



Republic of the Philippines
PROVINCE OF ZAMBOANGA DEL SUR
Municipality of Dumingag
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OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE 101st REGULAR SESSION OF THE SANGGUNIANG BAYAN OF DUMINGAG, ZAMBOANGA DEL SUR HELD AT THE MUNICIPAL SESSION HALL ON November 17, 2003.

OFFICERS/MEMBERS :	POSITION	PRESENT	ABSENT	OB
Hon. Nacianceno M. Pacalioga, Jr.	Vice Mayor	___/___	___/___	___/___
Hon. Teofilo O. Oclaret	SB Member	___/___	___/___	___/___
Hon. Corazon G. Tangalin	SB Member	___/___	___/___	___/___
Hon. Jeremias Y. Lim	SB Member	___/___	___/___	___/___
Hon. Roger M. Pacalioga	SB Member	___/___	___/___	___/___
Hon. Bernard R. Lambatan	SB Member	___/___	___/___	___/___
Hon. Inocentes D. Ylanan, Jr.	SB Member	___/___	___/___	___/___
Hon. James D. Gandeza	SB Member	___/___	___/___	___/___
Hon. Pastora E. Buendia	SB Member	___/___	___/___	___/___
Hon. Julius G. Jamero	SB Member	___/___	___/___	___/___
Hon. Mayfher L. Tangalin	SB Member	___/___	___/___	___/___
Mrs. Jessyl B. Palon	Clerk IV/Acting Secretary	___/___	___/___	___/___

Ordinance No. 11, s. 2003

AN AMENDATORY ORDINANCE REGULATING THE OPERATION OF TRAVELING RICE MILL, PRESCRIBING ENVIRONMENTAL COMPLIANCE AND PROVIDING PENALTY FOR VIOLATION THEREOF.

Whereas, Municipal Ordinance No. 15, s. 1996 entitled, 'An Ordinance Regulating the Operation of Traveling Rice Mill, Prescribing Environmental Compliance Thereof' has been found to have no penal provision which impedes its strict enforcement ;

Whereas, other amendments by substitution are a must in order to address the needs of the times ;

Now, Therefore, be it enacted by the Sangguniang Bayan in session assembled, that :

Section 1. Title. The title of this ordinance is, "An Amendatory Ordinance Regulating the Operation of Traveling Rice Mill, Prescribing Environmental Compliance and Providing Penalty for Violation Thereof."

Section 2. Declaration of Policy. Pursuant to Rule XVII, Art. 100 of the Local Government Code of 1991, the Sangguniang Bayan, as a legislative body of the municipality, has the powers to regulate business activities, ensure the efficient and effective delivery of basic services to the people and the power to enact measures protecting our environment. It is a policy of the state provided in the constitution that no legislation shall be enacted prohibiting any persons, groups, entrepreneurs, corporation to engage in any legitimate business activities. This is the guiding legislative principle embodied in this ordinance.

Section 3. Definition of Terms. For purposes of this ordinance, the following terms are defined as follows :

- A. **Traveling Rice Mill.** A rice mill set on a wheeled assembly and purposely designed for ease and convenience of costumers.
- B. **Milling Station.** Designated place/s in the purok as fixed area/s for the operation of the traveling rice mill
- C. **Noise Pollution.** Excessive noise in the environment typically from machines and industries or additional sound to the environment beyond human decibel (measured in intensity, duration, and frequency).
- D. **Air Pollution.** The destruction of the freshness of the natural air rendered by the excessive smoke from machine factories, burning of toxic materials, smoking and others and may consequently destroy the ozone layer.
- E. **Town Site.** Refers to the prohibited area for milling rice which includes parts of barangays San Pedro and San Pablo specifically bounded to the North by Quezon Boulevard ; South, by Jose Abad Santos Street ; East, by Copper Street; and, West, by Mango Avenue.

Section 4. Environmental Measures.

1. Milling within the town site as provided in section 3E is strictly prohibited
2. Establish milling station in every purok and a scheduled route system. However, usual procedures that costumers are providing a space/s or place near their homes or their backyard for milling is practically permitted, provided that it can't violate any provision/s or section of this ordinance.
3. Milling near government or religious institutions or public places that can cause discomfort and excessive noise to the people and pollution to the environment are strictly prohibited.
4. Passable roads and highways or any public passage used by people, buses, trucks, jeepneys, etc., are prohibited for milling operations.
5. Millers must provide portable container for waste rice hull good for one day of operation.

Section 5. Environmental Compliance Certificate (ECC). The ECC is one of the requirements that shall be complied by the owner/s or operator/s of the traveling rice mill. Prior to the issuance of the Mayor's Permit, the ECC must be secured first from the Mayor through the recommendation of the Environment and Natural Resources Officer (ENRO) of the municipality who is designated by the Mayor and by paying to the Municipal Treasurer the amount of Two Hundred Pesos (P200.00) after he has all complied with all the requirements.

Section 6. Transport Permit. No traveling rice mills are permitted to travel within the municipality without paying a transport permit in the amount Two Hundred Pesos (200.00) to the Municipal Treasurer.

Section 7. Penal Provision. For every offense committed by a violator of this ordinance, a fine of Three Hundred Pesos (P300.00) shall be imposed.

Section 8. Enforcement Provision. The Office of the Municipal Mayor through the PNP shall be authorized to enforce this ordinance.

Section 9. Repealing Clause. All resolutions, ordinances, or laws of local effect inconsistent with the ordinance are hereby modified, superseded, or repealed accordingly.

Section 10. Separability Clause. Any section or provision of this ordinance which may be declared unlawful or unconstitutional shall not affect the other section or provisions thereof.

Section 11. Effectivity and Publication Clause. This ordinance shall take effect after the approval of the Sangguniang Panlalawigan and after fifteen (15) days from the date copy hereof is posted in the bulletin board at the entrance of the municipal hall and in at least two (2) other conspicuous places in the Poblacion, announcement in the local cable TV and FM station and further, published in a local newspaper of general circulation once a week for three consecutive weeks, informing the constituents of the provisions and date of effectivity thereof.

APPROVED UNANIMOUSLY.

Enacted: December 1, 2003

Jessyl B. Palon
JESSYL B. PALON
Clerk IV/Acting Secretary

**ATTESTED AND CERTIFIED.
TO BE DULY ADOPTED:**

Teofilo O. Oclaret
TEOFILO O. OCLARET
SB Member
Presiding Officer

APPROVED: 3-5, 2003

Edgardo G. Jamero
EDGARDO G. JAMERO
Municipal Mayor