

REPUBLIC OF THE PHILIPPINES
PROVINCE OF SORSOGON
SORSOGON
OFFICE OF THE SANGGUNIANG PANLALAWIGAN

December 14, 2005

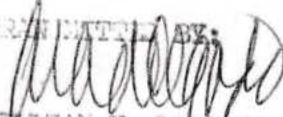
TRANSMITTAL NO. 45

TRANSMITTED TO: 1. The Honorable Mayor
2. The Sangguniang Bayan
Patnog, Sorsogon

Respectfully transmitted the attached subject for
information/file/records/reference purposes:

RESOLUTION NO. 291405 - RESOLUTION DECLARING
AS VALID VARIOUS MUNICIPAL ORDINANCES OF THE
MUNICIPALITIES OF PATNOC AND CASTILLA, SORSOGON.

TRANSMITTED BY:


WILLIAM H. DELGADO
SP Secretary



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SANGGUNIANG PANLALAWIGAN

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG PANLALAWIGAN, HELD AT ITS SESSION HALL, SP BUILDING, CAPITOL COMPOUND, SORSOGON CITY, ON DECEMBER 05, 2005.

PRESENT: Hon. Antonio H. Escudero, Jr., Vice Governor/Presiding Officer

1st District

Hon. Rosario D. Diaz
 Hon. Francisco L. Ravanilla
 Hon. Arnulfo L. Perete
 Hon. Everesto L. Relativo
 Hon. Marian G. Guysayko – Provincial President, Sangguniang Kabataan

2nd District

Hon. Jo. L. Dellomas-Fundano
 Hon. Jocelyn Y. Telis
 Hon. Arze G. Glipo
 Hon. Bernard H. Hao

ABSENT:

Hon. Rebecca de Leon-Aquino
 Hon. Olaf S. Gotladera
 Hon. George S. Chew – Provincial President, Liga ng mga Barangay
 Hon. Michael G. Go – Provincial President, Provincial Councilors League

RESOLUTION NO. 231-05

RESOLUTION DECLARING AS VALID VARIOUS MUNICIPAL ORDINANCES OF THE MUNICIPALITIES OF MATNOG AND CASTILLA, SORSOGON.

WHEREAS, submitted for consideration of the Collegial Body were the following municipal measures:

1. **MATNOG MUNICIPAL ORDINANCE NO. 09-2005** – AN ORDINANCE FOR THE COMPULSORY REGISTRATION OF FISHING VESSELS THREE (3) GROSS TONNAGE AND BELOW IN THE MUNICIPALITY OF MATNOG, SORSOGON, AND IMPOSING FEES AND PENALTIES THEREON.
2. **CASTILLA ORDINANCE NO. 010-2005** – AN ORDINANCE AMENDING SECTION 16 OF MUNICIPAL ORDINANCE NO. 006-1999, "AUXILIARY NOTICE FOR THE TRANSPORT OF FISH AND FISHERY PRODUCTS", AND PROVIDING PENALTIES FOR VIOLATION THEREOF.
3. **CASTILLA ORDINANCE NO. 011-2005** – AN ORDINANCE REQUIRING THE COMPULSORY REGISTRATION OF FISHING BOATS AND MOTORBOATS THREE (3) GROSS TONS AND BELOW IN COMPLIANCE WITH E. O. 305 OF THE OFFICE OF THE PRESIDENT, IN THE MUNICIPALITY OF CASTILLA, SORSOGON AND IMPOSING FEES THEREON.
4. **CASTILLA ORDINANCE NO. 013-2005** – AN ORDINANCE AMENDING THE RATES OF RENTAL OF STALLS AT FISH AND MEAT SECTION OF CASTILLA PUBLIC MARKET

WHEREAS, the SP Committees on Agriculture & Fisheries and Rules, Privileges & Amendments, to which the subjects had been referred, submitted to the Collegial Body a report with the following findings and recommendation:

[Handwritten signatures and marks at the bottom of the page]

On Matnog Ordinance No. 09-2005 and Castilla Ordinance No. 011-2005:

Through Executive Order No. 305 registration of fishing vessels three gross tonnage and below was devolved to the LGUs in line with its mandate under the Local Government Code of 1991 (RA 7160) and Philippine Fisheries Code of 1998 (RA 8550). In this regard these two municipalities enacted the appropriate ordinance, in compliance with the aforementioned executive order.

The Joint Committee agrees with the provisions of the Matnog Ordinance, it being consistent with the pertinent laws. Also, the same is substantial in form and in substance.

With regard to Castilla ordinance, the following findings are hereby forwarded to the LGU for due consideration:

1. Section 5 – Although the LGU has not yet encountered a case or incident that a boat might use two engines, the Joint Committee finds it necessary to consider the probability that this might happen in the future, because there were similar reported cases in other municipalities. Hence, it is suggested that the LGU should take into consideration the charging of those boats that will be using two (2) engines, instead of one (1), regardless of the total horsepower used, and be included as one classification of motorized fishing vessel with a separate and distinct registration fee. Its registration fee must not be lower than any of the other classification of motorized fishing vessels mentioned under this section.
2. Section 8 – The section title of “Final Provision” may be changed to “Penal Provision”. Moreover, there is a certain level of ambiguity when it comes to paragraph (B), there being no mention of specific section/s or provisions violated in consideration of the penalties stated thereat. It is advised that the provision must be consistent with the violation/s of the ordinance.
3. Spelling and Grammar – Evidently, a simple and honest typographical error/s may affect the entire meaning or interpretation of a provision. In this regard, it is most respectfully recommended that proofreading must also be taken into account in the preparation of the ordinance.

Foregoing premises considered, the Joint Committee hereby resolved to recommend approval of Matnog Ordinance No. 09-2005 and Castilla Ordinance No. 011-2005, inviting the concerned SB's attention to the above findings.

On Castilla Ordinance No. 010-2005:

This is an amendatory ordinance, which involves the inclusion of the prescribed fees, for the transport of different fish and fishery products. In this ordinance preserved fish were classified as Iced/Frozen, Salted, Dried, Smoked and Fresh/Alive. Consequently, the prescribed fees for transport differ from one type to another. This legislative measure particularly concerns the traders and dealers who will be transporting fish and fishery products out of the municipality of Castilla and may be regarded as a good revenue generating scheme.

The enactment of the same is well within the power of the LGU and is consistent with the pertinent provisions of the Local Government Code of 1991. It is *intra vires*.

Foregoing facts considered, the Joint Committee hereby resolved to recommend for its approval.

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On Castilla Ordinance No. 013-2005:

This legislative measure involves amending the rates of the rental of fish and meat stall at the Castilla Public Market. The rates are considerably fair and reasonably within the capacity of the vendors to pay. The stall will now be open to all interested persons and vendors will no longer be required to pay cash bond for occupancy of the stall. A daily rate is now provided in the ordinance.

The Joint Committee finding the same to be proper and in order, hereby recommends for its approval."

WHEREAS, the Board found the report to be proper and in order;

NOW, THEREFORE, on motion of Hon. Arze G. Glipo, unanimously seconded, the Board **RESOLVED**, as it is hereby **DONE**, to declare as **VALID THE AFOREMENTIONED MUNICIPAL ORDINANCES OF THE MUNICIPALITIES OF MATNOG AND CASTILLA, SORSOGON**, inviting the concerned SB's attention to the above findings, particularly on Castilla Municipal Ordinance No. 011-2005.

LET COPIES of this resolution be furnished the Honorable Mayors and Sangguniang Bayans of the Municipalities of Matnog and Castilla, Sorsogon, and all concerned for their respective information, guidance and appropriate action.

APPROVED UNANIMOUSLY.

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I HEREBY CERTIFY to the correctness of the foregoing.


WILLIAM H. DELGADO

Secretary to the Sangguniang Panlalawigan

ATTESTED:




ANTONIO H. ESCUDERO, JR., MNSA 12/14/05
Vice Governor/Presiding Officer



Republic of the Philippines
Municipality of Matnog
Province of Sorsogon

OFFICE OF THE SANGGUNIANG BAYAN

1st Indorsement
April 7, 2006

Respectfully indorsed to **MR. RICK G. FRANCISCO**, Municipal Administrator of Matnog, Sorsogon the herein Municipal Ordinance No. 09- 2005 of the Sanggunian Bayan of Matnog, Sorsogon entitled "A RESOLUTION ENACTING AN ORDINANCE FOR THE COMPULSORY OF REGISTRATION OF FISHING VESSELS THREE (3) GROSS TONNAGE AND BELOW IN THE MUNICIPALITY OF MATNOG, SORSOGON AND IMPOSING FEES AND PENALTIES THEREON" for information, guidance and appropriate action.


NORMITA V. AZUL
Secretary II

Received by:




Republic of the Philippines
Municipality of Matnog
Province of Sorsogon



OFFICE OF THE SANGGUNIANG BAYAN

1st Indorsement
October 21, 2005

Respectfully indorsed the SANGGUNIANG PANLALAWIGAN, Sorsogon, the herein Resolution No. 46 s 2005 Municipal Ordinance No. 09-2005 "RESOLUTION ENACTING AN ORDINANCE FOR THE COMPLUSORY REGISTRATION OF FISHING VESSELS THREE (3) GROSS TONNAGE AND BELOW IN THE MUNICIPALITY OF MATNOG, SORSOGON AND IMPOSING FEES AND PENALTIES THEREON, for information, guidance and appropriate action.


JOSEPHINE G. BALTISTA
SB-Secretary



Republic of the Philippines
MUNICIPALITY OF MATNOG
Province of Sorsogon

OFFICE OF THE MAYOR

2nd Indorsement
October 21, 2005

Respectfully returned to SB of LGU-Matnog the herein approved Resolution No. 46 s. 2005
“RESOLUTION ENACTING AN ORDINANCE FOR THE COMPULSORY REGISTRATION OF FISHING VESSELS THREE (3) GROSS TONNAGE AND BELOW IN THE MUNICIPALITY OF MATNOG, SORSOGON AND IMPOSING FEES AND FENALTIES THEREON.”


ZENAIDA R. GARAY
Executive Secretary

ANDAR MATNOG
... sa dalan kan kauswagan