



Republic of the Philippines
Province of Surigao del Norte
MUNICIPALITY OF MAINIT



Office of the Sangguniang Bayan

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TESSIE R. PAZ
SB Secretary

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF MAINIT, SURIGAO DEL NORTE HELD ON THE 3RD DAY OF MARCH, 2020 AT THE SANGGUNIANG BAYAN SESSION HALL.

PRESENT:

Hon. Christopher M. Avila	- Municipal Vice Mayor/Presiding
Hon. Erlinda B. Mantilla	- Sangguniang Bayan Member
Hon. Roselito A. Mantong	- Sangguniang Bayan Member
Hon. Lynda B. Mozar	- Sangguniang Bayan Member
Hon. Elesabeth B. Alag	- Sangguniang Bayan Member
Hon. Edna S. Beltran	- Sangguniang Bayan Member
Hon. Bernabe P. Nalam	- Sangguniang Bayan Member
Hon. Teresita O. Bagalay	- Sangguniang Bayan Member
Hon. Ronnie C. Orcullo	- Sangguniang Bayan Member/ ABC President
Hon. Shella Mae V. Telin	- Sangguniang Bayan Member/ SK Federated President

ABSENT:

Hon. Jerry D. Madera	- Sangguniang Bayan Member
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SB-MSN ORDINANCE NO. 2020-055
Series of 2020

AN ORDINANCE PROVIDING GUIDELINES ON THE OPERATION OF COMMUNITY FISH LANDING CENTER IN THE MUNICIPALITY OF MAINIT, SURIGAO DEL NORTE AND PROVIDING FEES AND OTHER CHARGES THEREOF

Sponsor: Hon. Lynda B. Mozar

BE IT ORDAINED by the Sangguniang Bayan of the Municipality of Mainit, Surigao del Norte in session assembled that:

Section 1. Title. This Ordinance shall be known as **“An Ordinance Providing Guidelines on the Operation of Community Fish Landing Center in the Municipality of Mainit, Surigao del Norte and Providing Fees and Other Charges Thereof.”**

Section 2. Declaration of Policy.

2.1 It is hereby declared the policy of the Municipality of Mainit and within its territorial jurisdiction that the venue for business opportunities, particularly fish landing and fish trading, is the Mainit Community Fish Landing Center, enjoining all fish dealers and operators including buyers to use Mainit Community Fish Landing Center instead of other fish landing areas, public or private elsewhere; and

2.2 The operation and management of the Mainit Community Fish Landing Center is aimed at providing proper venue and orderly operation of fish landing and fish trading business, to wit:



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- a. Provide fish dealers/traders and operators with secure area and parking spaces for their use; and
- b. Provide professional security personnel and other machineries.

Section 3. Scope. This Ordinance shall cover the administration and operation of Mainit Community Fish Landing Center.

3.1 All municipal fisher folks, fish dealers, operators, buyers and fishing vessels shall unload their aquatic/freshwater harvested/gathered/produced and/or fish catch exclusively at Mainit Community Fish Landing Center;

3.2 All fish trading/brokering activities shall be done inside the Mainit Community Fish Landing Center only with exemption that minimal fish catch fixed at 7 kilograms and below is considered for consumption only hence, can sell their fish catch immediately within the community;

3.3 Upon approval of this Ordinance, no private entities shall be allowed to operate another fish landing center within the territorial jurisdiction of this municipality;

3.4 All operators engaging in fishing business are required to secure business permit; and

3.5 All buyers/traders are likewise required to have business permit to buy.

Section 4. Definition. As used in this Ordinance, the terms shall mean as follows:

- a. **Fish Landing** – building and facilities where fishing vessels can unload aquatic/freshwater products and wherein any fish trading can be conducted by legitimate fish dealers/traders or brokers.
- b. **Fishing Vessel** – includes boat – motorized or non-motorized and other watercrafts capable of being used in catching fish and/or transporting freshwater products.
- c. **Fees** – payments as fixed by the ordinance for regulation or inspection of a business activity.
- d. **Charges** – refer to the monetary liability as fees due from persons for the use of the Community Fish Landing Center facilities.
- e. **Landing** – bringing or coming to land or shore.
- f. **Landing Fee** – the amount of fee charged against the operator of fishing boat and/or similar watercraft for landing at the Community Fish Landing Center.



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- g. **Endangered, Rare and/or Threatened Species** – aquatic plants, animals and other marine species including varieties of lake shells in danger of extinctions.
- h. **Fisherfolk Organization** – refers to group, duly accredited by the Municipal Government through the Sangguniang Bayan that shall enter in a Memorandum of Agreement (MOA) with the Local Government Unit for this purpose.
- i. **Jetty/Wharf** – is a man-made structure by the lake, which provides an area for boats to safely dock.

Section 5. Imposition of Fees and Charges. There shall be fees to be collected from the operators of fishing vessels landing in the Mainit Community Fish Landing Center. The following charges shall be applied:

Activity	Fees/Charges
1. Fishing boat and other watercrafts of less than 3 tons docking at the fish landing wharf area	Php10.00 per day or fraction thereof
2. Service charge for unloading of fish and other products	Minimum of Php10.00 per styro and additional fee of Php0.50 per kilogram in excess of 40 kg or whichever is higher

Section 6. Parking Fee. For the purpose of this Ordinance, the following parking fees shall be collected during "Operation Hours".

Type of Vehicle	Fees/Charges
1. 2 to 3 wheeled motor vehicle	Php 5.00
2. Cars, vans and jeepneys	Php10.00
3. Trucks/Buses (with 6 and up wheels)	Php 50.00

Section 7. Operations and Administrations.

7.1 The operation of the Mainit Community Fish Landing Center shall be administered by the Local Government Unit of Mainit until such time that the Mainit Fisherfolks' Organization is ready to operate and administer the establishment on its own and shall enter into a Memorandum of Agreement (MOA) that shall be qualified and approved by the LGU for the purpose duly concurred by the Sangguniang Bayan, including the maintenance of the facilities and collection of fees and charges.



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7.2 Said fisherfolks' organization shall monitor the arrival or landing of fishing vessel at the Mainit Community Fish Landing Center. No fishing vessels or carriers which have already landed or entered at the fish landing shall be allowed to leave without first paying the landing fee imposed as described in this ordinance.

7.3 The Municipal Government through the Office of the Mayor shall issue the necessary guidelines (Terms of Reference) that shall be approved by the Sangguniang Bayan for the proper, effective and efficient operation and operation of the Community Fish Landing Center.

7.4 The Municipal Government may allow the fisherfolks' organization to impose additional fees and charges deemed necessary subject to the concurrence of the Sangguniang Bayan.

7.5 Fish landing operations shall be from 4:00 am to 4:00 pm.

7.6 Said fisherfolks' organization shall also monitor the fishing vessel not using the Mainit Community Fish Landing Center as their landing area for their fish catch, and fish dealers and operators shall be penalized accordingly.

Section 8. Share of Income. The fees and charges imposed and collected in this ordinance shall be proportionately divided into:

20% - of gross shall be directly the share of the Municipal Government of Mainit. Such shall be remitted to the Municipal Treasurer on or before the 5th day of the succeeding month; and

80% - of gross shall be the share of the fisherfolks' organization to cover utilities, personnel, security and other operational expenses including maintenance to ensure the effective and efficient service of fish landing as the legitimate fish trading area of the whole Municipality of Mainit.

Section 9. Manner of Collection. In the barangay level as to the manner of collection of income, they shall have the right to claim levy by 5%.

Section 10. Restrictions. There shall be restrictions that must be observed as herein stated in this ordinance, to wit:

10.1 Gambling in any form; drinking of intoxicating liquor; and smoking are strictly prohibited inside fish landing center premises;

10.2 No endangered species/products that are prohibited under existing laws and local ordinances shall be allowed to land and/or to be traded in the fish landing center;



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10.3 No major repair and/or construction of fishing vessels is allowed within the fish landing center and its premises; and

10.4 All owners and operators of fishing vessels that docking in the wharf shall maintain the cleanliness and seaworthiness of their vessels and avoid all forms of pollution within the fish landing center and its immediate docking areas.

Section 11. Time and Manner of Payment. The fees as imposed in this Ordinance shall be paid directly to the Municipal Government through the Municipal Treasurer's Office on or before the 5th day of the succeeding month.

Section 12. Penalty. Any violation of the provision of this Ordinance shall be fined accordingly.

A. Fisher folk

- a. For non-landing of fish catch at Mainit CFLC
 - 1st Offense - Php300.00
 - 2nd Offense - Php500.00
 - 3rd Offense - Php1,000.00 and cancellation of business permit
- b. For violation of Section 10 (from 10.1 up to 10.4)
 - 1st Offense - Php300.00
 - 2nd Offense - Php500.00
 - 3rd Offense - Php1,000.00 and cancellation of business permit
- c. Without license or business permit – Php500.00

B. Buyer/Trader/Broker

- a. Buying/trading/brokering outside Mainit CFLC
 - 1st Offense - Php300.00
 - 2nd Offense - Php500.00
 - 3rd Offense - Php 1,000.00 and cancellation of business permit
- b. Without license or business permit – Php500.00

Section 13. Separability Clause. The provision of this Ordinance is hereby declared to be separable and in the event that one or more of the other provisions are held illegal and unconstitutional, the validity of the other provisions shall not be affected.

Section 14. Effectivity. This Ordinance shall take effect immediately and upon posting for three (3) consecutive weeks in the entrance of the fish landing center and in three (3) conspicuous places in the Municipality of Mainit.



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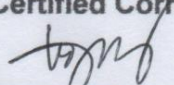
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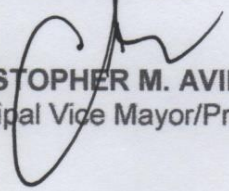
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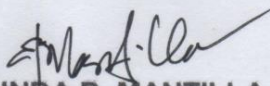
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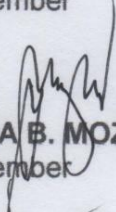
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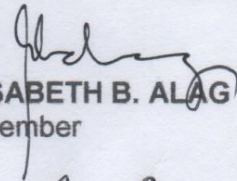

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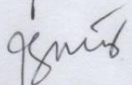
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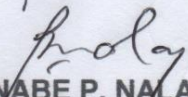

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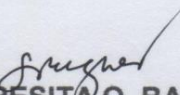

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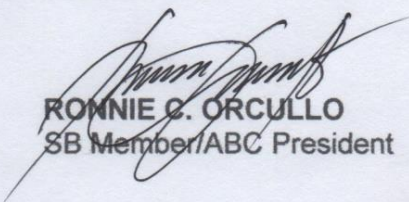

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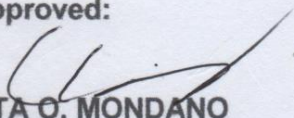

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Approved:


CRISANTA O. MONDANO
Municipal Mayor
Date: March 10, 2020