



Republic of the Philippines
City of Bago
OFFICE OF THE SANGGUNIANG PANLUNGSOD
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ORDINANCE NO. 30
Series of 2006

AN ORDINANCE PROVIDING THE GUIDELINES FOR THE REGISTRATION OF FISHING VESSELS THREE (3) GROSS TONNAGE AND BELOW IN THE CITY OF BAGO, PROVINCE OF NEGROS OCCIDENTAL.

On motion of SP Member Nicholas M. Yulo, duly seconded by SP Members Rosario F. Gaudite, Evangeline C. Magallanes, Ramon J. Yulo, Jr., Victor B. Javellana, the Sangguniang Panlungsod

Be it enacted by the Sangguniang Panlungsod of Bago City, Negros Occidental that:

SECTION 1. Title – This ordinance shall be known as '*AN ORDINANCE PROVIDING THE GUIDELINES FOR THE REGISTRATION OF FISHING VESSELS THREE (3) GROSS TONNAGE AND BELOW IN THE CITY OF BAGO, PROVINCE OF NEGROS OCCIDENTAL.*'

SECTION 2. Scope – This ordinance shall be applicable to all fishing vessels three (3) gross tonnage and below owned or operated by the resident of this City or its principal office of the operator is located herein.

SECTION 3. Definition of Terms – When used in this Ordinance, the following terms and phrases shall mean as follows:

- a) Registration – an act/process of enlisting a fishing vessel three (3) gross tons and below for the purpose of establishing its identify and ownership by assigning it a permanent number [recorded in the municipal registry of municipal fishing vessel.
- b) Admeasurements – means the measure of the volumetric capacity of the fishing vessel to determine its gross tonnage.
- c) City – refers to the City of Bago.
- d) City Mayor – the City Mayor of Bago City.
- e) Gross Tonnage – the product of vessel tonnage length, tonnage depth, and tonnage breadth modified by a factor of 0.70 divided by 2.83
- f) License/Permit to fish – the privilege to fish in its municipal waters granted to registered fisherfolk by the LGU.
- g) Fishing vessel – any watercraft used for fishing or in support to fishing operations in municipal waters weighing three (3) gross tons and below.
- h) Net Tonnage – the GT modified by a factor of 0.32
- i) Registered Breadth – the transverse distance taken at a widest part of the hull, excluding rub rails from the outboard side of the skin on ones side of the hull to the outboard side of the skin on the other side of the hull.
- j) Registered Depth – the vertical distance taken at or near midship from a line drawn horizontally through the gunwale of the skin of the sides of the hull (excluding the rail) to the outboard face of the bottom skin of the hull, excluding the keel Registered Length the horizontal distance between the outboard side of the foremost part of the stem and the outboard side of the aftermost part of the stern, excluding fittings and attachments.

- k) Tonnage Length – the length, measured at the centerline of the fishing vessel from the point forward where the line of the tonnage deck intersects the line of the inboard faces at the stem to the point aft where the line of the tonnage deck intersects the inboard face of the stem
- l) Tonnage Depth – measured at the centerline from a point below the line of the tonnage deck. Measurement taken at right angle to the vessel centerline of the vessel down to the inboard of the bottom skin of the hull.
- m) Tonnage Breadth – measured at the mid-part from the gunwale inside of the skin of the hull to the inside of the skin on the other side of the hull
- n) Motorized fishing vessel – a fishing vessel propelled by mechanical means
- o) MARINA - Maritime Industry Authority
- p) PCG - Philippine Coast Guard
- q) BFAR - Bureau of Fisheries and Aquatic Resources
- r) Homeport Refers to the LGU where the fishing vessel is registered

SECTION 4. REGISTRATION of Fishing Boats. No fishing boat, three (3) gross tons or below, shall be allowed to be licensed or be issued with fishing boat license without first registering the said fishing boat to the city or allow transient fisherfolk with appropriate fishing permit to operate within the jurisdiction of the city to fish using unregistered fishing boat. Likewise, no vessel of any size or built shall be allowed to operate or be used for any purposes within the jurisdiction of the city without first registering the said vessel to appropriate government agency.

SECTION 5. Application. Application for registration shall be submitted and processed in the City Agriculture Office. Application for Municipal Fishing Vessel Registration shall be in proper form (MFVR Form 1) and shall be filed under oath.

SECTION 6. Eligibility to Apply for Vessel Registration. Only Filipino citizens, single proprietorship, partnerships and/or corporation, duly registered or accredited fisherfolk associations, or cooperatives are eligible to apply for registration.

SECTION 7. Requirements An applicant for fishing vessel registration shall submit the following requirements for evaluation of the City Agriculture Office;

- a. Duly notarized application form (**MFVR Form 1**)
- b. Certificate of Inspection or Admeasurements Form (**MFVR Form 2**)
- c. Two (2) 5R size (4"x6") picture of the boat (one shot side view, full-length and one perspective shot with the applicant on the side)
- d. PNP-Maritime Group clearance or local PNP clearance (if the former is not available)
- e. Payment of appropriate fees (registration fee and inspection fee)

SECTION 8. Issuance of Certificate of Number. The City shall issue a Certificate of Number (**MFVR Form 3**) one all the documentary requirements are fully complied with and upon payment of the registration fee. The certificate of number shall indicate the official serial number of the boat and its official name. The certificate of number shall serve as the proof of ownership of the boat.

SECTION 9. Assignment of Official Number. The city shall assign an official number to a registered fishing vessel which shall correspond to the code of the province (NOCC), followed by the zip code of the city and the serial number (not less than four digits) assigned to the fishing vessel (i. e. **NOCC 6101-0001**). The number shall be painted permanently not less three (3) inches in height, on both sides of the forward portion of the fishing vessel.

SECTION 10. Assignment of Name. The owner/operator shall propose a name to be assigned to the fishing vessel. The city shall ensure that a name shall be assigned only to only one (1) fishing vessel regardless of type of fishing gear being used, design or size of the vessel. If the proposed name has already been assigned to another registered vessel, the owner/operator may add letters of the alphabet, any Arabic number or Roman numeral to the proposed name. The name of the fishing vessel shall be painted not less than four (4) inches in size on both sides in the mid portion of the fishing vessel.

SECTION 11. Issuance of New Certificate of Number (CN). The City may issue a new CN to a fishing vessel registered to another city or municipality if the fishing vessel transfer or changes its homeport to this city. A change of homeport may occur if the owner/operator of the said fishing vessel decided to transfer its residence or its principal office to the city or a resident of this city acquired ownership of a fishing vessel registered to other LGU.

SECTION 12. Re-Issuance of Certificate of Number. In cases where the fishing vessel is already registered to the city, re-issuance of CN shall only be made if;

- a. the fishing vessel changes its ownership through a valid sale or any legal means;
- b. the fishing vessel changes its engine; or
- c. the fishing vessel change its name.

SECTION 13. Requirements for Re-Issuance of CN

a. Change of ownership

1. Duly notarized application form (**MFVR Form 1**)
2. Copy of duly notarized deed of absolute sale or any legal instrument for transfer of ownership.
3. Affidavit of publication executed by the Barangay Captain or Mayor that a notice had been posted for seven (7) consecutive days in the premises and that there is no opposition filed against the fishing vessel's sale or transfer of ownership
4. Copy of the notice posted in the Barangay Hall or City/Hall for seven (7) consecutive days that the fishing vessel has been sold or tranfered to the new owner.
5. Copy of the original CN.
6. MFVR Form 2
7. Payment of appropriate fees (registration and inspection fees)

b. Change of engine

1. Duly notarized application form (**MFVR Form 1**)
2. Copy of the original CN.
3. Copy of the official receipt of the engine purchased, and/or
4. Police clearance that the engine purchased or used is not from a carnapped/stolen vehicle
5. MFVR Form 2
6. Payment of appropriate fees (registration and inspection fees)

c. Change of vessel name

1. Duly notarized application form (**MFVR Form 1**)
2. Affidavit of stating the reason for change of name.
3. Affidavit of publication executed by the Barangay Captain or Mayor that a notice had been posted for seven (7) consecutive days in the premises and that there is no opposition filed against the fishing vessel's change of name

4. Copy of the notice posted in the Barangay Hall or City Hall for seven (7) consecutive days that the fishing vessel has applied for change of name, stating the original name of the vessel and the proposed name.
5. Copy of the original CN.
6. MFVR Form 2
7. Payment of appropriate fees (registration and inspection fees)

SECTION 14. Deletion or Cancellation of Registration. In cases of loss or decay of the fishing vessel, or its involvement in a marine/maritime incident which rendered the fishing vessel unserviceable, the owner/operator shall immediately inform the city and formally request for deletion or cancellation of registration of the said fishing vessel.

The city may also cancel or delete the registration of any fishing vessel, after due notice for lawful causes to the owner/operator have been served and appropriate due process have been complied with, without prejudice to filing of separate criminal complaint to proper court if found appropriate. Registration of the fishing vessel may be cancelled or deleted due to any of the following reasons;

1. Utilizing the fishing vessel as coastwise commercial passenger vessel.
2. Involvement in any illegal or criminal activities.
3. Failure to renew the vessel's registration for one year.
4. Giving false information in the application form.
5. Continued failure to display the vessel's official number and name in violation of Section 9 and 10 of this ordinance.

SECTION 15. Renewal of vessel's Registration. Registration of all fishing vessels registered to this city is subject for renewal every year. Application for registration shall be submitted and processed in the City Agriculture Office (CAO) not later than the last working of February every year. Application for renewal of vessel's registration shall present to the CAO the copy of the Certificate of Number of the vessel for assessment prior to the payment of the appropriate renewal fee. Failure to renew the vessel's registration on the prescribed deadline shall subject the owner/operator of the said vessel to pay the penalty of 25% of the renewal fee.

SECTION 16. Record-keeping and Submission of Reports. The City Agriculture Office shall maintain updated records of all fishing vessels three (3) gross tons and below registered to the city including those deleted and/or cancelled, and prepare the appropriate reports to be submitted to the regional office of the MARINA on the first week of April every year, copy furnished the Provincial of PCG and BFAR.

The Office of the City Agriculturist shall be provided with a computer unit, printer and digital camera which shall be utilized for the documentation and vessel registration program of the City.

SECTION 17. Registration Fees and Other Charges. The following are the registration fees based on different categories of the fishing vessel;

A. Fees for Initial Registration/Issuance of New CN/Re-issuance of CN	
a. non-motorized vessel	P100.00
b. Motorized vessel	300.00
B. Renewal of Registration	
a. non-motorized vessel	50.00
b. motorized vessel	200.00
	50.00

SECTION 18. Appointment of Admeasuring Officer. The City Mayor, upon approval of this Ordinance shall appoint Admeasuring Officer/s who shall conduct the appropriate vessel inspections, documentations and issuance of certificate of admeasurements. The Admeasuring Officer, who shall be coming from the existing permanent employee of the city, shall be responsible in conducting an orientation seminar for the fishing vessel owners/operators prior to the issuance of CN. The Admeasuring Officer/s shall undergo the necessary training from the MARINA.

SECTION 19. Penalty – any person caught operating an unregistered fishing vessel within the jurisdiction of the city in violation of Section 4 of this Ordinance shall be fined by not more than P2,500.00 for motorized vessels, and P100.00 but not less than P500.00 for non-motorized vessels and cancellation of fishing permit for transient fisherfolk. Failure to comply with the provisions in Section 9 and 10 of this ordinance within 60 days after the issuance of the CN shall be fine by not more than one hundred pesos (P100.00). Provided, that the city mayor is hereby authorized to impose such administrative fines and penalty.

SECTION 20. Implementation – The Philippine National Police (PNP), Maritime Command (MARICOM), Philippines Coast Guard (PCG), Fishery Law Enforcers/deputized fish wardens and all other law enforcement agents authorized by existing laws to enforce fishery law, rules and regulations are hereby empowered to enforce this ordinance.

SECTION 21. Repealing Clause – Previously approved Ordinance or parts thereof which is in conflict with any provision of this ordinance, are hereby repealed.

SECTION 22. Separability Clause – If for any reason, any part of this ordinance be held unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 23. Effectivity – This ordinance shall take effect fifteen (15) Days after a copy hereof is posted in a bulletin board at the entrance of the City Hall and in at least two (2) other conspicuous places and after the ordinance has published once in a local newspaper of general circulation in the city.

Enacted by the Sangguniang Panlungsod of the City of Bago in its 1337th Regular Session today, November 29, 2006.

CARRIED BY THE VOTE OF:

Affirmative:

SP Members Carlos E. Mondia, Jorge A. Araneta, Rosario F. Gaudite, Maximo D. Matti, Serafin Z. Jara, Romeo C. Obando, Imelda A. Hidalgo, Nicholas M. Yulo, Victor B. Javellana, Evangeline C. Magallanes, Ramon J. Yulo, Jr., Andrew Martin Y. Torres.

Negative: N o n e .

CERTIFIED CORRECT:


RAMON D. TORRES

City Vice Mayor-Presiding Officer

ATTESTED:


NILO J. CARBONILLA
Acting Secretary

Approved this 6th day of Dec. 2006.

APPROVED:


JANET E. TORRES
City Mayor