



Republic of the Philippines
PROVINCE OF ZAMBOANGA DEL SUR
Municipality of Dumingag

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OFFICE OF THE SB SECRETARY

EXCERPT FROM THE MINUTES OF THE 13th REGULAR SESSION OF THE
4th SANGGUNIANG BAYAN OF DUMINGAG, ZAMBOANGA DEL SUR
HELD AT THE MUNICIPAL SESSION HALL ON October 15, 2001.

OFFICERS/MEMBERS	POSITION	PRESENT	ABSENT	OE
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. Nita T. dela Torre	Ex-Officio Member	/		
Hon. Libertine R. Mantos	Ex-Officio Member	/		
Mr. Alejandro R. Estillore	SB Secretary	/		

Ordinance No. 34, s. 2001

AN ORDINANCE DECLARING ALL RIVERBANK RESERVATION AREAS IN THE MUNICIPALITY OF DUMINGAG AS ENVIRONMENTAL REFORESTATION SITES AND PROVIDING MECHANISM FOR ITS IMPLEMENTATION AND PENALTY FOR VIOLATION THEREOF.

Section 1. Title - This ordinance is entitled "An Ordinance Declaring All River Bank Reservation Areas in the Municipality of Dumingag as Environmental Reforestation Sites and Providing Mechanism for its Implementation and Penalty for Violation thereof.

Section 2. Legal Authority -This measure is pursuant to Department Administrative Order No. 97-05 of the Department of Environment and Natural Resources, R. A. No. 1273, PD 705 as amended and PD 1067 (Water Code of the Philippines - 2-31-76) providing for the retention of areas from each side of the bank of the river, stream, creek or arroyo or shore of the sea which shall be segregated as non-alienable and non-buildable

Section 3. Purpose

General Purpose. It is the prime duty of the state to protect its citizen from disaster or calamity such as flood and typhoon.

Specific Purposes

- 3.1. To reforest the riverbanks in order to protect them from being eroded.
- 3.2. To provide abode for wildlife especially the birds.
- 3.3. To provide windbreaks for the protection of crops in the vicinity.
- 3.4. To initiate the greening along the river banks and orderly arrangement of the growth of trees.
- 3.5. To provides coolness to the surroundings especially in Dumingag

Section 4. Definition of Terms - As used in this ordinance, the following terms are defined:

- 4.1. Retention area - An area or strip of land along the banks of the river, stream or creek (arroyo) designated as non-alienable and non-buildable area

- 4.2 Non-alienable land - A land which cannot be disposed of or apportioned or awarded to any person as an owner.
- 4.3 Sub-urban Area - An area that is moving toward urbanization
- 4.4 Urban Area - An area considered as a city or resembling it.

Section 5 Mechanism of Implementation

- 5.1 There shall be a 40-metre wide reservation area provided along both sides of the banks of the river, streams or creeks for permanent timberland and/or reforestation area measured landward from the bank.
- 5.2 A 20-metre strip shall be provided as legal easement in surveyed agricultural areas measured landward from the bank.
- 5.3 A 3-metre distance measured landward from the bank shall be provided as non-buildable and non-alienable.
- 5.4 No permanent architectural structure or building is allowed to be constructed within these designated areas.
- 5.5 Trees that shall be used for reforestation are fast-growing trees and hardwood such as but not limited to bamboos, Gmelina, Mahogany, rubber, Ipil-ipil, mangium, narra.
- 5.6 No person is allowed to destroy the trees or cause his domestic animals to destroy the trees.

Section 6 Enforcing Agencies - The Barangay Captains and Barangay Officials in coordination with the Department of Agriculture and the Department of Environment and Natural Resources shall henceforth be the lead agencies in implementing this ordinance.

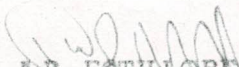
Section 7. Penal Provision - Violation of the foregoing ordinance, shall upon conviction be penalized by a fine or imprisonment or both upon the discretion of the court.

For 1 st Offense	-	P150 00
For 2 nd Offense	-	P250 00
For 3 rd Offense	-	P350 00
For 4 th Offense	-	P450 00
For Subsequent Offenses	-	P500 00

Section 8. Separability Clause - Any provision of this ordinance deemed unconstitutional or declared derogatory in nature shall be declared null and void and the rest of the provision shall remain in full force and effect.

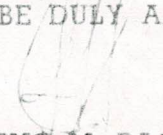
Section 9 Effectivity Clause - This ordinance shall take effect after review and approval of the Sangguniang Panlalawigan and after three (3) weeks from the date copy hereof is posted in the Bulletin Board at the entrance of the municipal hall and in at least two (2) other conspicuous places in the Poblacion and further, announcement in the local Cable TV, informing the constituents of the provisions and date of effectivity thereof.

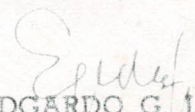
Enacted: November 5, 2001


A.R. ESTILLORE
SB Secretary

ATTESTED AND CERTIFIED
TO BE DULY ADOPTED:

APPROVED: 11-12, 2001


NACIANCENO M. PACALIOGA, JR
Municipal Vice Mayor
Presiding Officer


EDGARDO G. JAMERO
Municipal Mayor