

HON. JULIUS G. JAMERO
SB Member

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

EXCERPT FROM THE MINUTES OF THE 108th REGULAR SESSION OF THE 11th SANGGUNANG BAYAN OF DUMINGAG, ZAMBOANGA DEL SUR HELD AT THE MUNICIPAL SESSION HALL ON MARCH 17, 2025.

OFFICERS/MEMBERS:	POSITION	PRESENT	ABSENT	OB	OL
Hon. Edgardo G. Jamero	Municipal Vice Mayor	—/—	—	—	—
Hon. Julius G. Jamero	SB Member	—/—	—	—	—
Hon. Jo Vincent J. Morpos	SB Member	—/—	—	—	—
Hon. Dean Kaiser C. Tangalin	SB Member	—/—	—	—	—
Hon. Francis Joeray T. Gumban	SB Member	—/—	—	—	—
Hon. Jerson L. Cabahug	SB Member	—/—	—	—	—
Hon. Julito C. Mandac	SB Member	—/—	—	—	—
Hon. Percalixia Y. Bazar	SB Member	—/—	—	—	—
Hon. Efren A. Costanilla	SB Member	—/—	—	—	—
Hon. Domingo M. Gingco	Ex - Officio Member, LnB	—/—	—	—	—
Hon. Kirby Tracy V. Estillore	Ex - Officio Member, SK	—/—	—	—	—

Municipal Ordinance No. 11th-5-2025

AN ORDINANCE REGULATING THE SELLING OF FISH IN THE MUNICIPALITY OF DUMINGAG, ZAMBOANGA DEL SUR AND FOR OTHER PURPOSES.

Be it ORDAINED by the 11th Sangguniang Bayan of Dumingag, Zamboanga del Sur in a session duly assembled, that;

SECTION 1. TITLE

This ordinance shall be known and cited as the "Regulations in the Selling of Fish Ordinance" in the municipality of Dumingag, Zamboanga del Sur.

SECTION 2. PURPOSE

The purpose of this ordinance is to regulate the selling of fish within the municipality in order to safeguard public health and welfare, promote food safety, maintain the cleanliness in areas beyond the designated public market zones and boundaries as set by this Ordinance. Unauthorized street vending of fish can pose health risks, as these products are perishable and require proper storage, handling, and preparation. When sold without proper permits, there is no guarantee of safety standards, which can lead to foodborne illnesses and other health hazards.

Additionally, unauthorized selling can obstruct sidewalks, parks, and other public areas, causing inconvenience to pedestrians and traffic. By regulating and enforcing authorized vending practices, the municipality seeks to protect the community's well-being, and ensure that fish sellers operate in a clean, safe, and orderly manner.

SECTION 3. DEFINITION OF TERMS

For the purpose of this ordinance, the following terms shall be defined as follows:

- Fish - refers to any aquatic animal, including but not limited to, fish, dried fish, shellfish, and other seafoods
- Fish Hawker - a person who sells fish by moving from place to place

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11th Sangguniang Bayan

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Secretary to the Sanggunian

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Municipal Mayor

- c. **Unauthorized Selling** - refers to the act of selling fish on the streets and other public areas without the necessary permits, licenses, or authorizations from the LGU of Dumingag
- d. **Fish Peddlers** - refers to individuals or entities who sell fish directly on the streets, sidewalks, or other public spaces other than public or privately owned markets
- e. **Fish Vendor** - refers to individuals or entities who sells fish in the public and or privately owned markets

SECTION 4. SCOPE AND COVERAGE

This ordinance applies to all individuals, businesses, and entities engaged in the selling of fish within the territorial jurisdiction of the municipality of Dumingag.

Specifically, this Ordinance covers:

- a. **Fish Hawkers**
Individuals or entities who sells fish by moving from place to place.
- b. **Temporary Stalls and Market set-ups**
Peddlers of fish operating makeshift stalls, kiosks, or temporary selling setups outside the public or private market areas.
- c. **Fixed Establishments for Fish**
Permanent businesses or commercial establishments selling fish.

SECTION 5. PERMIT AND LICENSE REQUIREMENTS

Any person, natural or juridical, intending to engage in the selling of fish within the municipality of Dumingag shall secure the necessary permits and licenses from the Business Permits and Licensing Office (BPLO) or any other relevant government agency, as may be required by existing laws, issuances, and national directives.

Fish hawkers and fish peddlers shall also secure the same permits and clearances as that of the Fish Vendors who have stalls in established markets.

SECTION 6. ADMINISTRATIVE PROVISIONS

- a. *Fish hawkers, peddlers and vendors must maintain accurate records of inventory and sources of their products, which shall be subject to inspection. Failure to present records on request by authorized representatives of the LGU and/or barangay officials may result in fines or permit suspension.*
- b. *Permits and licenses issued for selling fish shall be displayed in a visible manner at all times during operations. For fish hawkers, the permits shall be kept in a secure place in their vehicles and shall be made available upon inspection of authorized representatives of the LGU of Dumingag and/or barangay officials.*
- c. *Each fish hawker will be issued an identification card by the LGU, containing essential details such as the vendor's name, address, contact number, picture and a unique fish hawker number. The details in the identification card, especially, the assigned mobile vendor number should be prominently displayed in a clear, large font, ensuring easy visibility for customers who may need it for complaint purposes. Peddlers and vendors are required to wear this identification card at all times while conducting business. A minimal fee of fifty pesos (₱ 50.00) shall be collected to defray the production cost of the identification card.*

- d. For Fish Peddlers, a three (3) meter setback from any road right-of-way shall be observed and a locational clearance is required.

SECTION 7. PROHIBITION

- a. It shall be unlawful for any person or entity to engage in the unauthorized selling of fish on the streets, sidewalks, to include road shoulders and canals.
- b. Fish hawkers and fish peddlers are prohibited from selling fish within the designated poblacion area. For reference, the boundary of the poblacion area shall be defined by the following specific streets and landmarks:
1. Jose Abad Santos St. to Brgy. Lower Landing Road passing the GDIFIICO building and extending straight to NIA Building
 2. National Highway (NIA Building) to Sitio Curvada
 3. Along Quezon Blvd.
 4. Along Copper St.
 5. National Highway (leading to the municipality of Mahayag) up to the intersection of Jose Abad Santos St. Extension.

These specified streets and landmarks, for the purpose of this Ordinance, serve only as boundary markers for the poblacion area. Selling of fish along these streets is permitted but in areas considered to be inside the poblacion areas, it is prohibited.

- c. Displaying, vending, or selling fish without the necessary permits or licenses issued by the LGU of Dumingag.
- d. Selling fish that are unfit for human consumption.
- e. Engaging in the selling of fish in a manner that causes obstruction, inconvenience, disturbance to pedestrians, vehicular traffic, or the general public.
- f. Fish Hawkers and Fish Peddlers are prohibited from selling fish within one hundred (100) meters from the perimeters of schools, churches, hospitals and clinics, government offices, or other restricted areas that will be identified by the municipal government.
- g. All sellers of fish shall not use additives, preservatives, or colorants in fish that are not explicitly approved by the Department of Health (DOH) or the Food and Drug Administration (FDA).
- h. All sellers of fish are strictly prohibited from disposing waste, including packaging, spoilage, or other by-products, in public spaces, canals, roadsides, or unauthorized bins.
- i. Any person found falsifying, tampering with, or altering issued permits, identification card or licenses.
- j. Any person found falsifying, tampering with, or altering weights and measures used in the conduct of their business.

SECTION 8. PENAL PROVISIONS

Any person who violates, disobey, refuse, omit or neglect to comply with the provisions of this Ordinance shall be meted with the following penalties:

- First Offense - a fine of one thousand pesos (₱ 1,000.00)
- Second Offense - a fine of one thousand five hundred pesos (₱ 1,500.00)

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- Third Offense - a fine of two thousand five hundred pesos (₱ 2,500.00) or imprisonment for a period of more than three (3) months but not exceeding six (6) months or both at the discretion of a competent court of law

The BPLO, in coordination with the Dumingag Municipal Police Station and other relevant agencies, shall conduct regular inspections and monitoring activities to ensure compliance with this ordinance and other related laws, issuances, and national directives.

SECTION 9. PUBLIC COMPLAINTS MECHANISM

A designated hotline or online reporting mechanism shall be established to allow the public to report instances of unauthorized selling or unsanitary practices. Complaints shall be handled by the BPLO and the Office of the Municipal Mayor. All verified complaints will be subject to investigation and potential enforcement actions. This provision is in support to the ordinance's goal of promoting food safety, maintaining cleanliness, and ensuring compliance with health regulations in the municipality of Dumingag.

SECTION 10. BUREAU OF FISHERIES AND AQUATIC RESOURCES BULLETINS

The Bureau of Fisheries and Aquatic Resources (BFAR), under the Department of Agriculture (DA), is the national government agency responsible for formulating and enforcing rules and regulations on the conservation and management of fish and other aquatic resources. All bulletins, advisories, memorandum circulars, administrative orders, and other official issuances from BFAR related to the safety and fitness of fish and other aquatic resources for human consumption are hereby adopted as an integral part of this Ordinance. These regulations shall be implemented within the territorial jurisdiction of Dumingag and shall remain in effect unless specifically revoked or lifted by BFAR.

The sale of fish and other aquatic resources originating from areas declared by BFAR as contaminated or unfit for human consumption therefore is strictly prohibited and shall be subject to penalties as provided for in this Ordinance.

SECTION 11. IMPLEMENTATION

This Ordinance shall be implemented by the Business Permits and Licensing Office (BPLO) and the Office of the Municipal Mayor. It shall be enforced by the Dumingag Municipal Police Station (DMPS), Dumingag Task Force Ordinance and barangay local governments of the municipality.

SECTION 12. SEPARABILITY CLAUSE

If any provision or part of this Ordinance is declared invalid or unconstitutional, the remaining parts or provisions not affected shall remain in full force and effect.

SECTION 13. REPEALING CLAUSE

All ordinances, executive orders, local issuances, rules and regulations or parts thereof inconsistent with any provision of this Ordinance are hereby repealed, amended or modified accordingly.

SECTION 14. EFFECTIVITY CLAUSE

This ordinance shall take effect after being declared as valid by the Sangguniang Panlalawigan of Zamboanga del Sur, after fifteen (15) days following the completion of the posting requirements in three (3) conspicuous places in the municipality and its publication in any newspaper of general circulation or posting of copies in all the municipalities and one (1) city within the province of Zamboanga del Sur.

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Municipal Vice Mayor

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Municipal Mayor

Enacted: March 17, 2025

CONCURRED:

SANGGUNIAN BAYAN MEMBERS:

Hon. Julius G. Jamero

Hon. Dean Kaiser C. Tangalin

Hon. Jerson L. Cabahug

Hon. Percalixia Y. Bazar

Hon. Domingo M. Gingco

Hon. Jo Vincent J. Morpos

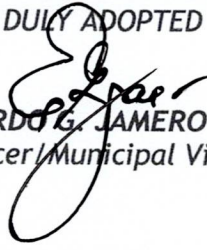
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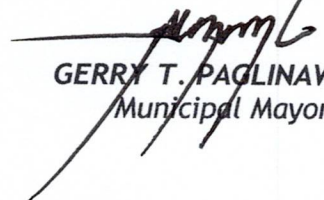
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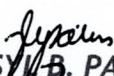
ATTESTED AND CERTIFIED
TO BE DULY ADOPTED


EDGARDO G. JAMERO
Presiding Officer/Municipal Vice Mayor

APPROVED: April 8, 2025


GERRY T. PAGLINAWAN
Municipal Mayor

I hereby certify that the foregoing Ordinance is true and correct.


JESSY B. PALON
Secretary to the Sanggunian