



Republic of the Philippines
BATANGAS CITY

Office of the Sangguniang Panlungsod

Tel. No. 723-2175

ORDINANCE NO. 17 S. 2018

AN ORDINANCE AMENDING SECTION 11 OF ORDINANCE NO. 4 SERIES 2007 AS AMENDED OTHERWISE KNOWN AS "ORDINANCE DECLARING PULONG BATO IN SAN AGAPITO AND NALAYAG POINT IN SAN AGUSTIN KANLURAN BOTH IN ISLA VERDE, BATANGAS CITY A FISHERY REFUGE & SANCTUARY, ITS UTILIZATION, MANAGEMENT, PROTECTION AND CONSERVATION"

SPONSOR : HON. SERGIE REX M. ATIENZA
CO-SPONSORS : HON. AILEEN GRACE A. MONTALBO
HON. HAMILTON G. BLANCO
HON. ALYSSA RENEE CRUZ
HON. OLIVER Z. MACATANGAY
HON. ARMANDO C. LAZARTE
HON. KARLOS EMMANJUEL A. BUTED
HON. JULIAN B. VILLENA
HON. GERARDO A. DELA ROCA
HON. NESTOR E. DIMACUHA
HON. NELSON J. CHAVEZ
HON. JULIAN PEDRO M. PASTOR
HON. ANGELITO "DONDON" A. DIMACUHA
HON. MARJORIE A. MANALO

SECTION 1. SECTION 11 including all of the sub-sections of Ordinance No. 4 Series of 2007 as AMENDED are hereby AMENDED further and now to read as follows:

SECTION 11. COLLECTION OF FEES. - Fees as determined by the management board under 5.3, will be collected from those entering the fishery refuge and sanctuary under Section 9. The management board shall monitor and evaluate the performance of the duly authorized Barangay Revenue Collection Officers and recommend procedures for control and oversee that the distribution of tickets and fees collected are carried out.

A. COLLECTION OF FEES - The payment of the entry permit that is required under Section 9 of this Ordinance shall apply to the following:

1. Those who shall enter the Buffer Zone that will conduct fishing activities subject to the prohibitions under Paragraph 4 and 5 of Section 7 and Section 12 of this Ordinance.
2. All persons who use or intend to use Pulong Bato Reef and Nalayag Point Reef for purposes of diving activities.



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3. All persons who shall be engaged in snorkelling, sailing, kayaking and any other activities related to tourism, sporting and leisure.

B. AMOUNT OF FEES

The amount of fees to be collected shall be in accordance with the following:

An Entry Permit Fee in the amount of Php 100.00, shall be collected from all persons who shall be involved in the activities enumerated under Paragraphs 1, 2 and 3 of Section 11-A of this Ordinance.

In addition to the Entry Permit Fee, any person who shall be engaged in any diving activity shall be required to pay:

Daily Diver Pass	Php. 200.00
Annual Diver Pass	Php. 3,000.00
Annual Professional Diver Pass	Php. 5,000.00
Commercial (per dive)	Php. 500.00

Any person who intends to dive in the waters of Pulong Bato Reef and Nalayag Point Reef shall secure only one Diver Pass (which is valid only for the specified date) upon payment of the prescribed fees. The same rule shall apply to Dive Professionals who practice their profession/trade using the diving areas. However, in order to avoid the inconvenience of paying the Divers Pass for every time that he/she intends to be engaged in any diving activity, and to be entitled to an unlimited access to the dive areas or recreational spots, any Diver or Dive Professional may avail of the Annual Pass offered by this Ordinance upon payment of the required fees prescribed herein.



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No person shall be allowed to dive in any of these areas without paying the required fees and securing either the Daily Diver Pass, or the Annual Pass and Commercial Dive Pass, except for diving activities for purposes of scientific/academic research with prior consent and authority of the Management Board, upon submission of required documents shall be exempt from the payment of the fees herein prescribed, subject to the submission of the result of such study of or research to the Board.

A 25% increase of the Php. 200.00 Daily Diver Pass will be implemented every three (3) years thereafter the implementation of this ordinance.

C. MANNER OF COLLECTION

All of the six (6) barangays may appoint/designate one (1) Revenue Collection Officer that shall be duly bonded by the City Treasurer's Office. The Revenue Collection Officer shall be responsible for the collection of all tickets and funds that shall be derived Section 11 (A)(B) within their respective territorial jurisdiction. In general, no person shall be authorized to collect and receive payments from duly authorized establishments and individuals except the Revenue Collection Officer and the Board. However, duly authorized establishments/resorts may purchase tickets from the Revenue Collection Officer in bulk for their distribution/resale provided that their selling price shall be regulated by the Board.

Only the duly licensed and registered resorts, hotels, pension houses owners and owners of similarly situated establishments shall be allowed to acquire in bulk from the Revenue Collection Officer/Board the tickets/permits from Section 11(B) for resale to their guests. Provided, that these establishments shall keep a registry of divers



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who secured annual passes from them that shall be submitted to the Revenue Collection Officer/Board on a monthly basis. Provided further, that the sale of annual passes is strictly prohibited except by the Revenue Collection Officer and the Board.

D. DISTRIBUTION OF FEES

The total collected fees will be distributed as follows:

25%	-	Verde Island Sanctuary Management Board
30%	-	Collecting Barangay
45%	-	Remaining Five (5) Barangays

The revenues collected shall accrue to the general fund of the City Government except the 30% that shall accrue to the Barangay General Fund.

The Barangay Revenue Collection Officer shall remit the remaining 25% and 45% to the City Treasurer monthly which shall be the basis for appropriation to Verde Island Sanctuary Management Board and the Remaining Five (5) Barangays.

The Director of Finance of the Management Board shall be given the authority to check whether the proceeds of the program are properly accounted for and the propriety of the enforcement of the provisions of this Ordinance with respect to the distribution and disbursement of the fees collected.

E. DISBURSEMENT OF FUNDS

All the fees collected by the City Government and the Barangay shall be exclusively distributed and appropriated for the implementation of VISMB and Barangay Programs and other expenses which are necessary and



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essential for protection, preservation and conservation of the Environment with utmost priority on the Sanctuary and Fishery Refuge areas.

The 45% shall be equally distributed and appropriated among the remaining five (5) barangays of Isla Verde for such purpose stated above.

F. CREATION OF TRUST FUND

The Management Board will establish a trust fund wherein all the financial support that the board will generate outside the users fee will be deposited.

SECTION 2. REPEALING CLAUSE. - All provisions of city ordinances, executive orders or resolutions inconsistent herewith are hereby repealed and/or modified accordingly.

SECTION 3. SEPARABILITY CLAUSE. - If for any reason or reasons that any part of this Ordinance shall be held unconstitutional or invalid, other parts hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 4. EFFECTIVITY - This ordinance shall take effect fifteen (15) days after its complete publication in a newspaper of general circulation in the province and Cities of Batangas.

ENACTED by the Sangguniang Panlungsod this 27th day of November 2018.



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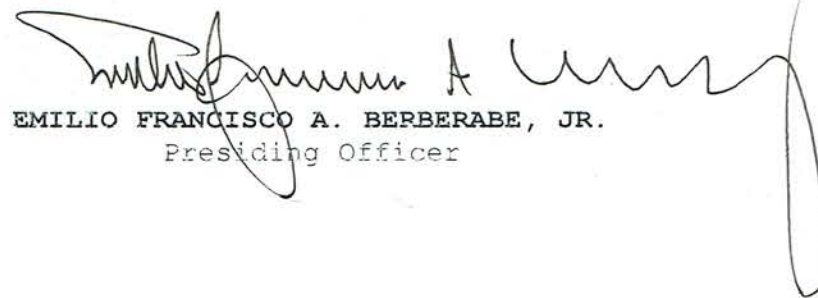
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Continuation of Ordinance No. 17 S. 2018

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AS AMENDED OTHERWISE KNOWN AS "ORDINANCE DECLARING PULONG BATO
IN SAN AGAPITO AND NALAYAG POINT IN SAN AGUSTIN KANLURAN BOTH IN
ISLA VERDE, BATANGAS CITY A FISHERY REFUGE & SANCTUARY, ITS
UTILIZATION, MANAGEMENT, PROTECTION AND CONSERVATION"


ATTY. OLIVA D. TELEGATOS
Secretary
Sangguniang Panlungsod

ATTESTED:


EMILIO FRANCISCO A. BERBERABE, JR.
Presiding Officer

APPROVED:


BEVERLEY ROSE A. DIMACUHA
City Mayor

Date Approved: NOV 29 2018

REPUBLIC OF THE PHILIPPINES
BATANGAS CITY

OFFICE OF THE SANGGUNIANG PANLUNGSOD

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION HELD BY THE
MEMBERS OF THE SANGGUNIANG PANLUNGSOD OF BATANGAS CITY
ON NOVEMBER 27, 2018 AT THE SANGGUNIAN SESSION HALL

PRESENT:

Hon. Emilio Francisco A. Berberabe Jr.,	Presiding Officer
Hon. Aileen Grace A. Montalbo,	Councilor
Hon. Sergie Rex M. Atienza,	"
Hon. Hamilton G. Blanco,	"
Hon. Alyssa Renee A. Cruz,	"
Hon. Oliver Z. Macatangay,	"
Hon. Karlos Emmanjuel A. Buted,	"
Hon. Julian B. Villena,	"
Hon. Gerardo A. Dela Roca,	"
Hon. Nestor E. Dimacuha,	"
Hon. Nelson J. Chavez,	"
Hon. Julian Pedro M. Pastor,	"
Hon. Angelito "Dondon" A. Dimacuha,	ABC-Rep.
Hon. Marjorie A. Manalo,	SK-Fed. Pres.
 Hon. Armando C. Lazarte,	 Councilor

"On motion of Councilor Atienza seconded by Councilor Nestor Dimacuha, the following Resolution was Adopted:

RESOLUTION NO. 376 S. 2018

**APPROVING ON SECOND AND FINAL READING THE ORDINANCE AMENDING
SECTION 11 OF ORDINANCE NO. 4 SERIES OF 2007 AS AMENDED OTHERWISE
KNOWN AS "ORDINANCE DECLARING PULONG BATO IN SAN AGAPITO
AND NALAYAG POINT IN SAN AGUSTIN KANLURAN BOTH IN
ISLA VERDE, BATANGAS CITY A FISHERY REFUGE & SANCTUARY, ITS
UTILIZATION, MANAGEMENT, PROTECTION AND CONSERVATION"**

RESOLVED, to approve on Second and Final Reading the Ordinance Amending Section 11 of Ordinance No. 4 Series of 2007 as Amended Otherwise Known as "Ordinance Declaring Pulong Bato in San Agapito and Nalayag Point in San Agustin Kanluran both in Isla Verde, Batangas City a Fishery Refuge and Sanctuary, Its Utilization, Management, Protection and Conservation."

UNANIMOUSLY APPROVED."

I hereby certify that the foregoing Resolution No. 376 S. 2018 was approved by the Sangguniang Panlungsod of Batangas City during its Regular Session held on November 27, 2018.


ATTY. OLIVA D. TELEGATOS

Secretary
Sangguniang Panlungsod

ATTESTED:


EMILIO FRANCISCO A. BERBERABE JR.

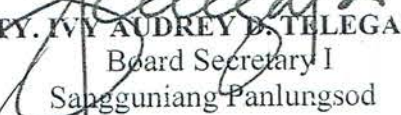
Presiding Officer

ODT/ystingchuy...


Continuation of Resolution No. 370 S. 2018

ADOPTING THE REPORT OF THE COMMITTEE ON LAWS, RULES AND REGULATIONS THE PROPOSED ORDINANCE ENTITLED: "AN ORDINANCE AMENDING SECTION 11 OF ORDINANCE NO. 4 SERIES 2007 AS AMENDED OTHERWISE KNOWN AS "ORDINANCE DECLARING PULONG BATO IN SAN AGAPITO AND NALAYAG POINT IN SAN AGUSTIN KANLURAN BOTH IN ISLA VERDE, BATANGAS CITY A FISHERY REFUGE AND SANCTUARY, ITS UTILIZATION, MANAGEMENT, PROTECTION AND CONSERVATION" AND SCHEDULING THE SAME ON ITS SECOND AND FINAL READING ON THE NEXT REGULAR SESSION


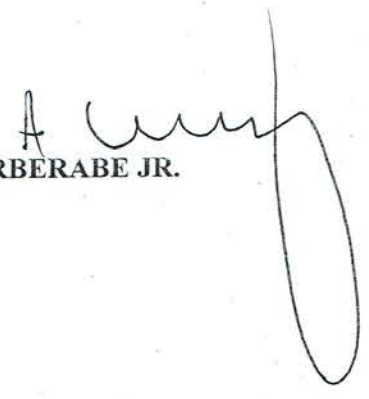
I hereby certify that the foregoing Resolution No. 370 S. 2018 was approved by the Sangguniang Panlungsod of Batangas City during its Regular Session held on November 19, 2018.


ATTY. IVY AUDREY D. TELEGATOS
 Board Secretary I
 Sangguniang Panlungsod

NOTED:


ATTY. OLIVA D. TELEGATOS
 Secretary
 Sangguniang Panlungsod

ATTESTED:

 
EMILIO FRANCISCO A. BERBERABE JR.
 Presiding Officer

ODT/IADT/pbcalleja...



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COMMITTEE REPORT

TO: THE HONORABLE SANGGUNIANG PANLUNGSOD

FROM: THE COMMITTEE ON LAWS, RULES AND REGULATIONS

SUBJECT: PROPOSED ORDINANCE ENTITLED "AN ORDINANCE AMENDING SECTION 11 OF ORDINANCE NO. 4 SERIES 2007 AS AMENDED OTHERWISE KNOWN AS "ORDINANCE DECLARING PULONG BATO IN SAN AGAPITO AND NALAYAG POINT IN SAN AGUSTIN KANLURAN BOTH IN ISLA VERDE, BATANGAS CITY A FISHERY REFUGE & SANCTUARY, ITS UTILIZATION, MANAGEMENT, PROTECTION AND CONSERVATION".

The subject request for the passage of an ordinance was referred to the Committee on Laws, Rules and Regulations for its consideration. The Committee held a public hearing on October 22, 2018 and in attendance were the following:

From OCVAS: Mr. Gerardo M. Peralta; from City City Treasurer's Office: Mrs. Aster P. Marasigan; from Sawang Dive Resort: Mr. Eduard Dewey A. Faina; from Pablo Macaraig Farm: Mr. Carlos M. Fonte; from Surface Interval, Isla Verde: Mrs. Jocelyn Mulasgo and Mrs. Sharnaine Cueto; from Malampaya Foundation: Mr. Pacifico N. Beldiau and Mr. Jemen C. Pargas; from San Agustin East: Mr. Estelufio P. Gualberto; from Liponpon Isla Verde: Mr. Rodante D. Eboria and from San Agapiuto Isla Verde: Mr. Edmar A. Rieta; from Saint Bridget College: Mrs. Lea Marie Comia, Mr. Marwin P. De Torres and Mr. Francisco A. De Castro. Also present are the Chairman Coun. Alyssa Renee A. Cruz and Acting Chairperson Coun. Sergie Rex M. Atienza and members Coun. Gerardo Dela Roca, Coun. Armando Lazarte and Coun. Julian B. Villena, the Vice Mayor Emilio Francisco Berberabe Jr. and other members of the Sangguniang Panlungsod Councilors Aileen Arriola Montablbo, Hamilton Blanco, Oliver Macatangay, Karlos Buted, Nestor Dimacuha, Nelson Chavez, Angelito Dondon Dimacuha and SK Federation President Marjorie A. Manalo.

FINDINGS and DISCUSSION:

During the public hearing, some of the points that were raised by the committee members are the letter request of the Barangay Chairman of all concerned barangays addressed to the City ENRO for endorsement.



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Some of the concerns by the representative of Sawang Dive Resort pertains to the improvement in the collection made by the said establishment in relation to environmental fees and the like.

With the view that this request will eventually be favorable to the City of Batangas especially to its inhabitants, the Sangguniang Panlungsod perceives the essentiality to pass or enact the said proposed ordinance.

RECOMMENDATIONS:

The Committee hereby recommends:

1. The adoption of this Committee Report.
2. To refer the said ordinance for Second reading and Final Reading, on the next regular session.

Respectfully submitted, November 19, 2018.

THE COMMITTEE ON LAWS, RULES AND REGULATIONS

COUNCILOR ALYSSA RENEE A. CRUZ

Chairman

COUN. SERGIE REX M. ATIENZA

Member

COUN. GERARDO A. DELA ROCA

Member

COUN. JULIAN B. VILLENA

Member

COUN. ARMANDO C. LAZARTE

Member