River Rehabilitation and Protection Ordinance of Oton.”**

**SECTION 3. DECLARATION OF POLICY.**

It is hereby declared the policy of the Municipality of Oton to protect, conserve, and rehabilitate the Iloilo - Batiano River through collective action involving local government units, barangays, schools, civic organizations, and residents. The Municipality shall promote sustainable management and responsible stewardship of the river and its tributaries.

**SECTION 4. LEGAL BASIS.**

**a. Article II, Section 16 of the Philippine Constitution** states that "The State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature".

**Article II, Section 16 of Republic Act No. 7160**, otherwise known as the *Local Government Code of 1991*, provides that every local government unit shall exercise powers necessary and appropriate for the promotion of the general welfare, including the preservation and enrichment of the right of the people to a balanced ecology;

**b. Republic Act No. 9275**, otherwise known as the *Philippine Clean Water Act of 2004*, mandates the protection, preservation, and revival of the quality of our country's freshwater resources, including rivers, lakes, and other water bodies;

**c. Republic Act 9003** also known as the Ecological Solid Waste Management Act of 2000 mandates a comprehensive and ecological approach to waste management.

**d. Republic Act 8550**, also known as the Philippine Fisheries Code of 1998, is a law that provides for the development, management, and conservation of the country's fisheries and aquatic resources.

**e. Republic Act 10654** is a Philippine law that amends the Philippine Fisheries Code of 1998 to prevent, deter, and eliminate Illegal, Unreported, and Unregulated (IUU) fishing.

**g. Presidential Decree (PD) 705**, the Revised Forestry Code, declares mangrove areas as forestlands and makes it illegal to cut them without proper authorization.

## SECTION 5. DEFINITION OF TERMS.

a. **Batiano River** - is an ancient river (originally an estuary) where civilization prospered; it starts from Baluarte, Molo in Iloilo City, goes to Villa de Arevalo and to Poblacion Oton, makes a U-turn and goes back to the city via Brgy. San Antonio, San Nicolas, Cagbang, Oton and empties to Arevalo and Tabucan, Molo, Iloilo City. For purposes of this Ordinance, the stretch of Batiano River of Oton, starts from Brgy. Alegre and San Nicolas and flows toward Poblacion North, San Antonio, parts of Poblacion West, Tagbac Sur, to eastern side of Oton: Brgy. San Antonio, San Nicolas, Lambuyao and Cagbang.

b. **Hazardous Substances** - materials that pose a risk to health or the environment due to inherent properties like toxicity, flammability, or corrosiveness;

c. **Aquatic Life** - all organisms that live in water for all or part of their life cycle, such as fish, amphibians, crustaceans, plants, and microscopic organisms.

d. **Riparian Vegetation** - vegetation situated on the banks of a river.

e. **Invasive Species** - refer to a non-native organism that spreads into a new environment and causes harm to the ecosystem.

f. **Unsustainable Fishing Practices** - The use of various fishing methods to capture or harvest fish at a rate that is unsustainable for fish populations.

## SECTION 6. OBJECTIVES.

This Ordinance aims to:

- a. prevent further pollution and degradation of the Iloilo - Batiano River;
- b. restore its ecological balance through cleanup, reforestation, and waste management activities;
- c. regulate activities that affect water quality, riverbanks, and aquatic life;
- d. promote community participation and awareness in river protection; and
- e. establish a continuing program for monitoring and maintenance of the river ecosystem.

## SECTION 7. PROHIBITED ACTS.

The following acts shall be strictly prohibited within the Iloilo - Batiano River and its tributaries:

- a. Dumping of garbage, plastics, waste materials, or hazardous substances into the river and its riverbanks;
- b. Direct discharge of domestic, commercial, or industrial wastewater without proper treatment;
- c. Encroachment, reclamation, or illegal structures built within the designated river easement zones;
- d. Quarrying, dredging, or sand and gravel extraction without proper permits and environmental clearances;
- e. Cutting of mangroves, riparian vegetation, or trees along riverbanks; and
- f. Any act that directly or indirectly contributes to water pollution or river degradation.
- g. Releasing of invasive species like tilapia and other introduced species.

- h. Unsustainable Fishing Practices such as the use of Fish Pens.
- i. Any form of net type fishing.

## **SECTION 8. RESPONSIBILITIES OF BARANGAYS.**

Barangays along the Iloilo - Batiano River shall:

- a. Organize a Barangay Bantay Batiano Watch Group to monitor illegal dumping and other prohibited activities;
- b. Conduct monthly river clean-up drive activities and information campaigns;
- c. Report violations to the Municipal Environment and Natural Resources Office (MENRO) or to the Philippine National Police; or concerned NGA's and
- d. Incorporate River protection programs and activities into their annual plans and budgets.
- e. Prevent the construction and establishment of any illegal structure for residential or any other purpose, on the river, its riverbanks and easements as pre-emptive action for the protection of the Iloilo-Batiano River.

## **SECTION 9. CREATION OF THE ILOILO - BATIANO RIVER MANAGEMENT COUNCIL (IBRMC).**

There is hereby created an **Iloilo Batiano River Management Council (IBRMC)** composed of:

Chairperson - Municipal Mayor

Vice Chairperson – SB Chair committee on Environmental Protection and Climate Change  
Adaptation Members:

Municipal Environment and Natural Resources Officer (MENRO) (shall serve as Secretariat);

Municipal Disaster Risk Reduction and Management Officer (MDRRMO);

Municipal Engineer;

Municipal Agriculture Officer;

Municipal Planning and Development Coordinator

Punong Barangays of affected Barangays (Poblacion North, Poblacion West, Alegre, San Antonio, San Nicolas, Cagbang, Tagbac Sur, Buray and Lambuyao)

Representatives from DepEd, Youth, NGOs Private Sectors, Accredited CSOs including women organizations, fisherfolks and those having advocacy on environmental protection;

Representatives from National Government Agencies such as DENR, DPWH, NHA as technical / resource persons in the programs and projects related thereto.

## **SECTION 10. FUNCTIONS OF THE ILOILO - BATIANO RIVER MANAGEMENT COUNCIL (IBRMC).**

The **IBRMC** shall:

1. Formulate policies, coordinate projects, and oversee the implementation of rehabilitation, conservation, and periodic monitoring and evaluation activities for the Iloilo - Batiano River.
2. Collaborate with local and national government agencies, CSOs, Private Sectors and NGOs for the rehabilitation of the Iloilo-Batiano River;
3. Identify and Ensure the implementation of PPAs on rehabilitation, conservation of the Iloilo -Batiano River in the Medium and Long term plans and Annual Investment Program of the LGU and to sustain its programs, projects and activities.
4. Continue identification and relocation of the illegal / informal settlers; create strategic steps for its management like post relocation monitoring, mapping and assessment, issue legal notices, social preparation and consultation of illegal/ informal settlers; securing the area by installing fences or barriers to prevent encroachments and illegal/ informal settlers.
5. Formulate a development plan for Iloilo-Batiano River including proposals for legislation and submit them to the Sanggunian for its adoption.

## **SECTION 11. REHABILITATION OF ILOILO – BATIANO RIVER**

The LGU of Oton with the help and support of different public and private stakeholders shall continue to rehabilitate the Iloilo-Batiano River through dredging, mangrove planting, widening and other programs in connection thereto.

**SECTION 12. PENALTIES.**

Any person, natural or juridical, found violating this Ordinance shall be penalized as follows:

**First Offense:** Fine of **₱1,000.00**, and confiscation of materials used in violation of Section 7.

**Second Offense:** Fine of **₱2,000.00** and confiscation of materials used in violation;

**Third Offense:** Fine of **₱2,500.00**, without prejudice to filing of appropriate charges under national environmental laws (e.g., RA 9003 or RA 9275).

Commercial Establishments found violating this ordinance shall be subject to closure or suspension of business permits.

**SECTION 13. FUNDING.**

Funds necessary for the implementation of this Ordinance shall be sourced from the **Municipal Environmental Fund** from the General Fund of the LGU Oton or other available local or external funding sources and for a yearly appropriation of not less than P500,000.00 for rehabilitation and or dredging of identified areas . The Barangays may allocate funds from their respective Environmental Program Fund for river protection activities.

**SECTION 14. INFORMATION AND EDUCATION CAMPAIGN.**

The Municipal Environment and Natural Resources Office (MENRO), in coordination with the Department of Education and barangays, shall conduct continuous environmental education campaigns in schools and communities about the importance of protecting the Iloilo - Batiano River.

**SECTION 15. SEPARABILITY CLAUSE.**

If any provision of this Ordinance is declared invalid or unconstitutional, the remaining provisions shall remain in full force and effect.

**SECTION 16. REPEALING CLAUSE**

All Ordinances, rules, regulations, or parts thereof inconsistent with this Ordinance are hereby repealed or modified accordingly

**SECTION 17. EFFECTIVITY.**

Based on Section 511 of the Local Government Code, this Ordinance with penal sanctions shall take effect either on the day following its publication, or at the end of three (3) consecutive weeks period of posting, whichever occurs later.

**SECTION 18. COPIES.** Copies of this Ordinance shall be furnished to the Office of the Mayor, MBO, MTO, Acctg., MPDC, MACO, MENRO, MEO, DEPED Oton, PPSK, LYDO, MDRRMO, Oton PNP, Oton BFP, CSOs involved and members of the Council, Liga ng mga Brgy. Association, 37 Barangays, Legal Officer, and Sangguniang Panlalawigan for information, guidance and review, respectively.

UNANIMOUSLY APPROVED.

I HEREBY CERTIFY to the correctness of the foregoing Ordinance.

**KERRY ANN T. LACIFICAR**  
Secretary to the Sanggunian

Concurred:

**HON. DELL C. HOSILLOS**  
Vice Chair - Committee on Rules and Privileges

Attested:

  
**JOSE NEIL P. OLIVARES**  
Vice Mayor and Presiding Officer

Approved:

**SOFRONIO L. FUSIN, JR.**  
Municipal Mayor

Date Approved:

DEC 10 2025

Date Posted:

DEC 10 2025



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



December 10, 2025



**HON. NATHALIE ANN F. DEBUQUE**

Vice Governor and  
The Honorable Members  
Sangguniang Panlalawigan of Iloilo  
Iloilo Provincial Capitol  
Iloilo City

Thru: Secretary to the Sanggunian  
Province of Iloilo

Dear Honorable Ladies and Gentlemen:

Respectfully forwarding to your good Office the copy of **ORDINANCE NO. 2025 – 498 - PRESCRIBING THE PROTECTION, REHABILITATION, AND SUSTAINABLE MANAGEMENT OF THE ILOILO -BATIANO RIVER, PROVIDING PENALTIES FOR VIOLATIONS, FUNDS THEREFOR AND FOR OTHER PURPOSES.**

This is for your information and review.

Very truly yours,

**KERRY ANN T. LACIFICAR**  
Secretary to the Sanggunian