

**ARTICLE VI – Administrative Provision**

**Section 9. Administrative Provision.** Violation of any of the provision of this ordinance shall subject the offender to an administrative liability as may be provided in an Executive Order without prejudice to the filing of a criminal offense subject to the penal provision as provided for in the next Article.

**ARTICLE VII - Penal Provision**

**Section 10. Penal Provision.** Violation of any of the provision of this Ordinance shall subject the offender to pay a fine, to wit:

First offense, a fine of - FIVE HUNDRED (Php 500.00) PESOS,

Second offense, a fine of - ONE THOUSAND (Php 1,000.00) PESOS,

Third offense, a fine of - TWO THOUSAND (Php 2,000.00) PESOS or imprisonment of not more than six (6) months or both such fine and imprisonment at the discretion of the court, without the prejudice to the confiscation of fishing gear, fishing vessel and paraphernalia in favor of the municipal government. The fish catch shall like be confiscated for distribution to charitable and penal institution.

**Section 11. Administrative Responsibility.** Law enforcers under Section 07 hereof, who with knowledge of a violation of this Ordinance, fails or refuses to abate the same or take proper action, shall be dealt with severely in accordance with existing rules and administrative discipline, without prejudice to the filing of an appropriate civil and or criminal action.

\* **Section 12. Appropriation of Fund.** To efficiently and effectively implement this Municipal Ordinance, the Local Government Unit will provide Yearly Allocation of its Maintenance, Operation and Management of the Fish Sanctuary shall be turned over after proper completion to a registered People's Organization in the Barangays covered, through a memorandum of Agreement for sustainability.


**Section 13. Separability Clause.** If for any reason any section or provision of this Ordinance is held unconstitutional and/ or invalid no other section or provision hereof shall be affected.

**Section 14. Effectivity.** This Ordinance shall take effect after publication for three (3) consecutive times in a newspaper of general publication within the province and posting for three (3) weeks in three (3) conspicuous places within the municipality or which ever comes first.

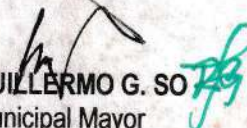
I hereby certify to the correctness of the foregoing.

ATTESTED BY:

  
**CARLOS G. ESTRELON, JR.**  
Municipal Vice Mayor  
Presiding Officer

  
**JOSEPHINE G. BAUTISTA**  
SB Secretary

APPROVED BY:

  
**GUILLERMO G. SO**  
Municipal Mayor

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

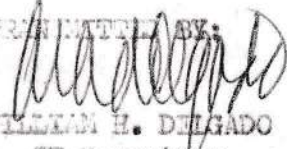
December 14, 2005

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. 291-05 - 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

1<sup>st</sup> 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

2<sup>nd</sup> District

Hon. Jo. L. Dellomas-Fundano  
 Hon. Jocelyn Y. Lelis  
 Hon. Arze G. Glipo  
 Hon. Bernard H. Hiao

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 INVOICE 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 initials]*

**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 MATNOC 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