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Republic of the Philippines
Province of Oriental Mindoro
MUNICIPALITY OF BULALACAO

OFFICE OF THE SANGGUNIANG BAYAN

Municipal Building, Poblacion, Bulalacao, 5214, Oriental Mindoro

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE
10TH SANGGUNIANG BAYAN OF BULALACAO, ORIENTAL MINDORO
HELD ON FEBRUARY 15, 2021 AT THE SANGGUNIANG BAYAN SESSION
HALL

PRESENT:

- | | |
|-------------------------------|--|
| Hon. Ramon G. Magbanua | Municipal Vice Mayor/Presiding Officer |
| Hon. Dexter R. Gonzales | Sangguniang Bayan Member |
| Hon. Dennes M. Faner | Sangguniang Bayan Member |
| Hon. Edezer F. Aceron | Sangguniang Bayan Member |
| Hon. German S. Acosta | Sangguniang Bayan Member |
| Hon. Kieven E. Cantos | Sangguniang Bayan Member |
| Hon. Jess V. Sapungan | Sangguniang Bayan Member |
| Hon. Elpidio N. Contreras, Jr | Sangguniang Bayan Member |
| Hon. Edwin C. Aceron | Sangguniang Bayan Member |
| Hon. Enrico C. Villas | Pangulo, Liga ng mga Barangay |
| Hon. Tulay M. Caring | IPM Representative |
| Hon. Kim Jonh Elco E. Cantos | SK Federation President |

ABSENT:

NONE

X-----X

MUNICIPAL ORDINANCE NO. 21-02-284

**AN ORDINANCE IMPOSING FEES/CHARGES ON BOTH TRANSIENT
DIVERS AND TRANSIENT TOURISM VESSELS MOORED/ANCHORED
WITHIN THE MUNICIPAL WATERS OF BULALACAO, ORIENTAL
MINDORO**

Authors

- Sangguniang Bayan Member **EDEZER F. ACERON**
- Sangguniang Bayan Member **KIEVEN E. CANTOS**
- Sangguniang Bayan Member **JESS V. SAPUNGAN**

Sponsor

- Sangguniang Bayan Member **DEXTER R. GONZALES**

Co-Sponsors

- Sangguniang Bayan Member **GERMAN S. ACOSTA**
- Sangguniang Bayan Member **EDWIN C. ACERON**
- Sangguniang Bayan Member **DENNES M. FANER**

WHEREAS, Article X, Section 5 of the 1987 Constitution of the Republic of the Philippines provides that "Each local government unit shall have the power to create its own sources of revenues and to levy taxes, fees and charges subject to such guidelines and limitations as the Congress may provide, consistent with the basic policy of local autonomy. Such taxes, fees and charges shall accrue exclusively to local governments";

WHEREAS, Article II, Section 16 of the Constitution likewise provides that: "The State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature";

HON. JESS V. SAPUNGAN
HON. KIEVEN E. CANTOS
HON. GERMAN S. ACOSTA
HON. EDZEZ F. ACERON
HON. ENRICO C. VILLAS
HON. DEXTER R. GONZALES
HON. DENNES M. FANER
HON. EDWIN C. ACERON
HON. RAMON G. MAGBANUA
HON. ELPIDIO N. CONTRERAS, JR.
HON. ERNICO C. VILLAS
HON. TULAY M. CARING
HON. KIM JONH ELCO E. CANTOS
PEARITA V. PAZ

WHEREAS, Bulalacao, a coastal municipality of a great cultural significance, a center of rich diversity of exquisite forest, fishery and marine resources, and one of the world's most important diving havens;

WHEREAS, the Municipality of Bulalacao, Oriental Mindoro is an emerging tourist destination in the Philippines due to its beautiful environment;

WHEREAS, Article 100 (a) Rule 7. Powers, Duties, and Functions of the Sangguniang Bayan of RA 7160 otherwise known as the Local Government Code of 1991, provides that the Sangguniang Bayan, as the Legislative Body of the Municipality, shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the Municipality and its inhabitants pursuant to Section 16 of the Code and in the proper exercise of the corporate powers of the Municipality;

BE IT ORDAINED BY THE SANGGUNIANG BAYAN OF BULALACAO ORIENTAL MINDORO ASSEMBLED IN SESSION THAT:

SECTION 1. DEFINITION OF TERMS

- a. **Transient Vessels**-are vessels temporarily or momentarily moored or anchored within the Municipal Waters other than Municipal Pier and other designated mooring areas.
- b. **Transient Divers**-are divers aboard transient vessels who temporarily/momentarily use portions of the municipal waters of Bulalacao for diving purposes other than those who are registered guests of any accommodation establishments in Bulalacao, Oriental Mindoro.
- c. **Municipal Waters**-(Republic Act 7160 or Local Government Code of 1991) include not only streams, lakes and tidal waters within the Municipality, not being the subject of private ownership and not comprised within the national parks, public forest, timberlands, forest reserves or fishery reserves, but also marine waters included between two lines drawn perpendicularly to the general coastlines from points where the boundary lines of the municipality touch the sea at low tide and a third line parallel with the general coastline and fifteen (15) kilometers from it. Where two municipalities are so situated on the opposite shores that there is less than 15 kilometers of marine waters between them, the third line shall be equally distant from opposite shores of their respective municipalities.

SECTION 2. REGULATED ACT. All tourism transient vessels upon anchoring/mooring at the Municipality of Bulalacao and transient divers must pay all corresponding fees charges imposed thereon.

SECTION 3. IMPOSITION OF FEES. Fees/Charges are hereby imposed on the following manner, to wit;

- a. Any transient vessel moored anchored within the municipal waters shall be collected one hundred pesos (PhP100.00) per vessel per day.
- b. Each diver aboard the transient vessel shall pay the amount of fifty pesos (PhP50.00) per day.

SECTION 4. MANNER OF COLLECTION.

- a. The Municipal Treasury Office shall cause the collection of corresponding fees/charges on daily basis. However, the Municipal Treasurer may deputize the Barangay Treasurers to collect the fees and charges.

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 HON. AM. JONIELSON E. CANTOS
 HON. GERMAR S. ACOSTA
 HON. TUJAY M. CARING
 HON. EDEZER F. ACERON
 HON. ENRICO C. VILLAS
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 HON. DENTER R. GONZALES
 HON. ELPIDIO N. CONTRERAS, JR.
 HON. ERNILLO VILLAS

- b. The fees/charges duly collected shall be distributed as follows:
 - i. Forty Percent (40%) shall be appropriated for the maintenance and establishment of public mooring facilities and shall accrue to the Trust Fund Account of the Municipality.
 - ii. Forty Percent (40%) shall go to the General Fund Account of the Municipality.
 - iii. Twenty Percent (20%) shall go to the General Fund Account of the Barangay where the fees/charges were collected.

SECTION 5. EXEMPTION. The following vessels and divers shall be exempted from the payment of fees/charges, to wit:

- a. Any transient vessel using/occupying the municipal waters of this Municipality during inclement weather.
- b. All vessels merely passing across the territorial waters of this municipality.
- c. Any yacht annually/monthly paying the municipal tax for mooring/anchoring in Bulalacao waters.
- d. All non-recreation divers such as those engaged in vessels maintenance or mooring maintenance and safety checks.

SECTION 6. PENALTY. Any violation of this ordinance shall be fined and punished accordingly:

a. For Transient Vessels:

1 st Offense	PhP 500.00
2 nd Offense	1,500.00
3 rd Offense	2,500.00 or imprisonment

b. For Transient Divers:

1 st Offense	PhP 300.00
2 nd Offense	500.00
3 rd Offense	1,000.00

SECTION 7. REPEALING CLAUSE. All ordinances, rules and regulations, or parts thereof, in conflict with or inconsistent with the provisions of this ordinance are hereby repealed, amended or modified accordingly.

SECTION 8. SEPARABILITY CLAUSE. If for any reason/s, any section, provision, or part/s of this ordinance is declared not valid by a Court of competent jurisdiction, such Judgment shall not affect or impair the remaining provisions, sections, or parts thereof, which shall remain or continue to be in full force or effect.

SECTION 9. EFFECTIVITY. This ordinance shall take effect immediately after fifteen (15) days of posting in Sangguniang Bayan bulletin board and in at least two (2) other conspicuous places in the Local Government Unit of Bulalacao.

ENACTED this 15th day of February 2021 Bulalacao, Oriental Mindoro.

HON. JESS USAPANGAN
 HON. KIBBER E. CANTOS
 HON. KIM JOHN ELDO E. CANTOS
 HON. GERMAN S. ACOSTA
 HON. TUWAY M. CARING
 HON. EDEZER F. ACERON
 HON. ENRICO C. VILLAS
 HON. DENNIS M. FANER
 HON. EDWIN C. ACERON
 HON. DEXTER R. GONZALES
 HON. ELPIDIO N. CONTRERAS, JR.
 HON. DOMINIC MACBANUA
 HON. ERNULDO C. VILLAS
 PERLITA L. PAZ

Hon. DEXTER R. GONZALES
Sangguniang Bayan Member

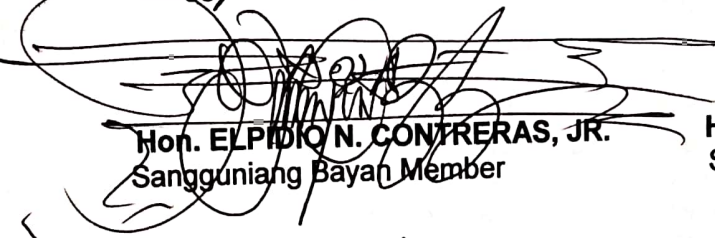
Hon. DENNES M. FANER
Sangguniang Bayan Member


Hon. EDEZER F. ACERON
Sangguniang Bayan Member



Hon. GERMAN S. ACOSTA
Sangguniang Bayan Member


Hon. KIEVEN E. CANTOS
Sangguniang Bayan Member


Hon. JESS V. SAPUNGAN
Sangguniang Bayan Member


Hon. ELPIDIO N. CONTRERAS, JR.
Sangguniang Bayan Member

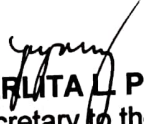

Hon. EDWIN C. ACERON
Sangguniang Bayan Member


Hon. ENRICO C. VILLAS
Pangulo, Liga ng mga Barangay


Hon. TULAY M. CARING
IPM-Representative


Hon. KIM JOHN ELCO E. CANTOS
SK Federation President


CERTIFIED TRUE AND CORRECT:


PERLA PAZ
Secretary to the Sangunian

ATTESTED:


Hon. RAMON G. MAGBANUA
Municipal Vice Mayor/Presiding Officer

APPROVED:


Hon. ERNILO C. VILLAS
Municipal Mayor
Date Signed: April 10, 2021