



REPUBLIKA NG PILIPINAS
PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

Sangguniang Panglungsod

ORDINANCE NO. 05-053

AN ORDINANCE PRESCRIBING THE PROCEDURES FOR THE REGISTRATION OF FISHING VESSELS THREE (3) GROSS TONNAGE BELOW THAT UTILIZES THE TERRITORIAL WATERS OF MUNTINLUPA AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

Sponsored By : Hon. Mario E. Bulay, Jr.
Co-sponsored By : Hon. Melchor Teves
Hon. Francis Ian T. Bagatsing
Hon. Allan Rey A. Camilon
Hon. Atty. Raul R. Corro
Hon. Rene Carl S. Cayetano
Hon. Allen F. Ampaya
Hon. Elmer S. Espeleta
Hon. Marissa Cole-Rongavilla
Hon. Lucio B. Constantino
Hon. Joselito V. Arevalo
Hon. Artemio A. Simundac
Hon. Christian Glenn D. Lorica

WHEREAS, the power to register fishing vessels three (3) gross tonnage and below are presently being performed by the Philippine Coast Guard (PCG) and Department of Transportation and Communication (DOTC) and by the authority of Maritime Authority (MARINA) as mandated by Section 12(1) of Executive Order No. 125, as amended by Executive Order No. 125-A;

WHEREAS, pursuant to Executive Order No. 305, series of 2004, such power to register fishing vessels three (3) gross tonnage and below is now devolved to Municipal/City government;

WHEREAS, the marginalized fisher folks, especially that of Muntinlupa are faced with the difficulty of registration of fishing vessels three (3) gross tonnage and below with the national government considering the inaccessibility of Philippine Coast guard (PCG) offices in the area;

WHEREAS, pursuant to section 149 (3) of R.A. 7160, otherwise known as the Local Government Code of 1991, provides that the Sangguniang Bayan/Panlungsod, shall have the authority to issue licenses for the operation of fishing vessels three (3) gross tonnage or less, and Sections 16, 17, and 18 of R.A. 8550, otherwise known as the Philippine Fisheries Code of 1998, provides that Local government Unit shall have jurisdiction on municipal/city territorial waters;



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WHEREAS, Section 131, (r) of R.A. 7160, otherwise known as the Local Government Code of 1991, and Section 4, (58) of R.A. 8550, The Philippine Fishery Code of 1998, provides that "municipal waters include not only streams, lakes, inland bodies of water and tidal waters within the municipality which are not included within the protected areas as defined under Republic Act No. 7586 (The NIPAS Law), public forest, timber lands, forest reserves or fishery reserves, but also marine waters included between 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 the general 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;

WHEREAS, to remedy the present concerns of our local fisher folk within the city and to ensure the proper implementation of Executive Order No. 305, devolving to LGU the power to register fishing vessels three (3) gross tonnage and below, it is deemed necessary to enact a Local legislative measures for such purpose;

NOW THEREFORE, be it enacted by the Sangguniang Panlungsod of Muntinlupa in session assembled that:

Section 1. Coverage. This ordinance shall cover all fishing vessels with motor, below three (3) gross tonnages, owned and operated by residents of Muntinlupa. Fishing vessels below three (3) gross tonnage and operated by non-residents but utilizing the territorial waters of Muntinlupa are likewise covered by this ordinance.

Exempted from this ordinance are fishing vessels with no motor and are operated manually. However, for operators/owners of fishing vessels, without motor, they are required to follow the color coding scheme as provided under Section 5 hereof.

For those fishing vessels above three (3) gross tonnages, registration of which shall remain with the Philippine Coast Guard (PCG) in accordance with Executive Order No. 305, as amended by Executive Order No. 125-A.

Section 2. Local Requirements. The following are the requirements for the registration of fishing vessels three (3) gross tonnages and below:



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a. For individual residents of Muntinlupa:

1. Barangay Certification;
2. Community Tax Certificate;
3. Official Receipt of the Motor and the vessel;
4. Affidavit of Ownership duly notarized, in the absence of the official receipt.
5. 2 pcs. 2x2 picture of the applicant.

b. For Non-resident operators/owners of Fish pen/fish cage:

1. Community Tax Certificate of the applicant;
2. Official Receipt of the Motor and vessel;
3. Affidavit of Ownership duly notarized, in the absence of the official receipt;
4. 2 pcs. 2x2 picture of the applicant.

Section 3. Vessel Classification and their corresponding fees. The fishing vessels three (3) gross tonnage below are further classified according to their usage and motor used:

- a. For fishing vessels with motor 16 horse power and above, Irrespective of the size of the fishing vessel are required to pay the registration fee of Two Hundred Fifty Pesos (Php 250.00);
- b. For fishing vessels with motor 16 horse power and below, operators are required to pay the registration fee of Two Hundred Pesos (Php 200.00), provided, however, that said vessels are used by marginalized fisher folks/members of BFARMC'S for their livelihood;
- c. For fishing vessels which are utilized by fish pen/fish cage owner/operator and their personnel with an area of one (1) hectare and above as their service vessel, and operated within the territorial waters of Muntinlupa, irregardless of the strength of the motor, they are required to pay the registration fee of Three Hundred Fifty Pesos (Php 350.00);

Section 4. When and where payment shall be made. For purposes of this ordinance, registration of the fishing vessel three (3) gross tonnages and below, shall be made on a yearly basis. Payment shall be made every first (1) day of January up to the twentieth (20th) day of the same month and every year thereafter.



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The venue of registration shall be at the Central Head Quarters of Bantay Lawa located in Barangay Bayanan. However, to avoid inconvenience on the part of the applicants, additional site/satellite offices, shall be established when needed.

Section 5. Color Coding Scheme. For additional protection and easy identification of fishing vessels utilizing the waters of Muntinlupa, all operators/owners of fishing vessels three (3) gross tonnages and below are required to strictly follow the color coding scheme hereto provided:

a. Barangay Sucat	-	Violet
b. Barangay Buli	-	Orange
c. Barangay Cupang	-	Brown
d. Barangay Alabang	-	Blue
e. Barangay Bayanan	-	Light Green
f. Barangay Putatan	-	Dark Green
g. Barangay Poblacion	-	Yellow
h. Barangay Tunasan	-	Red

Section 6. In addition to the color coding scheme, mentioned in the preceding section, operators/owners of fishing vessels three (3) gross tonnages and below, are likewise required to paint in the body of their fishing vessels the number to be issued by the Lake Management Office (LMO) with a background based on the color coding of their respective barangay. The size of the background shall be 3 x 2 ft., the length is 3 ft. and the width is 2 ft. The size of the number shall be 1 ft. and shall be painted at both sides of the back portion of the fishing vessel.

Section 7. The Lake Management Office (LMO) is hereby authorized by this Ordinance in coordination with the Laguna Lake Development Authority (LLDA) to put markers establishing the boundary limits of territorial waters of Muntinlupa pursuant to Section 131 (r) of RA 7160 and Section 4, para 58 of RA 8550.

The Lake Management Office (LMO) shall be the local department in-charge of implementation and registration of fishing vessels pursuant to Executive Order 305, Series of 2004.

Section 8. Penalty Clause. Violation of any of the provision of this ordinance shall be punishable by a fine of ONE THOUSAND PESOS (Php 1,000.00) or an imprisonment of six (6) months or both of such fine and imprisonment at the discretion of the court.



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Section 9. Repealing Clause. All ordinances, rules and regulations or parts thereof whose provisions are in conflict with or contrary to the provisions of this ordinance are hereby repealed, amended or modified accordingly.

Section 10. Effectivity. This ordinance shall take effect within ten (10) days after its approval and publication for three (3) consecutive days in a newspaper of local circulation.

ENACTED, by the **Fourth (4th) Sangguniang Panlungsod of Muntinlupa** this **2nd** day of **June 2005** on its **37th** Regular Session.

CONCURRED:


ATTY. RAUL R. CORRO
Councilor


RENE CARL S. CAYETANO
Councilor


ALLAN REYA CAMILON
Councilor


ELMER S. ESPELETA
Councilor


MELCHOR R. TEVES
Councilor


FRANCIS IAN T. BAGATSING
Councilor



ALLEN F. AMPAYA
Councilor

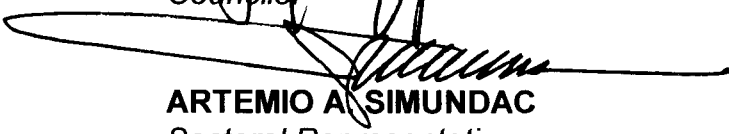

MARISSA COLE-RONGAVILLA
Councilor


LUCIO B. CONSTANTINO
Councilor


JOSELITO V. AREVALO
Councilor


MARIO E. BULAY, JR.
Councilor


CHRISTIAN GLENN D. LORICA
Sectoral Representative
President, Federation of
Sangguniang Kabataan


ARTEMIO A. SIMUNDAC
Sectoral Representative
President, Association of
Barangay Captains



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ABSENT:

BAL NIEFES
Councilor

MAMERTO T. SEVILLA, JR.
Councilor

MA. LUISA BABARAN-ECHAVEZ, M.D.
Councilor

ATTY. ICASIANO M. DELA REA
Councilor

KEVIN B. DELGADO
Councilor

I HEREBY CERTIFY, as to the correctness of the foregoing Ordinance.

CECILIA C. LAZARTE
Secretary
Sangguniang Panlungsod

ATTESTED:

ALDRIN L. SAN PEDRO
City Vice Mayor/Presiding Officer

APPROVED:

ATTY. JAIME R. FRESNEDI
City Mayor

Date: _____

PBS, JR.