



Municipality of Bani
Province of Pangasinan
OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN HELD ON OCTOBER 8, 2001 AT THE SB SESSION HALL, BANI, PANGASINAN.

Present:

Hon. Mariano D. Catabay	- Municipal Vice Mayor/ Presiding Officer
Hon. Marietchu S. Navarro	- Municipal Councilor
Hon. Rosalinda T. Acenas	- Municipal Councilor
Hon. Hannibal S. Olores	- Municipal Councilor
Hon. Teresita O. Estabillo	- Municipal Councilor
Hon. Panfilo C. Camba, Jr.	- Municipal Councilor
Hon. Wenceslao C. Natividad, Jr.	- Municipal Councilor
Hon. Elmer N. Ocampo	- Municipal Councilor
Hon. Pedro N. Camba	- Municipal Councilor
Hon. Marianito S. Castelo	- Brgy. Capt., Poblacin

Absent:

Hon. Evangelista N. Tugas	- Brgy. Cpt., Garrita
Hon. Tyrel Hasdrubal R. Olores	- PPSK President

Authorized by: SB Member Marietchu S. Navarro

EXPLANATORY NOTE

Article I, Section 16 of R.A. No. 8550, otherwise known as the Philippine Fisheries Code of 1998 provides for the Municipal Government to have jurisdiction over Municipal waters, hence, in consultation with the FARMC, the the same shall be responsible for the management, conservation, development, protection, utilization and disposition of all fish and fishery/aquatic resources within their respective municipal waters.

Chapter III, Section 26 of Bani Coastal Development Plan (2001-2010) provides for the Municipal Government to establish and maintain marine protected areas in the municipal waters to enhance and replenish depleted coastal and fishery resources and to rehabilitate the damaged coastal environment.

The Municipal Government of Bani after consultation with the MFARMC and concerned officials and citizen in the locality, believes that there is a need to Declare a Marine Protected Area in the Mangrove Rehabilitation Project at Bangrin, Sitio Abunciang, San Miguel, Bani, Pangasinan.

MUNICIPAL ORDINANCE NO. 2000-21

**DECLARING A MARINE PROTECTED AREA I
WITH AN AREA OF 42.25 HECTARES IN THE MAGROVE
REHABILITATION PROJECT AT BANGRIN, SITIO ABUNCIANG,
BARANGAY SAN MIGUEL, BANI, PANGASINAN.**

BE IT ENACTED by the Sangguniang Bayan of Bani, Pangasinan in session assembled:

SECTION 1. Title – This Ordinance shall be known as the Bani Mangrove Marine Protected Area – I of 2001 or BMMPA – I – 01.



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SECTION 2. Definition of Terms – As used in this Ordinance, the following terms and phrases shall mean as follows:

1. Court – refers to the regular court of justice.
 2. FARMC – The Municipal Fisheries and Aquatic Resources Management Council of Bani, Pangasinan.
 3. Fishing – the taking of fishery species from the wild state or habitat with or without the use of fishing vessels.
 4. Fishery Reserve – a designated area which serves as a buffer within the Marine Protected Area I (MPA I) where fishing activities are allowed subject to regulation and which is characterized by high biological productivity and/or biodiversity.
 5. Fish Sanctuary – designated area within the MPA I where fishing is prohibited and human access maybe restricted and which is characterized by high productivity and/or high biodiversity.
- Fish and Fishery/Aquatic products – include not only finfish but also mollusks, crustaceans, echinoderms, marine mammals and also other species of aquatic flora and fauna and all other products of aquatic living resources in any form.
6. Mangrove – a community of inter tidal plants including all species of trees, shrubs, vines and herbs found on coasts, swamps or border of swamps.
 7. Municipal Waters – include not only the streams, lakes, inland bodies of water and tidal waters within the municipality which are not the subject of private ownership and not included within the national parks, brackish water fishponds leased by the government, and national fishery reserves, refuge and sanctuaries but also marine waters included between two 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 including offshore islands and fifteen (15) kilometers from such coastline. Where two (2) municipalities are so situated on opposite shores such that there is less than thirty (30) kilometers of marine waters between them, the third line shall be a line equidistant from the opposite shores of the respective municipalities.
 8. Marine Protected Area. – an area in the municipal waters that is Established by an ordinance intended for rehabilitation and And replenishment of fishery and coastal resources because of its ecological function as a spawning and/or feeding grounds for on or a group of marine species and is characterized by high productivity and/or high biodiversity.



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9. Marine Protected Area I Management Board – refers to the Policy making body of MPA I which shall be composed of nine (9) members from:

- LGU Representative (as chairman)]
- Brgy. Kagawad, Committee on Agriculture and Fisheries, San Miguel
- Brgy. Kagawad, Committee on Agriculture and Fisheries, Aporao
- Chairman, FARMC, San Miguel
- Chairman, FARMC, Aporao
- President, San Miguel Bani Fishermen's Association, Inc.
- President, Aporao Fishermen's Association, Inc.
- President, Women's Association, San Miguel
- Chairman, Municipal Fisheries and Aquatic Resources Management Council

10. Marine Protected Area I Managers – refers to San Miguel – Aporao Fishermen's Federation.

Pruning – to cut-off

11. Sea Ranching – this is the seeding of fish and aquatic species to grow and reproduce at the BMPA-I and allowing their fry/fingerlings to escape and become available as fish caught of fishermen.

SECTION 3. Declaration – An Area of 42.25 Hectares shall be Declared as a Marine Protected Area I in the Mangrove Rehabilitation Project at Bangrin, Sitio Abunciang, Barangay San Miguel, Bani, Pangasinan, and shall be composed of two (2) parts, more particularly described as follows:

a. The Fish Sanctuary, which shall be composed of thirty seven and five hundredth (37.05) hectares, shall be the center or core of the marine protected area and bounded by the following coordinates:

CORNERS	LATITUDE	LONGITUDE
1	16.24844°N	119.92349 E
2	16.25352°N	119.93040 E
3	16.24626°N	119.92690 E
4	16.24446°N	119.92318 E

PROVIDED, That fishing is prohibited and other human activities are strictly regulated; and

b. The Fishery Reserve, which shall be composed of twenty two to fifty (22-50) meter distance equivalent to five and two tenth (5.2) hectares, shall be the periphery which serves as a buffer within the marine protected area and bounded by the following coordinates:

CORNERS	LATITUDE	LONGITUDE
1	16.24427 N	119.92832 E
2	16.24599 N	119.93040 E
3	16.25395 N	119.92690 E
4	16.24862 N	119.92318 E



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PROVIDED, That fishing activities are allowed subject to regulation:

PROVIDED, However, that scientific and educational activities shall be allowed inside the sanctuary and reserve areas for monitoring and other related purposes, only, if written permission is obtained from the Municipal Mayor through the FARMC.

SECTION 4. Management Of The Marine Protected Area – I. There shall be a Marine Protected Area I Management Board and Marine Protected Area I Managers who shall be responsible for the management, protection, conservation and development of the Marine Protected Area I.

SECTION 5. Allowable Activities within the Bani Marine Protected Area – I

a. The following activities shall be allowed inside the Fish Sanctuary:

- a.1. Bird Watching and Fish Watching
- a.2. Educational activities, scientific research, monitoring and information duly permitted by the municipal government.
- a.3 Sea Ranching

b. The following activities shall be allowed within the Fishery Reserve:

- b.1. Fishing shall be allowed with the use of hook and line, pole and line 2 hrs. / fisher / week
- b.2. Gleaning of circumstances and shells 1 Hour/fisher/week.
- b.3. Educational activities, scientific research monitoring and other related purposes duly permitted by the Local Chief Executive thru the FARMC.
- b.4 Mari culture projects of the MPA Managers duly permitted by the Local Chief Executive.

SECTION 6. Prohibited Activities – The following activities shall be prohibited within the Marine Protected Area I.

1. Fishing and gleaning at the fish sanctuary and/or fish with the use of fishing gear other than pole and line at the fishery reserve;
2. Hunting of birds and collection of their eggs or doing activities resulting to their disturbance;
3. Trespassing;
4. Cutting of trees and pruning of their branches for whatever purpose without permission from the Management Board;
5. Activities that may disturb the ecosystem such as but not limited to swimming and boating;
6. Movement and destruction of boundary marker, fence, billboard signboards; and
7. Such other activities which are not identified as allowable activities.

SECTION 7. Persons Authorized To Enforce This Ordinance. Members of the Bani Police Force, Barangay Officials, CVOs, Marine Protected Area I Managers and the Bantay Dagat duly designated in writing by the Municipal Mayor are hereby made deputies in the enforcement of this Ordinance.



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SECTION 8. Appropriation. The municipal government shall allocate funds for the maintenance of the Bani Marine Protected Area-I under the budget of the Office of the Municipal Agriculturist. The Sangguniang Bayan shall approve funds appropriated by the Local Chief Executive for the succeeding years to be included in the annual budget of the municipality.

SECTION 9. Penal Clause. – Unless otherwise provided by R.A. No. 8550, otherwise known as the Philippine Fisheries Code of 1998, any person or group of persons who violate this Ordinance shall be penalized with a fine of:

a) FIRST OFFENSE – A fine of ONE THOUSAND PESOS (P1,000.00) or two (2) months imprisonment or both at the discretion of the court and the confiscation of any paraphernalia and fish and fishery aquatic products at hand.

b) SECOND OFFENSE – A fine of ONE THOUSAND FIVE HUNDRED PESOS (P1,500) or four (4) months imprisonment or both at the discretion of the court and the confiscation of any paraphernalia and fish and fishery aquatic products at hand.

c) THIRD OFFENSE – A fine of TWO THOUSAND FIVE HUNDRED PESOS (P2,500.00) or six (6) months imprisonment or both at the discretion of the Court and the confiscation of any paraphernalia and fish and fishery aquatic products at hand.

SECTION 10. Repealing Clause – All previous ordinances, executive orders, rules and regulations or parts thereof which are inconsistent with this ordinance are hereby repealed and modified accordingly.

SECTION 11. Separability Clause – If, for any reason or reasons, any part or provision of the ordinance shall be held unconstitutional or invalid, other parts of provisions hereof which are not affected thereby shall continue to be in full force and in effect.

SECTION 12. Effectivity Clause – This Ordinance shall take effect after ten (10) days from the date a copy thereof is posted in a bulletin board at the entrance of the municipal building, and in at least two (2) other conspicuous places in the locality.

ENACTED.



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HON. MARIANO D. CATABAY
Municipal Vice-Mayor/Presiding Officer

HON. MARIETCHU S. NAVARRO

HON. WENCESLAO C. NATIVIDAD, JR.

HON. ROSALINDA T. ACENAS

HON. ELMER N. OCAMPO

HON. HANNIBAL S. OLORES

HON. PEDRO N. CAMBA

HON TERESITA O. ESTABILLO

HON. MARIANITO S. CASTELO

HON. PANFILO C. CAMBA, JR.

CERTIFICATION

I HEREBY CERTIFY that this Municipal Ordinance was finally passed by the Sangguniang Bayan of Bani on October 8, 2001.

EUGENIA F. CAMBA
Secretary to the Sanggunian

APPROVED:

ATTY. GABRIEL E. NAVARRO
Municipal Mayor

MSN/EFC/dno