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## OFFICE OF THE SANGGUNIANG BAYAN

*Municipal Building, Poblacion, Bulalacao, 5214, Oriental Mindoro*

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF BULALACAO, ORIENTAL MINDORO HELD ON JUNE 23, 2017 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. German S. Acosta	Sangguniang Bayan Member
Hon. Edezer F. Aceron	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

**ABSENT:**

Hon. Guillermo G. Salas, Jr.	Sangguniang Bayan Member-O.B.
Hon. Teresita S. Bantugan	Sangguniang Bayan Member-O.B.

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### MUNICIPAL ORDINANCE NO. 17-06-186

AN ORDINANCE REQUIRING THE BARANGAY OFFICIALS OF ALL COASTAL BARANGAYS OF BULALACAO, ORIENTAL MINDORO WITH THE ASSISTANCE OF REPRESENTATIVES FROM MUNICIPAL ASSESSMENT OFFICE AND THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO IDENTIFY THE BOUNDARIES OF THE FORESHORE AREA AND SALVAGE ZONE OF THEIR TERRITORIAL JURISDICTION AND PROHIBITING ANY ESTABLISHMENT AND CONSTRUCTION OF ANY STRUCTURE THEREIN

**SPONSOR:** SB MEMBER EDEZER F. ACERON  
**CHAIRMAN:** Committee on Rules and Privileges/Legal Matters  
**CO-SPONSORS:** SB MEMBER ELPIDIO N. CONTRERAS, JR.  
 SB MEMBER GERMAN S. ACOSTA  
 SB MEMBER DENNES M. FANER  
 SB MEMBER EDWIN C. ACERON

**WHEREAS,** pursuant to Republic Act No. 7160, otherwise known as the Local Government Code of 1991, the Sangguniang Bayan has the duty to enact ordinances that will protect the environment and impose penalties for acts that shall endanger the environment;

**WHEREAS,** pursuant to the abovementioned law, the Sangguniang Barangay has the duty to adopt measures to prevent and control the proliferation of squatters and the mendicants in its area of jurisdiction;

**WHEREAS,** the Department of Environment and Natural Resources is the primary agency responsible for the conservation, management, development and proper use of the country's environment and natural resources;

*[Handwritten signatures and initials]*

NOW THEREFORE, be it ordained by the Sangguniang Bayan of Bulalacao, Oriental Mindoro, that:

**SECTION 1. TITLE.** For brevity, this ordinance shall be known as "Ordinance Identifying the Foreshore Areas and Salvage Zones of the Municipality of Bulalacao".

**SEC. 2. DEFINITION OF TERMS**

**A. Foreshore Area** – a string of land margining a body of water; the part of the seashore between the low-water line usually at the seaward margin of a low tide terrace and the upper limit of wave wash at high tide usually marked by a beach scarp or berm (Section 4(48) Republic Act No. 8550 The Philippine Fisheries Code of 1998).

**B. Salvage Zone** – shores of the seas throughout their entire length and within a zone of three (3) meters in urban areas, twenty (20) meters in agricultural areas and forty (40) meters in forest areas, along their margins are subject to easement of public use in the interest of recreation, navigation, floatage, fishing and salvage (Art. 51 PD No. 1067, series of 1976 or the Water Code of the Philippines); or lands measuring twenty (20) meters measured landward from the interior limit of the shoreline for the easement purposes (DENR Administrative Order No. 2004-24, Aug. 24, 2004).

**C. Representative from DENR** – for the purpose of this ordinance this term shall mean the Head of the Community Environment and Natural Resources Office (CENRO) or his duly authorized representative

**D. Representative from MAssO** – for the purpose of this ordinance this term shall mean the Municipal Assessor or his/her duly authorized representative;

**E. Eight (8) Coastal Barangays** – the barangays of the Municipality of Bulalacao, Oriental Mindoro which have shorelines i.e. Maujao, San Francisco, Milagrosa, Maasin, Poblacion, Balatasan, San Juan and San Roque.

**SEC. 3. COMPOSITE TEAM.** A Team is hereby created and composed of the following:

- |   |   |               |
|---|---|---------------|
| Punong Barangay   | - | Chairman      |
| Representative from DENR                                      | - | Vice-Chairman |
| Representative from MAssO                                     | - | Member        |
| Chairman, Sangguniang Barangay Committee on Environment-      |   | Member        |
| Chairman, Sangguniang Barangay Committee on Land Utilization- |   | Member        |

**SEC. 4. DUTIES AND FUNCTIONS.** The composite team has the following duties and functions, to wit:

*(Handwritten signatures and initials)*

- A. It shall convene within ten (10) days upon the approval of this ordinance and set the schedule when to start identifying the foreshore area and salvage zone of a certain coastal barangay.
- B. It shall identify the foreshore area and salvage zone of a certain coastal barangay;
- C. It shall set up boundary landmarks, once the foreshore area and salvage zone are already identified; and
- D. It shall submit Progress Reports and Final Report to the Office of the Municipal Mayor and the Sangguniang Bayan with regard to the implementation of this Ordinance.

**SEC. 5. PROHIBITION ON THE CONSTRUCTION OF ANY KIND OF STRUCTURE.**

The submitted Final Report of the Team, if there is no law violated, shall be adopted by the Sangguniang Bayan and approved by the Municipal Mayor. Upon adoption and approval of the Final Report, any person shall be prohibited to construct any kind of structure in the identified foreshore area and salvage zone of the eight (8) coastal barangays except for easement purposes in the interest of recreation, navigation, floatage, fishing and salvage.

**SEC. 6. PENALTY.**

- 1<sup>ST</sup> Offense – Demolition of the structure and a fine of P1,000.00**
- 2<sup>nd</sup> Offense – Demolition of the structure and a fine of P1,500.00**
- 3<sup>rd</sup> Offense – Demolition of the structure and a fine of P2,500.00**

Violation of this Ordinance committed by the persons involved in its implementation shall be dealt with according to the existing rules of EO 292 Administrative Code of the Philippines on negligence of duty and/or other pertinent laws and decrees.

**SEC. 7. REPEALING CLAUSE.** All resolutions, ordinances and executive issuances, or provisions thereof, which are inconsistent with any of the provisions hereof are hereby repealed, amended and/or modified accordingly.

**SEC. 8. SEPARABILITY CLAUSE.** Should any provision of this ordinance be subsequently declared unconstitutional or ultra vires, the rest of the provisions not so declared shall remain to be in full force and effect.

**SEC. 9. EFFECTIVITY CLAUSE.** This Ordinance shall take effect immediately after the approval of the Municipal Mayor. A copy of the approved ordinance shall be given to agencies, offices and incumbents of the positions mentioned herein and shall be posted in bulletin board at the entrance of the municipal hall and in barangay halls and in at least two (2) other conspicuous places in the Local Government Unit of Bulalacao.


**ENACTED** this 23<sup>rd</sup> day of June, 2017. Bulalacao, Oriental Mindoro.

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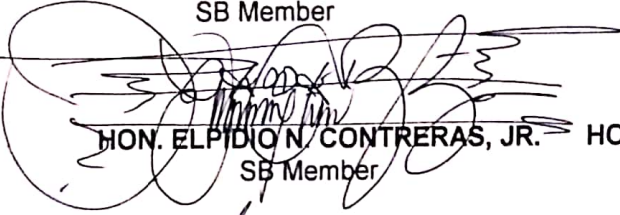


  
HON. DEXTER R. GONZALES  
SB Member

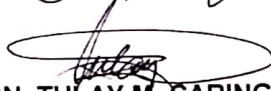
  
HON. DENNES M. FANER  
SB Member


  
HON. GERMAN S. ACOSTA  
SB Member

  
HON. EDEZER F. ACERON  
SB Member


  
HON. ELPIDIO N. CONTRERAS, JR.  
SB Member

  
HON. EDWIN C. ACERON  
SB Member

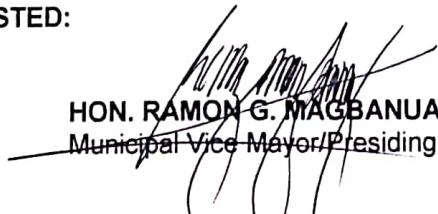
  
HON. TULAY M. CARING  
IPM Representative

  
HON. ENRICO C. VILLAS  
Pangulo, Liga ng mga Brgy.

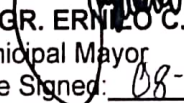
CERTIFIED TRUE AND CORRECT:

  
PERLA L. PAZ  
Secretary to the Sanggunian

ATTESTED:

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

APPROVED:

  
ENGR. ERNEO C. VILLAS  
Municipal Mayor  
Date Signed: 08-07-17