



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



EXCERPT FROM THE MINUTES OF THE 89th REGULAR SESSION OF THE 5th SANGGUNIANG BAYAN OF DUMINGAG, ZAMBOANGA DEL SUR HELD AT THE MUNICIPAL SESSION HALL ON November 10, 2006.

<u>OFFICERS/MEMBERS</u>	<u>POSITION</u>	<u>PRESENT</u>	<u>ABSENT</u>	<u>OB</u>	<u>OL</u>
Hon. Macianceno M. Pacalioga, Jr.	Mun. Vice Mayor	—/—	—	—	—
Hon. Clarife E. Paculaba	SB Member	—/—	—	—	—
Hon. Vita T. dela Torre	SB Member	—/—	—	—	—
Hon. Donald P. Real	SB Member	—/—	—	—	—
Hon. Domingo M. Gingo	SB Member	—	—/—	—	—
Hon. Teofilo O. Oclaret	SB Member	—	—	—	—/—
Hon. Michael F. Morpos	SB Member	—/—	—	—	—
Hon. Dexter D. Retes	SB Member	—/—	—	—	—
Hon. Reynante G. Borling	SB Member	—/—	—	—	—
Hon. Julius G. Jamero	Ex-Officio Member	—	—/—	—	—
Hon. Walfred L. Tangalin	Ex-Officio Member	—/—	—	—	—
Hon. Joseph B. Palon	SB Secretary	—/—	—	—	—

Ordinance No. 2, s. 2007

AN ORDINANCE ADOPTING THE COCONUT PRESERVATION ACT OF 1995 (RA) 8048 AND PROVIDING FOR MECHANISMS IN THE EFFECTIVE IMPLEMENTATION THEREOF IN THE MUNICIPALITY OF DUMINGAG, ZAMBOANGA DEL SUR.

Be it ordained by the Sangguniang Bayan in session assembled:

Section 1. TITLE. This ordinance shall be called as "AN ORDINANCE ADOPTING THE COCONUT PRESERVATION ACT OF 1995 (RA 8048) AND PROVIDING FOR MECHANISMS IN THE EFFECTIVE IMPLEMENTATION THEREOF IN THE MUNICIPALITY OF DUMINGAG, ZAMBOANGA DEL SUR."

Section 2. PURPOSE. This ordinance is enacted in order to adopt and encourage the effective implementation of RA 8048 in the municipality and to avoid the indiscriminate cutting of coconut trees and thereby protect and enhance the importance of the coconut industry in the municipality.

Section 3. DEFINITION OF TERMS:

- Coconut tree. Refers to a tall pinnate-leaved palm bearing a large edible fruit called the coconut.
- Replanting program. Refers to the program formulated by the Philippine Coconut Authority (PCA) to replenish the coconut trees which have been permitted to be cut by the PCA.
- Permit. Refers to the written authorization of the PCA allowing the cutting of coconut trees.
- Economically unproductive farm. Refers to a coconut area where the cost of farm production and maintenance is greater than the generated proceeds or income for a period of at least three (3) years.
- Senescent coconut trees are trees which are already overage, weak and no longer productive.

Section 4. PROHIBITION. No coconut tree shall be cut except in the following cases only after a permit had been issued therefore;

- When the tree is sixty (60) years old;
- When the tree is no longer economically productive;
- When the tree is disease-infested;
- When the tree is damaged by typhoon or lightning;
- When the agricultural land devoted to coconut production shall have been converted in accordance with law into residential, commercial or industrial areas;
- When the tree would cause hazard to life and property;

Section 5. PERMIT TO CUT. No coconut tree shall be cut unless a permit therefore, upon due application being made, has been issued by the PCA pursuant to Section 6 of the Coconut Preservation Act of 1995.

The applicant shall pay an application fee in the amount of Twenty-five pesos (P25.00) for every tree intended to be cut payable to the PCA. Ten pesos (P10.00) of the fee shall accrue in favor of the PCA, Ten pesos (P10.00) in favor of the municipal government concerned, and Five pesos (P5.00) in favor of the barangay unit concerned. The fees shall be used for the PCA's replanting program and for the repair and rehabilitation of roads of the respective local government units which have been damaged by the passage of heavy vehicles used for transporting coconut lumber.

Section 6. AUTHORITY TO CUT. The Philippine Coconut Authority shall have the exclusive authority to grant permit for the cutting of coconut trees. The local government unit is hereby encouraged and mandated to take steps for the purpose of having the authority to grant the permit to cut which can be delegated to the municipal mayor by the PCA as provided for under the Act.

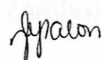
Section 7. IMPLEMENTING AGENCY. The Local Chief Executive, through the Municipal Agriculture Office, in order to effectively implement the provisions of this Ordinance, shall monitor and ensure compliance with the Act including its implementing rules and regulations. For this purpose, the Philippine National Police or other law enforcement agencies may be deputized by the PCA to investigate and apprehend those caught violating the provisions of the Coconut Preservation Act, including the confiscation of illegally cut trees.

Section 8. SEPARABILITY CLAUSE. If any part or section of this ordinance is declared unconstitutional, such declaration shall not affect the other parts or sections of this Ordinance.

Section 9. REPEALING CLAUSE. Any provision of a resolution or an ordinance found inconsistent with the provisions of this ordinance are hereby modified and/or repealed accordingly.

Section 10. EFFECTIVITY CLAUSE. This ordinance shall take effect after the approval of the Sangguniang Panlalawigan and after fifteen (15) days from the date hereof is posted in the bulletin board at the entrance of the municipal hall and at least two (2) other conspicuous places in the Poblacion and published in a newspaper of general circulation for three (3) consecutive weeks.

APPROVED UNANIMOUSLY.
Enacted: January 5, 2007

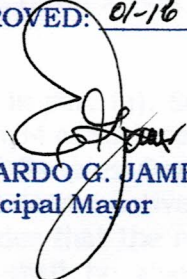

JESSYL B. PALON
Secretary to the Sanggunian



ATTESTED AND CERTIFIED
TO BE DULY ADOPTED:


NACIANCENO M. PACALIOGA, JR.
Municipal Vice Mayor
Presiding Officer

APPROVED: 01-16, 2007


EDGARDO G. JAMERO
Municipal Mayor