



ERNESTO M. BUTAWAN  
SP Member

CRISTELO S. LORETO  
SP Member

LEONIDO A. BERAY  
SP Member

LOLITO C. MUÑEZ  
SP Member

ERLINDO P. LAPLANA  
SP Member

Excerpt from the  
MINUTES OF THE 34<sup>th</sup> REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD OF  
BAYBAY, CITY, LEYTE HELD IN THE SESSION HALL ON NOVEMBER 3, 2008  
PRESENT:

|                                 |                                     |
|---------------------------------|-------------------------------------|
| HON. REX A. RETANA .....        | City Vice Mayor & Presiding Officer |
| HON. ERNESTO M. BUTAWAN .....   | Sangguniang Panlungsod Member       |
| HON. CRISTELO S. LORETO .....   | -do-                                |
| HON. LEONIDO A. BERAY .....     | -do-                                |
| HON. LOLITO C. MUÑEZ .....      | -do-                                |
| HON. ERLINDO P. LAPLANA .....   | -do-                                |
| HON. TERESITA J. VELOSO .....   | -do-                                |
| HON. CARLO S. ENRIQUEZ .....    | -do-                                |
| HON. MARGARITA C. CARI .....    | -do-                                |
| HON. CARL NICOLAS C. CARI ..... | -do-                                |



ABSENT:

HON. EDUARDO S. GUINOCOR, JR. .... SP Member, OB, Cebu

CITY ORDINANCE NO. 009  
S. 2008

AN ORDINANCE PROVIDING ADMINISTRATIVE SUPPORT FOR THE ENFORCEMENT OF  
RA 8048, OTHERWISE KNOWN AS THE COCONUT PRESEVATION ACT OF 1995.

SPONSORED & INTRO. BY: SP MEMBER ERLINDO P. LAPLANA, SP MEMBER LEONIDO A.  
BERAY & SP MEMBER CARLO S. ENRIQUEZ:

WHEREAS, RA 8048, otherwise known as the Preservation Act of 1995 was enacted for  
the preservation of the Coconut Industry in the country;

WHEREAS, the DA through PCA is the lead agency in the implementation of the law.

WHEREAS, the PCA office established in the City of Baybay is undermanned to enforce  
RA 8048;

WHEREAS, the City of Baybay is certified to be the coconut producing city in the entire  
Region 8.

WHEREAS, Baybay Tall Coconut variety is considered the most promising and high  
yielding variety as registered, and recommended by PCA.

WHEREAS, the report from PCA Baybay Office as validated by the PNP Baybay City,  
the occurrence of coconut trees cutting for lumber unabated which would reduce the annual  
production of copra and other coco products in the city.

NOW THEREFORE, in order to enforce the mandate of RA 8048, otherwise known as  
"Coconut Preservation Act", an Ordinance is hereby adopted as follows:

Section 1. DEFINITION OF TERMS.

- a. coconut tree – refers to a primate leaved palm, the producer edible fruit called, coconut,  
whether or not bearing fruits, including the new planted, or replanted young trees at least  
three (3) years old;



b) Coconut seedling - refers to the germinated coconut used as planting material.

c) Replanting program - refers to the program of the Philippine Coconut Authority (PCA) or other accredited organizations, institutions, or the local government to promote production or replenish the coconut trees permitted to be cut by the PCA.

d) Permit to Cut - refers to the prescribed written license or authorization of the PCA issued after compliance with the requirements and conditions for valid cutting of coconut trees as provided by the Act and its Rules and Regulations.

e) Transport Permit - refers to a permit issued by the Authority to allow transport of the coconut logs or lumber processed by virtue of a valid Permit to Cut from the place of origin to any province of consignment or destination.

f) Illegal Cutting of Coconut Tree - refers to the cutting of a coconut tree without a valid Permit to Cut issued by the Authority and shall include any form of circumvention such as uprooting or felling, poisoning, burning and the like, which leads to its eventual destruction, death or removal.

g) Disease Infested Tree - refers to a severely impaired coconut tree due to bacteria, fungus, virus, viroid and other similar microorganisms, and the chances of survival and capacity to bear fruits are nil.

h) Pest Infested Tree - refers to a coconut tree damaged by rhino beetle, rodents, spike moth, caterpillar, and other destructive insects and animals.

i) Sawmill - refers to a wood processing plant which is operated manually or mechanically, whether fixed or mobile where coconut wood, log or timber is cut, treated, sawn or ripped to lumber, slabs and other wood products of any size/ form such as poles, piles, wall wood, board pulp, and other finished coconut wood products.

j) Lumber dealer - refers to a person or entity engaged in the buying or selling or both of coconut logs, timber and or coconut tree lumber;

k) Lumber Processor - refers to a person or entity engaged in the processing of coconut logs into lumber, slabs and other wood products of any size or form such as poles, piles, wall wood, board pulp, or other finished coconut. Wood products.

l) Registration - refers to the registration certificates issued by PCA to coconut sawmill operators, dealers and processors of coconut lumber or coco wood products.

m) Implementing Rules and Regulations - refer to the rules and regulations promulgated by the PCA including guidelines, circulars, orders and memoranda issued to supplement the same.

n) Authority - refers to the PCA office who will be issuing the permit.

#### SECTION 2 -

#### ADDITIONAL CHARGE FOR PERMIT TO CUT.

a) Aside from RA 8048, charges for permit to cut in the amount of P25.00 the city will charge additional payment of P200.00/tree to be cut for establishment of Baybay Tall variety coconut Seedling Nursery for the replanting program of the city.

b) To discourage and control the unabated coconut trees cutting in the city.



### SECTION 3 - CREATION OF A TASK FORCE

There is created a task force to be known as Coconut Preservation Task Force which composed of: City Mayor as chairman, members are: City Agriculturist, PCA Officer and PCA Officer and PNP Chief in the city and the President of the Liga ng mga Barangay.

the barangay level, the Barangay Captains and Chief Tanod shall be deputized by Coconut Preservation Task force, to be appointed by the City Mayor without additional compensation.

### SECTION 4 - IMPLEMENTATION AND ENFORCEMENT

The members of the Ccoconut Preservation Task Force is mandated to perform the following functions:

- a) inspect sawmills, cocolumber yards and establishments engaged in the trading of cocolumber;
- b) conduct regular inventory of cocolumber and checks whether the volume of trees cut tallies with the number of permits to cut issued;
- c) verify as to the alleged veracity of the illegally cut lumber;
- d) monitor the movement of cocolumber within the city;
- e) conduct and participate in massive information drive through caravans, meetings, farmers' classes and barangays' assemblies;
- f) consolidate reports related to the implementation of the ordinance to the chairman of the Coconut Preservation Task Force;
- g) facilitate documentation and filing of appropriate charges on the violation of the law and its implementing rules and regulations

The deputized barangay personnel have the following functions:

- a) assist the PCA representative in the inspection of coconut tree or trees applied for cutting in the barangay;
- b) monitor and check if the cutting of coconut tree or trees is/are supported with Permit to Cut issued by PCA;
- c) inspect and verify if the volume of trees cut tallies with the volume of trees in the Permit to Cut issued;
- d) coordinate with the Coconut Preservation Task Force in the implementation of this ordinance;
- e) consolidate reports related to the implementation of this ordinance and submit to the Coconut Preservation Task Force.
- f) Facilitate documentation and filing of appropriate charges on the violation of the law and its implementing rules and regulations.

### SECTION 5- PENAL PROVISION

The provision on Penalties under Section 8 of the RA is hereby adopted in toto and declared as integral part of the Revised Implementing Rules and Regulations of RA 8048, AO NO. 2, Series of 2005.

### SECTION 6 - EFFECTIVITY

This ordinance shall take effect 15 days after approval of this ordinance.



RESOLVED, FURTHER, to let certified copies of this ordinance be furnished to the Sangguniang Panlalawigan of Leyte and other offices concerned for their information and appropriate action.

ENACTED, November 3, 2008

HEREBY CERTIFY to the correctness of the foregoing ordinance which was duly adopted by the Sangguniang Panlungsod during its regular session held on November 3, 2008.

*Amelito V. Borneo*  
**AMELITO V. BORNEO**  
Secretary to the SP

*Margarita C. Cari*  
**ATTESTED AND CERTIFIED  
TO BE DULY ADOPTED**

*Margarita C. Cari*  
**REX A. RETANA**  
City Vice Mayor &  
Presiding Officer

*Michael L. Cari*  
**APPROVED BY HIS HONOR:**

*Michael L. Cari*  
**MICHAEL L. CARI**  
City Mayor

*Ernesto M. Butaman*  
**ERNESTO M. BUTAMAN**  
SP Member

*Cristale S. Loreto*  
**CRISTALE S. LORETO**  
SP Member

*Leonido A. Berrai*  
**LEONIDO A. BERRAI**  
SP Member

*Lolito C. Murez*  
**LOLITO C. MUREZ**  
SP Member

*Erlindo P. Laplana*  
**ERLINDO P. LAPLANA**  
SP Member

*Carlito S. Veloso*  
**CARLITO S. VELOSO**  
SP Member

*Carlo S. Enriquez*  
**CARLO S. ENRIQUEZ**  
SP Member

*Teresito J. Veloso*  
**TERESITO J. VELOSO**  
SP Member

*Teresito J. Veloso*  
**TERESITO J. VELOSO**  
SP Member