



EDGARDO R. OMPOY  
SB Member

JUANITO B. MODINA  
SB Member

REX A. RETANA  
SB Member

EDUARDO S. GUINOCOR, JR.  
SB Member

MICHAEL L. CARI  
SB Member

Excerpt from the

MINUTES OF THE 15<sup>th</sup> REGULAR SESSION OF THE SANGGUNIANG BAYAN OF BAYBAY, LEYTE HELD IN THE SESSION HALL ON APRIL 26, 2005.

PRESENT:

HON. FLORANTE M. CAYUNDA.....	Municipal Vice Mayor & Presiding Officer
HON. ERNESTO M. BUTAWAN.....	Sangguniang Bayan Member
HON. VICENTE G. VELOSO.....	-do-
HON. DEOGRACIAS E. PERNITEZ.....	-do-
HON. EDGARDO R. OMPOY.....	-do-
HON. JUANITO B. MODINA.....	-do-
HON. REX A. RETANA.....	-do-
HON. EDUARDO S. GUINOCOR, JR.....	-do-
HON. MICHAEL L. CARI.....	-do-

ABSENT:

HON. JOSE C. GO.....	Sangguniang Bayan Member
HON. GUALBERTO B. PICAL, JR.....	-do-

#### MUNICIPAL ORDINANCE NO.007 S. 2005

AN ORDINANCE AMENDING MUNICIPAL ORDINANCE NO. 007 S. 2005 DECLARING A SIX (6) MONTHS MORATORIUM ON THE GATHERING AND TRANSPORTATION OF ABACA UMBAK, AND THE MANDATORY TREATMENT AND ERADICATION ON ALL ABACA PLANTS AFFECTED BY THE BUNCHY TOP VIRUS IN THIS MUNICIPALITY.

:SPONSORED & INTRO. SBM VICENTE G. VELOSO & SBM DEOGRACIAS E. PERNITEZ

WHEREAS, based on Section 2 of RA 7160, the LGU should protect the interest of its people;

WHEREAS, per certification from the FIDA, NARC, OPA and MAO, our abaca plantation in the Municipality of Baybay are affected with bunchy top virus;

WHEREAS, the abaca UMBAK gathering and transporting activities has been the main cause of the spread of the bunchy top virus to non-affected plantations and barangays.

#### Section 1,- Definition Terms.-

UMBAK - Dried outer leaf sheets of abaca plant.

ABACA BUNCHY TOP VIRUS - an aphid-transmitted viral disease characterized by rosetting or bunching of the leaves and stunted growth and death of the plant.

*A. W.*

DEOGRACIAS E. PERNITEZ  
SB Member

VICENTE G. VELOSO  
SB Member

ERNESTO M. BUTAWAN  
SB Member

FLORANTE M. CAYUNDA  
Municipal Vice Mayor & Presiding Officer



ADMART- Abaca Disease Management and Rehabilitation Team- Agencies involved as follows: LGU, DA-FIDA, NARCE-LSU, OVPRE-LSU, DPM-LSU, OPA-LEYTE, DILG-PNP, DA-RFU-8, DA-ATI, DA-QUARANTEE OFFICE.

Section 11. - It is hereby ordered to stop the gathering, trading and transporting of Abaca UMBAK in all the barangays in the municipality of Baybay for six (6) consecutive months in any portion of the territory of this municipality.

Section 111. - All landowners/tenants of disease stricken areas are ordered to immediately conduct the removal and burning of all diseased abaca plants and the spraying of insecticides within and around the diseased stricken areas to stop the spread of the bunchy top virus within three (3) months. Failure of the landowners and tenants to comply with this section within the three (3) months period, the barangay officials with assistance of the FIDA, NARC, OPA AND MAO shall automatically be authorized to conduct the said activity, and the landowners/tenants shall pay the said barangay officials as follows: (a) partially infected areas P2,500.00 per hectare; ( b) Fully infected areas P5,000.00 per hectare.

The barangay officials of the concerned barangay are given three (3) months to finish all the eradication and treatment activity of their respective barangays.

Section IV. - That during the six (6) months implementation period of the ordinance the FIDA, NARC, OPA and or MAO should conduct a monthly inspection of all barangays to monitor the existence and recurrence of bunchy top virus and submit its report to the local Chief Executive. After the six (6) months period the FIDA, NARC, OPA with consultation with the local chief executive will submit its report on the activities conducted during said period and recommendation. If the condition warrants, the municipal mayor shall gradually allow the gathering of abaca UMBAK upon the recommendation of FIDA, NARC, OPA and the Municipal Agriculture Office in the barangays that are not affected. For this purpose, the said agencies upon approval by the Mayor, are authorized to issue the proper certifications;

Section V. - That the municipal mayor shall appoint an ABACA DISEASE MANAGEMENT AND REHABILITATION TEAM (ADMART) to monitor and recommend actions for the sustainable growth and development of the abaca industry in the municipality. Furthermore, as a deputized body, they shall exercise the following functions, powers and authority.

1. Conduct massive info-campaign on the disease to the industry stakeholders through training, barangay assembly meetings.
2. Meet regularly to map out strategies and actions to solve the disease.
3. Recommend to the Local Chief Executive policies and activities that will help eliminate/reduce the occurrence of the disease;
4. Set up check points in strategic places to monitor/check compliance to the ordinance movement of abaca and its by-product within the municipality;

EDGARDO S. GUINOCOR, JR.  
SB Member

JUANITO B. MODINA  
SB Member

REX A. RETANA  
SB Member

EDUARDO S. GUINOCOR, JR.  
SB Member

MICHAEL C. CARI  
SB Member

DEGRACIAS E. FERNITEZ  
SB Member

VICENTE G. VELOSO  
SB Member

ERNESTO M. BUTAWAN  
SB Member

FLORANTE M. CAYUNDA  
Municipal Vice Mayor &  
Presiding Officer



5. Confiscate any unauthorized or illegal transport and gathering of abaca and by-product and issue official receipts for fines/penalties collected from violators and remits the collections to the treasurer.
6. Conduct regular monitoring and evaluation in the eradication activities done by farmers and different barangays;
7. Recommend to the SB/LCE the continuation or lifting of the moratorium;
8. Source out and receive assistance in the form of cash, supplies and materials from LGU/NGA, and any other sources.

Section VI. - That the local PNP and barangay tanods of all barangays shall be authorized to set up checkpoints in strategic areas to check and monitor the transportation of abaca UMBAK within, from, to and through the territory of this municipality;

Section VII.- Penalty Clause - Any person who shall violate or cause the violation of this Ordinance shall be subjected to a fine of not less than P500.00 and not more than P1,000.00 for the first offense and from P1,500.00 to P2,000.00 for the second and third offense or an imprisonment of not less than Sixty (60) days or both upon conviction of any court.

SECTION VIII - Separability Clause - any provision of this ordinance will be rendered null and void shall not affect the validity of the entire ordinance.

Section IX- This shall be effective from the approval of the provincial board one week notice to all the abaca planted barangays.

ENACTED, April 26, 2005.

I HEREBY CERTIFY to the correctness of the foregoing ordinance which was duly adopted by the Sangguniang Bayan during its regular session held on April 26, 2005

**AMELITO V. BORNEO**  
Secretary to the SB

ATTESTED AND CERTIFIED TO BE  
DULY ADOPTED.

**FLORANTE M. CAYUNDA**  
Municipal Vice Mayor &  
Presiding Officer

APPROVED BY HIS HONOR:

**JOSE CARLOS L. CARI**  
Municipal Mayor

DEOGRACIAS E. PERNITEZ  
SB Member

VICENTE G. VELOSO  
SB Member

ERNESTO M. BUTAWAN  
SB Member

EDGARDO S. COMPOY  
SB Member

JUANITO B. MODINA  
SB Member

REX A. RETANA  
SB Member

EDUARDO S. GUINOCOR, JR.  
SB Member

MICHAEL L. CARI  
SB Member