

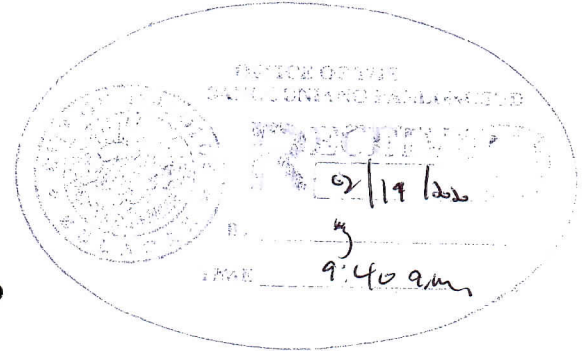


Republic of the Philippines  
Province of Bulacan  
City of Malolos

## OFFICE OF THE CITY MAYOR

19 February 2020

**MS. CRISTINA R. GUTIERREZ, EnP**  
**SECRETARY TO THE SANGGUNIANG PANLUNGSOD**  
**CITY OF MALOLOS, BULACAN**



Dear **Ms. Gutierrez**,

Attached hereto is a copy of the City Ordinance No. 06-2020 which was received by the Office of the City Mayor on 6 February 2020.

Pursuant to the Local Government Code of 1991 particularly Section 54(b) of Republic Act No. 7160, an ordinance or resolution shall be deemed approved as if the City Mayor has signed it in the absence of a veto communicated by the City Mayor to the Sanggunian within 10 days from receipt of the ordinance or resolution. As such, the abovementioned issuance is deemed approved.

Thank you.

Very Truly Yours,

**ATTY. LOUIE BELLE C. TAGULAO – CASTRO**  
Chief-of-Staff



Republic of the Philippines  
Province of Bulacan  
City of Malolos

OFFICE OF THE SANGGUNIANG PANLUNGSOD

EXCERPT FROM THE MINUTES OF REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD OF MALOLOS HELD AT BULWAGANG DON RAMON G. DE LEON OF THE CITY OF MALOLOS ON FEBRUARY 06, 2020.

MEMBERS PRESENT:

|                             |  |
|-----------------------------|--|
| HON. NOEL G. PINEDA         | City Vice Mayor<br>Presiding Officer<br>City Councilor |
| HON. FRANCISCO J. CASTRO    | "  |
| HON. NIÑO CARLO C. BAUTISTA | "  |
| HON. KIRK LOUIS NICOLAS     | "  |
| HON. MICHAEL M. AQUINO      | "  |
| HON. ENRICO C. CAPULE       | "  |
| HON. DENNIS D. SAN DIEGO    | "  |
| HON. EMMANUEL R. SACAY      | "  |
| HON. EDGARDO F. DOMINGO     | "  |
| HON. LUIS ALFONSO M. ARCEGA | "  |
| HON. MIGUEL CARLOS B. SOTO  | "  |
| HON. PATRICK S. DELA CRUZ   | SK President   |

MEMBERS ABSENT:

|                          |               |
|--------------------------|---------------|
| HON. DIONISIO C. MENDOZA | ABC President |
|--------------------------|---------------|

CITY ORDINANCE NO. 06-2020

**AN ORDINANCE REGULATING THE TRANSPORT OF FISH AND OTHER AQUATIC OR FISHERY PRODUCTS COMING IN AND GOING OUT OF THE CITY OF MALOLOS, PROVIDING PENALTY THEREFOR, AND FORMULATING THE NECESSARY IMPLEMENTING RULES AND REGULATIONS FOR THE PURPOSE.**

Author: Hon. MICHAEL M. AQUINO  
Co-authors: Hon. NOEL G. PINEDA, Hon. FRANCISCO J. CASTRO, Hon. NINO CARLO C. BAUTISTA, Hon. KIRK LOUIS NICOLAS, Hon. ENRICO C. CAPULE, Hon. DENNIS D. SAN DIEGO, Hon. EMMANUEL R. SACAY, Hon. EDGARDO F. DOMINGO, Hon. LUIS ALFONSO M. ARCEGA, Hon. MIGUEL CARLOS B. SOTO, Hon. DIONISIO C. MENDOZA and Hon. PATRICK S. DELA CRUZ

**WHEREAS**, it is deemed necessary to inspect shipment from City of MALOLOS to destinations outside the city as indicated in its accompanying transport documents and to impose inspection and checking of fish and other aquatic or fishery products that may enter the City in accordance with the mandate of Department of Agriculture to carry out quarantine duties in collaboration with the Bureau of Fisheries and Aquatic Resources (BFAR);

**WHEREAS**, it is the duty of the City Agriculturist to formulate plans and strategies and implement the same particularly those fishery-related activities enshrined in Section 15 of Republic Act 8550 as amended by Republic Act 10654;

**WHEREAS**, the foregoing ordinance seek to compliment Republic Act No. 8550 in empowering the City, through the City Agriculture Office, to impose and collect fees for the services rendered in inspecting and checking fish and other aquatic or fishery products transported in and outside the City;

**WHEREAS**, Section 447 (a)-(5)-(xii) of 1991 Local Government Code empowers the Sangguniang Bayan to approve measures and adopt quarantine regulation to prevent the introduction and spread of diseases within its territorial jurisdiction; and

**WHEREAS**, Section 447 (a)-(2)-(ii) of 1991 Local Government Code and Section 15 of R.A.8550 or the Philippine Fisheries Code of 1998, state that the Sangguniang Bayan may fix and impose reasonable fees and charges for all services rendered by the Municipal Government to private persons or entities in the issuance of auxiliary invoice being one of those contemplated.

HON. NOEL G. PINEDA  
CITY VICE MAYOR

HON. FRANCISCO J. CASTRO  
CITY COUNCILOR

HON. NIÑO CARLO C. BAUTISTA  
CITY COUNCILOR

HON. KIRK LOUIS NICOLAS  
CITY COUNCILOR

HON. MICHAEL M. AQUINO  
CITY COUNCILOR

HON. ENRICO C. CAPULE  
CITY COUNCILOR

HON. PATRICK S. DELA CRUZ  
CITY COUNCILOR

HON. DIONISIO C. MENDOZA  
CITY COUNCILOR

HON. MIGUEL CARLOS B. SOTO  
CITY COUNCILOR

HON. LUIS ALFONSO M. ARCEGA  
CITY COUNCILOR

HON. EDGARDO F. DOMINGO  
CITY COUNCILOR

HON. EMMANUEL R. SACAY  
CITY COUNCILOR

HON. DENNIS D. SAN DIEGO  
CITY COUNCILOR



-----x  
**WHEREAS**, noteworthy are the provisions of Republic Act No. 7160, Section 17 Par (b) Subject (3) 1 and Republic Act No. 8550 which states that agricultural extension and on site research services and facilities includes the prevention and control of plant and animal (to include fish and fishery/aquatic animals) pest and diseases, dairy farms, livestock markets, animal breeding station (to include hatcheries) and artificial insemination centers, and assistance in the organization of farmers and fishermen cooperatives and other collective organizations as well as transfer of appropriate technology.

Furthermore, Section 15 of Republic Act No. 8550 as amended by Republic Act 10654 states that all fishpond fishery and aquatic products must have an auxiliary invoice to be issued by the LGU's or their duly authorized representatives prior to actual transport from the point of origin to the point of destination in the Philippines and/or for export purposes upon payment of a fee determined by the LGU's to defray administrative costs thereof

**NOW THEREFORE**, in session duly assembled THE SANGGUNIANG PANLUNGSOD OF MALOLOS ORDAINED

**SECTION 1. - TITLE** - This ordinance shall be known and thereafter referred to as '**AN ORDINANCE REGULATING THE TRANSPORT OF FISH AND OTHER AQUATIC OR FISHERY PRODUCTS COMING IN AND GOING OUT OF THE CITY OF MALOLOS, PROVIDING PENALTY THEREFOR, AND FORMULATING THE NECESSARY IMPLEMENTING RULES AND REGULATIONS FOR THE PURPOSE**'.

**SECTION 2. - DECLARATION OF POLICY** - It is the policy of the City Government of MALOLOS, being an agricultural city, to maximize the utilization of its agricultural resources for employment generation, attainment of food sufficiency, and to safeguard the agriculture and fishery sectors from adverse implications of man-made and natural calamities.

**SECTION 3. - SCOPE, COVERAGE AND PURPOSE** - The rules and regulations hereinafter referred and provided shall be applied specifically to fishery and all aquatic products produced and shipped in and out of the territorial jurisdiction of the City of MALOLOS to be checked and inspected in accordance with the existing quarantine laws and regulations and in pursuance to government's efforts to prevent and eventually eradicate dangerous fishing activities using explosives and noxious or poisonous substances in preserving the products. The same rules envisioned to assure everyone that only healthy or quality fishery and other aquatic products are marketed for public consumption thus protecting, safeguarding, and conserving the various fishery and aquatic industries in the province.

**SECTION 4. - DEFINITION OF TERMS.**

- a. "**Agriculturist**" - is a licensed and or appointed Agricultural Officer under the employment of the City Government.
- b. "**Auxiliary Invoice**" - is a pertinent document issued for the shipping out of certain commodities or products indicating the point of origin and point of destination. It also serves as a certification that the commodities that are shipped out are free from diseases, hence worthy for human consumption.
- c. "**By-Product or Derivative**" - is any part taken or substance extracted from aquatic wildlife, such as but not limited to bioactive compounds/molecules and genetic material whether raw or in processed form.
- d. "**FARMCs**" - the Fisheries and Aquatic Resources Management Councils.
- e. "**Fees**" - any amount collected for the exercise of a privilege under control of government.
- f. "**FAO**" - means Fishery Administrative Order.
- g. "**Fish and Fishery/Aquatic Product**" - includes not only finfish but also mollusk, crustaceans', echinoderms, marine mammals, and all other species of aquatic flora and fauna and all other products of aquatic living resource in any form.
- h. "**Fishing with explosives**" - is the use of dynamite, other explosives or other chemical compounds that contain combustible elements or ingredients which upon ignition by friction, concussion, percussion or detonation of all or parts of the compound, will kill stupefy, disable or render unconscious any fishery species. It also refers to any substance /or device which causes an explosion. That is capable of producing the said harmful effect on any fishery species and aquatic resources and capable of damaging and altering the natural habitat.

HON. FRANCISCO J. CASTRO  
CITY COUNCILOR

HON. NINO CARLO C. BAUTISTA  
CITY COUNCILOR

HON. KIRK LOUIS NICOLAS  
CITY COUNCILOR

HON. MICHAEL M. AQUINO  
CITY COUNCILOR

HON. ERICO G. CAPULE  
CITY COUNCILOR

HON. NOEL G. PINEDA  
CITY VICE MAYOR

HON. PATRICIA S. DELA CRUZ  
CITY COUNCILOR

HON. DIONISIO C. MENDOZA  
CITY COUNCILOR

HON. MIGUEL CARLOS B. SOTO  
CITY COUNCILOR

HON. LUIS ALFONSO M. ARCEGA  
CITY COUNCILOR

HON. ENRIQUE F. DOMINGO  
CITY COUNCILOR

HON. JUAN R. SACAY  
CITY COUNCILOR

HON. DIEGO S. DUEÑAS  
CITY COUNCILOR



- i. **"Fishing with noxious or poisonous substances"** - is the use of any substances plant extraction juice, thereof sodium, cyanide and or cyanide compound or other chemicals, either in raw perused form, harmful or harmless to human beings which will kill stupefy or under unconscious any fishing species and aquatic resources and capable of damaging and altering the natural habitat.
- j. **"FOB"** - means Fish On Board.
- k. **"CAO"** - stands for City Agriculturist Office, which performs agricultural development aspect as mandated by law.
- l. **"Native species"** - a species or lower taxon living within its natural range (past or present) including the area which it can reach and occupy using its natural dispersal systems.
- m. **"Person"** - is referred to an individual by itself or firm, partnership, corporation, company, society, association or other group of any of their foregoing agent representative, offices, employee, caretaker, etc.
- n. **"Quarantine"** - is defined as a period of isolation of fish and fishery/aquatic animals to prevent the spread of diseases, toxins and etc. that is believed not fit for human consumption. It is also a state period or place of isolation of people or animal that have arrived from elsewhere or been exposed to contagious diseases.
- o. **"Shipper"** - is referred to an individual firm, partnership, corporation of their agent representatives who own and transport goods/products from one destination to another.

**SECTION 5. - DUTIES AND FUNCTIONS OF THE CITY AGRICULTURIST OFFICE.**

- a. Formulate measures for the consideration of the Sanggunian and provide technical assistance in support to the Mayor in carrying out measures to insure the delivery of basic services and provision of adequate facilities pursuant to the section 17 of R.A.7160.
- b. Develop plans and strategies and upon approval by the City Chief Executive, shall implement the same, particularly those which have to do with fishery related activities that the City Chief Executive is empowered to implement and which the Sangguniang Panlungsod is empowered to provide for under R.A.7160.
- c. Advise the City Chief Executive on all matters pertaining to the harvest aquatic animals and market of fish and fishing/aquatic products.
- d. Regulate and inspect fish and fishery/aquatic products for public consumption.
- e. Subject to Sangguniang Panlungsod approval thru an ordinance formulating, enforcing, and regulating laws in the seizure of fish caught with the use of explosives and noxious or poisonous substances.
- f. Take the necessary measures to eradicate, prevent or cure all forms of fish and fishery/aquatic species diseases.
- g. Be in the front-line of fishery activities in close coordination with the concerned national agencies, such as in the outbreak of red tide phenomenon.
- h. Recommend to the Sangguniang Panlungsod and advise the City Chief Executive on all matters relative to fishery service which will increase and improve the quality of fish and fishery/aquatic products for human consumption.
- i. Initiate in the formation of Fisheries and Aquatic Resources Management Councils (FARMCs) which will assist the office in the implementation and enforcement of ordinance.
- j. Confiscate, apprehend or deny entrance of animals (fish and fishery/aquatic species illegally caught) or isolation of any habitat if security of native species is at stake.
- k. Coordinate with state universities/colleges within the province in matters relative to fish health, genetics and other appropriate technology.
- l. To obtain or collect periodic report relative to population and health status and other relevant data of fish and fishery/aquatic animals when needed or appropriate.
- m. Exercise such other powers and perform such duties and other functions as maybe prescribed by law or ordinance.

**SECTION 6. - FISH AND FISHERY/AQUATIC PRODUCT SHIPPING CONTROL.**

- 1. No shipper shall be allowed to transport fish and fishery/aquatic products from any point of origin to other destinations within or outside the City of MALOLOS, without first securing an auxiliary invoice issued either from offices of the City Agriculturist or the City Treasurer of the City of MALOLOS.
- 2. No fish and fishery/aquatic products shall be allowed to enter the city without accompanying transport documents and other indicators from place of origin.


HON. FRANCISCO J. CASTRO  
CITY COUNCILOR

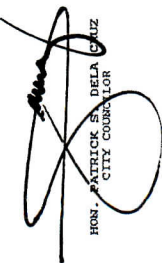
HON. NINO CARLO C. BAUTISTA  
CITY COUNCILOR

HON. KIM LOUIS NICOLAS  
CITY COUNCILOR

HON. MICHAEL M. AQUINO  
CITY COUNCILOR

HON. ENRICO P. CAPULE  
CITY COUNCILOR

  
HON. NOEL G. PINEDA  
CITY VICE MAYOR

  
HON. PATRICIA S. DE LA CRUZ  
CITY COUNCILOR

HON. DIONISIO C. MENDOZA  
CITY COUNCILOR

HON. MIGUEL CARLOS B. SOTO  
CITY COUNCILOR

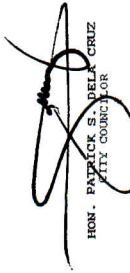
HON. JESUS ALFONSO M. ARCEGA  
CITY COUNCILOR

HON. EDUARDO F. DOMINGO  
CITY COUNCILOR

HON. MARQUESS S. SANCAY  
CITY COUNCILOR

HON. DENNIS D. SAN DIEGO  
CITY COUNCILOR



  
HON. RAFAEL S. DELA CRUZ  
CITY COUNCILOR

**SECTION 7. - FISH AND FISHERY/AQUATIC PRODUCTS FEES.**

**Transportation Fees**

1. Mayor's Permit - Php100.00
2. Auxiliary Invoice:

| A. Fresh Chilled, Frozen and Processed          | Fees (Php) |
|---|------------|
| Salted/Smoked/Processed (patis, bagoong, etc) - | 0.15/kg    |
| Hipon, putian, alimgango, etc. -                | 0.50/kg    |
| Crab meat -                                     | 0.50/kg    |
| Fresh Chilled/Frozen Fish -                     | 0.50/kg    |
| Dried Fish -                                    | 0.50/kg    |
| <br>  |            |
| B. Live Food fish and Other Marine Products     |            |
| Fresh seaweed -                                 | 0.15/kg    |
| Dried seaweed -                                 | 0.15/kg    |
| Shellcraft -                                    | 0.25/kg    |
| Bangus/Tilapia fingerlings -                    | 0.05/kg    |
| Live Ornamental Fish -                          | 0.50/kg    |
| Others (by product or derivative) -             | 0.50/kg    |

  
HON. DIONISIO C. MENDOZA  
CITY COUNCILOR

  
HON. MIGUEL CARLOS B. SOTO  
CITY COUNCILOR

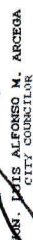
3. Time and place of payment - The fee imposed herein shall be paid to the City Treasurer and/or their duly authorized collectors if fishery products can be shipped/transported.


**SECTION 8. - FISHERIES QUARANTINE CHECKPOINT** - There shall be deployed Office of the Provincial/City Agriculture Field Staff/Provincial Fisheries Office Staff in strategic locations within the city in coordination with Philippine National Police and City Treasury Office for at least eight hours a day.

**SECTION 9. - SANCTION AND PENALTY** - Any person or persons, natural or juridical, engaged in the transport or shipment of fishery and aquatic products, in any manner, are required to display and show, upon demand, their auxiliary invoice before they are allowed to commence transporting the said products.

Otherwise, they are required to secure the same with the Office of the City Agriculture/Provincial Fisheries field staff on duty. A penalty in the amount of:

| Offense                 | Penalty   |
|-------------------------|---|
| 1 <sup>st</sup> Offense | Php1,000.00 per vehicle   |
| 2 <sup>nd</sup> Offense | Php2,500.00 per vehicle   |
| 3 <sup>rd</sup> Offense | Php5,000.00 per vehicle <i>and if the offender refuses or failed to secure the invoice and pay the amount required, impoundment of the vehicle shall be imposed and it shall be released only upon full payment of the fees</i> |

  
HON. LUIS ALFONSO M. ARCEGA  
CITY COUNCILOR

  
HON. ENMANUEL F. DOMINGO  
CITY COUNCILOR

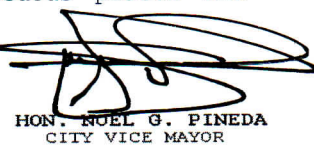
**SECTION 10. - ENFORCEMENT** - It shall be the duty of all constituted law enforcement agencies, the Philippine National Police, and Office of the City Agriculturist and Office of the Provincial Fisheries Officer to enforce the provision of this ordinance and file cases to any person violating the same.

**SECTION 11. - SEPARABILITY CLAUSE** - For purpose of any reason, any provision/section of this ordinance shall be declared unconstitutional or illegal with finality by any competent court, such declaration shall not in any manner affects other provisions or sections, or part of this ordinance which shall remain to be in full force and effect.

**SECTION 12. - REPEALING CLAUSE** - All ordinances, resolutions or laws of local application and effect inconsistent hereto are hereby modified, superseded, and repealed accordingly.

**SECTION 13. - EFFECTIVITY** - This ordinance shall take effect immediately after upon its approval and/or after fifteen (15) days posting duration in conspicuous places and publication of general circulation.

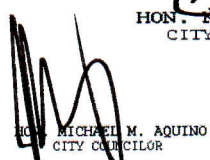
APPROVED.

  
HON. NOEL G. PINEDA  
CITY VICE MAYOR

 HON. FRANCISCO J. CASTRO  
CITY COUNCILOR

 HON. NINO CARLO C. BAUTISTA  
CITY COUNCILOR

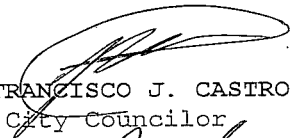
 HON. KIRK LOUIS NICOLAS  
CITY COUNCILOR


  
HON. MICHAEL M. AQUINO  
CITY COUNCILOR

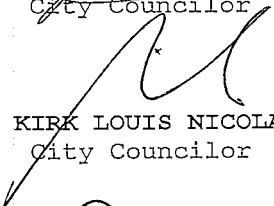
  
HON. ENRICO C. CAPULE  
CITY COUNCILOR

  
HON. EMMANUELLE B. SACYAY  
CITY COUNCILOR

  
HON. DENNIS A. SAN DIEGO  
CITY COUNCILOR

  
HON. FRANCISCO J. CASTRO  
City Councilor


  
HON. NINO CARLO C. BAUTISTA  
City Councilor


  
HON. KIRK LOUIS NICOLAS  
City Councilor

  
HON. MICHAEL M. AQUINO  
City Councilor

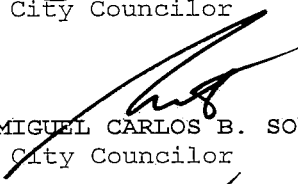
  
HON. ENRIQUE C. CAPULE  
City Councilor

  
HON. DENNIS D. SAN DIEGO  
City Councilor

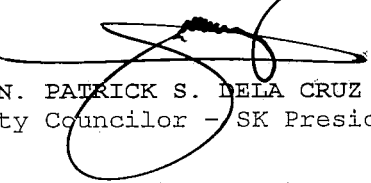
  
HON. EMMANUEL R. SACAY  
City Councilor

  
HON. EDGARDO F. DOMINGO  
City Councilor

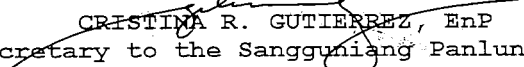
  
HON. LUIS ALFONSO M. ARCEGA  
City Councilor

  
HON. MIGUEL CARLOS B. SOTO  
City Councilor


\*HON. DIONISIO C. MENDOZA  
City Councilor - ABC President

  
HON. PATRICK S. DELA CRUZ  
City Councilor - SK President

I HEREBY CERTIFY that the aforementioned City Ordinance was duly approved by the Sangguniang Panlungsod of Malolos.

  
CRISTINA R. GUTIERREZ, EnP  
Secretary to the Sangguniang Panlungsod

ATTESTED BY:

  
HON. NOEL G. PINEDA  
City Vice Mayor - Presiding Officer

APPROVED/DISAPPROVED:

\_\_\_\_\_  
Date of Approval:

ENGR. GILBERT T. GATCHALIAN  
City Mayor

\*absent

\*Dhorie Trogo\*02062020