

Republic of the Philippines
Province of Cebu
CITY OF NAGA



Tel. No. 2726655 (loc.105)

Office of the Sangguniang Panlungsod

Excerpt from the minutes of the regular session of the Sangguniang Panlungsod of Naga, Cebu held on March 7, 2011 at the City Session Hall.

Present: Hon. Delfin R. Señor – Vice Mayor/Presiding Officer

Sangguniang Panlungsod Members:

Hon. Venci R. del Mar

Hon. Nilo B. Alinsonorin

Hon. Rodrigo A. Navarro

Hon. Porferio V. Resaba, Jr.

Hon. Carmelino N. Cruz, Jr.

Hon. Virgilio M. Chiong – ABC President

Hon. Alexa Manna Chiong – SK Federation President/ex-officio member

Hon. Alexander R. Lara

Hon. Letecia F. Abangan

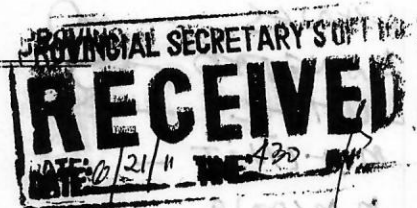
Hon. Dominga P. Millena

Absent: Hon. Elmer Q. Lapitan – SP Member – on leave

Hon. Othello M. Chiong – on official business travel

ORDINANCE NO. 2011-003

Series of 2011



AN ORDINANCE DECLARING FOUR OFFSHORE REEFS WITHIN THE SEA WATERS OF THE CITY OF NAGA AS MARINE PROTECTED AREAS OR MARINE SANCTUARIES

Be it ordained by the members of the Sangguniang Panlungsod of the City of Naga, Province of Cebu, in a regular session assembled that:

Section 1. **TITLE.** This Ordinance shall be known as “AN ORDINANCE DECLARING FOUR OFFSHORE REEFS WITHIN THE SEA WATERS OF THE CITY OF NAGA, CEBU AS MARINE SANCTUARIES.”

Section 2. **DEFINITION OF TERMS.** When used in this Ordinance, the term:

1. **“Coral”** means the hard calcareous substance made up of the skeleton of marine coelenterate polyps which include reefs, shelves, and atolls or any of the marine coelenterate animals living in colonies where their skeletons form a stony mass. They include: 1) skeletons of entozoan coelenterates characterized as having a rigid axis of compact calcareous or horny spicules, belonging to the genus corallium as represented by the red, pink and white corals which are considered precious corals; 2) skeletons of entozoan coelenterates characterized by thorny, horny axis such as the antipatharians represented by the black corals which are considered semi-precious corals; and 3) ordinary corals which are any kind of corals that are not precious nor semi-precious.
2. **“Coral Reef”** means a natural aggregation of coral skeleton, with or without living coral polyps, occurring in inter-tidal and sub tidal marine waters.
3. **“Fish and Fishery/Aquatic Products”** include not only finfish but also mollusks, crustaceans, echinoderms, marine mammals, and all other species of aquatic flora and fauna and all other products of aquatic living resources in any form.
4. **“Fisher folk”** means people directly or personally and physically engaged in taking and/or culturing and processing fishery and/or aquatic resources.
5. **“Marine Sanctuary”** means a designated area where fishing or other forms of activities which may damage the ecosystem of the area is prohibited and human access may be restricted.

6/23/11

6/23/11

CPD - low 6/23
MO 2/23/11

6. **“Fishery Species”** means all aquatic flora and fauna including, but not restricted to, fish, algae, coelenterates, mollusks, crustaceans, echinoderms, and cetaceans.
7. **“Fishing”** means the taking of fishery species from their wild state or habitat, with or without the use of fishing vessels.
8. **“Fishing Gear”** means any instrument or device and its accessories utilized in taking fish and other fishery species.
9. **“Person”** means natural or juridical entities such as individuals, associations, partnership, cooperatives or corporations.

Section 3. **COVERAGE.** The following patch reefs located within the sea waters of the City of Naga, Cebu are hereby declared as Marine Sanctuaries, specified as follows:

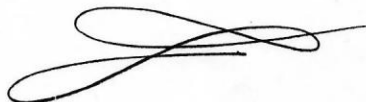
1. Poblacion Offshore Reef, locally known as “Takot Simbahan”, with an area of approximately ten (10) hectares located 1,030 meters away from the City Hall, Poblacion, City of Naga, Cebu;
2. Tinaan Dako Offshore Reef, locally known as “Tinaan Dako”, with an area of approximately 13.9 hectares located 650 meters away from Apo Pier, Barangay Tinaan, City of Naga, Cebu;
3. Colon Offshore Reef, locally known as “Takot Basyo”, with an area of approximately ten (10) hectares located 230 meters away from KEPCO-SPC Pier, Barangay Colon, City of Naga, Cebu;
4. Inayagan Offshore Reefs, locally known as “Takot Lingin” with an area of approximately 10.9 hectares located 1,370 meters away from KEPCO-SPC Pier, Barangay Inayagan, City of Naga, Cebu;

Section 4. **ADMINISTRATION AND CONTROL.** The aforementioned Marine Sanctuaries shall be administered and controlled by the Office of the City Mayor, who shall prepare the implementing rules and regulations necessary to carry into effect the purposes of this Ordinance.

Section 5. **PROHIBITION.** It shall be unlawful for any person or fisher folk to conduct any fishing operation that may damage the coral reef or take, catch, destroy, or kill any fishery species using any fishing gear within the buffer zones of the Marine Sanctuaries, or in any manner to disturb, drive away or take there from, any fish and fishery/aquatic products, fish fry, fish eggs, corals and sea grasses.

Section 6. **PENALTY.** Violation of any provision of this Ordinance shall subject the offender to a fine of not less than One Thousand Pesos (**PhP1,000.00**) but not more than Ten Thousand Pesos (**PhP10,000.00**) or imprisonment of not less than sixty (**60**) days but not exceeding three (**3**) years or both such fine and imprisonment, at the discretion of the Court. Provided, that the City Mayor or his duly authorized representative is hereby empowered to impose an administrative fine of not more than two thousand (**PhP2, 000.00**) pesos, the forfeiture of the catch, and the cancellation of fishing permit or license.

Section 8. **REPEALING CLAUSE.** All existing City Ordinances or part thereof which is inconsistent with the provisions of this Ordinance are hereby repealed or modified accordingly.




Section 9. **EFFECTIVITY**. This Ordinance shall take effect immediately after its approval.


UNANIMOUSLY APPROVED this 7th day of March 2011, on motion of Hon. Nilo B. Alinsonorin.

June 10, 2011

I HEREBY CERTIFY to the correctness of the afore-quoted Resolution taken from the minutes on file.

ATTESTED BY:


DELFIN R. SEÑOR
Vice Mayor/Presiding Officer


DELZA T. ARELLANO
Secretary to the Sanggunian

APPROVED BY:


VALDEMAR M. CHIONG
Mayor