

b) Lift net (Bentol) ..... 350.00

c) Drive in impounding net

- 1. Pamarungoy ..... 150.00
- 2. Pangbangsi ..... 150.00
- 3. Palurop ..... 250.00

8. Fishermen Using Traps

- a) Bobo (for fish) ..... 15.00/unit
- b) Bobo (for squid)..... 10.00/unit
- c) Fish pot (Panggal)..... 10.00/unit
- d) Pabhas(net/3cm.when stretch)..... 150.00/100 mt long
- e) Barrier and Weir (Dumpil)..... 100.00

9. Transport of Fish & Fishery Products

- a) Quarantine Certificate ..... 30.00/load
- b) Auxiliary Invoice:
  - 5 - 10 boxes ..... 50.00/load
  - 11- 25 boxes ..... 60.00/load
  - 25 boxes above..... 75.00/load

Section 9. Use of motorized fishing boats or vessels and fishing gears - No motorized fishing boats shall operated without first securing a permit/license within the municipal waters of Baybay and upon the recommendation of MFARMC approved by the Municipal Mayor. Payment of a license/permit fee shall be according to the following schedules.

1. Pump/Light Boats

- a) 7 hp to 9 hp..... 100.00
- b) 10 hp top 12 hp ..... 150.00
- c) 12 hp to 16 hp ..... 200.00
- d) 16 hp & above ..... 300.00

2. Commercial Fishing Boats

- a) 3 gross tons or less ..... 1,250.00
- b) 3.1 gross tons to 7.5 gt..... 1,500.00
- c) 7.5 gt. to 10.5 gt..... 1,750.00
- d) 10.6 gt. to 15.5 gt..... 2,000.00
- e) 15.6 gt. to 20 gt. .... 2,250.00
- f) 20.1 gt. to 50 gt..... 2,500.00

3. Fishing Gear Used

- a) Ring net
  - 30 to 40 pathoms ..... 400.00
  - 40.1 to 60 pathoms ..... 750.00
  - 60.1 to 80 pathoms..... 1,000.00
  - 80.1 above ..... 1,250.00

Section 10. Allowed fishing Activity - All hook and line and those expressed in Section 7 and 8 are allowed fishing activity unless prohibited by existing laws, decrees, orders and regulation and those that later on be promulgated by local and national authorities.

Section 11. Prohibitions.

- 1) No person shall engage fishing using dynamite or other chemical compound that explode and kill, stupefy, disable or render unconscious to any fish or fishery/aquatic products.
- 2) Mere possession of explosive material, or noxious substance intended for fishing is unlawful acts and strictly prohibited.
- 3) No person shall engage in fishing with the use of any substance, plants extracts, or juice thereof, chemicals, neither raw or processed form which kill, stupefy, disable, or render unconscious to fish or fishery/aquatic products.
- 4) No person shall engage in fishing with the use of electricity generated by drycell batteries, electric generators or other sources of power to kill, stupefy, disable or render unconscious to fish or fishery/aquatic products.
- 5) Dealing, selling or mere possession of illegally caught fish/fishery products is unlawful and punishable under this ordinance.
- 6) No person shall engage in fishing using nets with mesh size smaller than three (3) centimeters. Provided, that this prohibition shall not apply to species which by nature are small but already mature during specified season as may be determined by the MFARMC and/or the Department concerned such as:
  - 5.1) Padas, Bangus fry, Sugpo fry, Glass eels and Elvers.
  - 5.2) Marine aquarium/ornamental fishes; and
  - 5.3) Other fish species which by their very nature are small but already mature such as uyabang or alamang (acetres spp.) sinarapan (Mistechthys spp.) dilis or bolinao (Engraulids) munpong and hipon (Engraulidae and Caridao respectively.)
- 7) No person shall operate commercial fishing boat/vessel of more than three (3) gross tons within 10.1 kilometers from shoreline of the municipal waters. Small scale fishing boat 3.1 to 20 gt. and medium scale fishing boat 20.1 to 50 gt. are only be allowed to fish from 10.1 to 15 kilometers from shoreline of municipal water of Baybay. However,  
  
fishing boat for scientific research or educational purposes of more than 3 tons may upon application and meritorious cases be given gratuitous/special permit by the Municipal mayor duly recommended by the MFARMC. Large commercial fishing vessel/boat (more than 50GT) shall not be allowed definitely to fish in the municipal water of Baybay.



- 8) No person shall fish using trawl, baby trawl, muro-ami, hulbot-hulbot, bira-bira or liba-liba, bahan, tapsay, pantukos, kayakas and others considered as deleterious method of fishing.
- 9) No person shall construct "balirong"/Amatong (Fish trap barrier mier, and pahibas/pabhas using fine mesh net stones, corals bamboo and they like along shoreline/isobath area, rivers, river mouths and mangrove areas that considered breeding, spawning of non pelagic fish species and feeding ground of fingerlings and juveniles fish species.
- 10) No person shall be allowed to transport/sell any fish/fishery product from point of origin to the point of destination without securing auxiliary permits, quarantine certificate to be issued by authorized representative.

Section 12. Report of fish catch- Any individual or entity who has obtained a fishery grant or license to take or catch fish in the municipal waters of Baybay shall submit to the Municipal Mayor/MFARMC office of the municipality wherein he is fishing within the first ten days of the succeeding month a fish catch report in triplicate copies showing the kind, quantity and value, of fish caught during the month. Provided further, that the municipal mayor/MFARMC shall furnished a copy to the BFAR/Agricultural Statistics for record and statistical purposes.

Section 13. Restrictions - License/Permits issued or contracts executed under this ordinance shall contain provisions to the effects that:

1. No fish coral or baklad, bintol, dumpil shall be constructed within two hundred (200) meters away of another fish coral, bentol or dumpil unless they belong to the same licensee/grantee but in no case shall the distance be less than seventy-five (75) meters apart.
2. No fish corals, dumpil, bentol shall be constructed less than fifty (50) meters from the shoreline except in water less than 2 meters deep at low tide.
3. Fish coral shall be entirely opened during closed season period or periods established by the Secretary of BFAR for the free passage of fishes to enable a considerable number to reach the spawning ground.
4. Nothing in the license issued shall be construed as permitting the grantee or permittee to undertake any construction which will obstruct the free navigation in any stream or lake flowing through or adjoining the fish coral or impede the flow and ebb of tide to and from the area, wherein the lessee or licensee, grantee or permittee is granted a fishery privilege.
5. The use of lights generated either by engine, batteries or pressure lamps that does not exceed 400 watts (or equivalent to 4 mantle lamps) shall only be allowed to operate within 10.0 kilometers

from shoreline. Light power above 800 watts but not exceeding 2,000 watts are only allowed above 10.1 kilometers to 15 kilometer of this municipal marine waters for small and medium fishing/vessels boat.

6. It shall also be unlawful to engage in fishing with the powered lights within two hundred meters (200) from declared marine sanctuaries.

7. It shall likewise be unlawful to catch fish in all forms except hook and line within 200 meters radius from the Baybay wharf/pier.

8) It shall be unlawful to use inserting gill net "Sapaw" inside the net of duly licensed and duly permitted ring net "Sensoro" (Small or Medium Scale) during its net hauling operation. The ring net operator must at all times carry him his valid municipal permit/license when fishing inside the municipal waters of Baybay.

9. The license is responsible and or part of any illegal acts of his agents, employee contractor in connection with his fishing operation.

10) the license agrees unconditionally to comply with all the laws, decrees, orders, rules and regulations governing fishing now or which may hereafter be reinforced.

Section 14. Confiscation - Confiscated fish catch shall be distributed to charity institution such as Hospital, Bureau of Prison and other Rehabilitation Centers, while fishing boat and its fishing paraphernalias shall be deposited to the Philippine Coast Guard for safety keeping.

Section 15. Penalty - any individual or entity thru the proprietor/manager found violating any of the provision of this ordinance shall be punished by a fine of not less than FIVE HUNDRED PESOS (P500.00) but not more than TWO THOUSAND FIVE HUNDRED PESOS (P2,500.00) per person or imprisonment of not less than ten days (10 days) but not more than six months, or both such fine and imprisonment at the discretion of the court. Confiscation of fish catch, fishing boat, paraphernalias and revocation of permit/license are likewise be imposed.

Section 16. Repeal - all ordinances and regulations or part thereof in conflict with this ordinance are hereby repealed and/or modified accordingly.

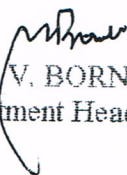
Section 17. Separability Clause - Should any provision, section or part of this ordinances be adjudged or declared illegal or unconstitutional by any court of competent jurisdiction, such judgement shall not affect or impair the remaining provisions, sections or part which shall continue to be in force and effect.




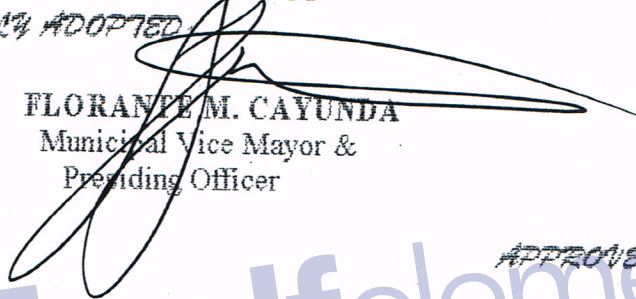
APPROVED, October 19, 1999

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


I HEREBY CERTIFY to the correctness of the foregoing ordinance which was duly adopted by the Sangguniang Bayan during its regular session held on October 19, 2000.

  
AMELITO V. BORNEO  
MG Department Head

  
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