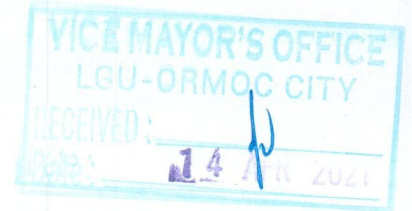
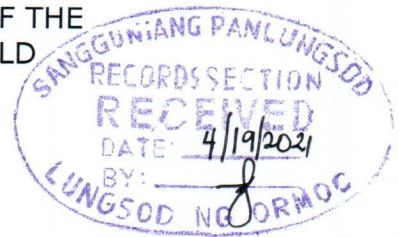


REPUBLIKA NG PILIPINAS  
SANGGUNIANG PANLUNGSOD  
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE  
FIFTEENTH SANGGUNIANG PANLUNGSOD NG ORMOC HELD  
AT THE SANGGUNIANG PANLUNGSOD SESSION HALL,  
ORMOC CITY HALL BUILDING  
ON APRIL 13, 2021



PRESENT:

Leo Carmelo L. Locsin, Jr.  
Benjamin S. Pongos, Jr.,  
Roiland H. Villasencio,  
Tomas R. Serafica,  
Nolito M. Quilang,  
Eusebio Gerardo S. Penserga,  
Jasper M. Lucero,  
Peter M. Rodriguez,  
Vincent L. Rama,  
Gregorio G. Yrastorza III,  
Lalaine A. Marcos,  
Joan Marbie C. Simbajon,

City Vice Mayor & Presiding Officer  
SP Member, Majority Floor Leader  
SP Member  
SP Member  
SP Member  
SP Member  
SP Member  
SP Member  
SP Member  
SP Member  
SP Member  
SP Member

Ex-Officio SP Member, Chapter President,  
Panlungsod na Pederasyon ng mga Sangguniang Kabataan ng Ormoc

ON OFFICIAL BUSINESS:

Esteban V. Laurente,

Ex-Officio SP Member, Chapter President,  
Liga ng mga Barangay ng Ormoc

**EXPLANATORY NOTE**

Fish and other marine products are one of the most important source of animal protein in the diet of ormocanons. In fact, according to the Fisheries Utilization Division of the Bureau of Fisheries and Aquatic Resources (BFAR), the consumption of food fish among Filipinos is comparatively high by world standards. The Average per capita consumption of 41 kg annually is one of the highest in Southeast Asia. In Ormoc City alone, the table shown below contains that the City Agriculture Office (CAO) recorded more than 3,000 Metric Tons of monthly fish landing in 2017. However, the volume is significantly reduced from 2017 to 2020 due to strict enforcement of fishery laws such as the close season in 2018 whereby commercial fishing are prohibited in some areas like Visayan sea and Zamboanga sea.

Table 1. Fish Landing by metric tons from 2017 – 2020.

Month	2017 (M.T.)	2018 (M.T.)	2019 (M.T.)	2020 (M.T.)
January	257.53	51.42	141.83	145.25
February	300.25	62.65	142.35	170.31
March	296.635	88.82	193.25	161.87
April	311.185	113.69	206.04	160.52
May	26.94	122.52	170.88	132.26
June	318.525	122.99	175.78	63.6
July	339.67	143.28	187.35	111.86
August	261.817	138.37	156.38	124.56
September	303.6375	150.29	154.70	112.17
October	275.086	153.46	139.91	128.78
November	289.016	159.73	138.73	123.73
December	65.30	87.31	129.81	122.87
<b>Total</b>	<b>3,045.59</b>	<b>1,394.53</b>	<b>1,937.06</b>	<b>1,557.78</b>

Source: City Agriculture Office, Ormoc City, 2020



However, the rise in prices among marine products at Ormoc City Public Market prompted the discussion in one of the meetings of the Local Price Coordinating Council (LPCC). In fact, the same issue had been the hotbed of discussion at the plenary of the 15<sup>th</sup> Sangguniang Panlungsod question hour on February 4 and 11, 2020. The circumstances and the inputs in these discussions laid the foundations of the crafting of the draft ordinance to regulate the price of fish and other marine products in Ormoc City and thereby setting a price ceiling. On December 10, 2020, the LPCC finally approve the draft ordinance and recommends the same for final action by the Sanggunian.

Pursuant to Resolution No. 001, series of 2021, The Local Price Coordinating Council (LPCC) passed a resolution endorsing the to the 15<sup>th</sup> Sangguniang Panlungsod ng Ormoc for appropriate action the draft ordinance regulating the prices of fish and other marine products within the City of Ormoc, fixing its rate based on recommendable prevailing price and providing penalty for violations thereof.

Pursuant to Section 14 of Republic Act No. 8550 as amended by Republic Act No. 10654, entitled "An Act to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing, Amending Republic Act No. 8550, Otherwise Known as the Philippine Fisheries Code of 1998 and for Other Purposes" the DA-BFAR is mandated to establish a Monitoring, Control and Surveillance (MCS) system in coordination with the LGUs, FARMCs, the private sector and other agencies concerned to ensure that the fisheries and aquatic resources are judiciously and wisely utilized and managed on a sustainable basis and conserved for the benefit and enjoyment exclusively of Filipino citizens.

In Section 16 of Republic Act No. 8550, otherwise known as the "The Philippine Fisheries Code of 1998", it provides that:

*"The municipal/city government shall have jurisdiction over municipal waters as defined in this Code. The municipal/city government, in consultation with the FARMC shall be responsible for the management, conservation, development, protection, utilization, and disposition of all fish and fishery/aquatic resources within their respective municipal waters.*

*The municipal/city government may, in consultation with the FARMC, enact appropriate ordinances for this purpose and in accordance with the National Fisheries Policy. The ordinances enacted by the municipality and component city shall be reviewed pursuant to Republic Act No. 7160 by the sanggunian of the province which has jurisdiction over the same.*

*The LGUs shall also enforce all fishery laws, rules and regulations as well as valid fishery ordinances enacted by the municipal/city council."*

Section 2 of Republic Act No. 7581 otherwise known as "The Price Act", provides:

*"It is the policy of the State to ensure the availability of basic necessities and prime commodities at reasonable prices at all times without denying legitimate business a fair return on investment. It is also a declared policy of the State to provide effective and sufficient protection to consumers against hoarding, profiteering and cartels with respect to the supply, distribution, marketing and pricing of said goods, especially during periods of calamity, emergency, widespread illegal price manipulation and other similar situations. To these ends, the State shall:*



1. *Develop, adopt and promulgate measures to promote productivity in basic necessities and prime commodities;*
2. *Develop an improved and efficient transport and distribution system;*
3. *Develop, adopt and promulgate measures to stabilize prices at reasonable levels;*
4. *Institute appropriate penalties for illegal price manipulation and other violations of this Act; and*
5. *Establish a mechanism that will readily protect consumers from inadequate supply and unreasonable price increase on occasions of calamities, emergencies and like occurrences."*

In response to the circumstances surrounding the clamor against high cost of fish and other marine products at the market, the City Government of Ormoc resolved to fully implement the price ceiling of the same. It is however understandable that prices, especially those found in the wet market, becomes unstable after a disastrous event or calamity. Apparently, the price of products pegged at a higher cost due to the effects of unforeseen circumstances would somehow tend to never return to its original price even after calamity. Hence, the City Government felt most compelled to protect the interest of the ormocanons from excessive or unfair profit especially during emergency situations. Ultimately, it is the noble mandate provided for the Sanggunian to protect and safeguard the welfare of the people at all times and on all occasions.

WHEREFORE, on joint motion of SP Member Nolito M. Quilang, Chairman, Committee on Trade, Commerce and Industry and SP Member Tomas R. Serafica, Chairman, Committee on Agriculture, Fisheries and Agrarian Reform, severally seconded by SP Members Joan Marbie C. Simbajon, Lalaine A. Marcos, Vincent L. Rama, Jasper M. Lucero, Esteban V. Laurente and Gregorio G. Yrastorza III; be it

RESOLVED, to enact:

**ORDINANCE NO. 060**  
**(Series of 2021)**

**AN ORDINANCE REGULATING THE PRICE OF FISH AND  
OTHER MARINE PRODUCTS WITHIN THE CITY OF  
ORMOC AND PROVIDING PENALTIES FOR  
VIOLATIONS THEREOF.**

BE IT ORDAINED, by the 15<sup>TH</sup> Sangguniang Panlungsod in its session duly assembled, that:

**SECTION 1. TITLE.** This Ordinance shall be referred to as "**MARINE PRODUCTS PRICE CEILING ORDINANCE**".

**SECTION 2. DECLARATION OF POLICY.** It is the policy of the City of Ormoc to promote the proper management, conservation, development, protection and utilization of its City Waters and the regulation of the utilization of its coastal and fishery resources due to the huge volume of fish products coming to Ormoc and considering that fish products and other marine products remain one of the top sources of diet among ormocanons.



The City Government of Ormoc abides by the policy of the State to ensure the availability of basic necessities and prime commodities at reasonable prices at all times without denying legitimate business a fair return on investment. The City Government of Ormoc supports a declared policy of the State to provide effective and sufficient protection to consumers against hoarding, profiteering and cartels with respect to the supply, distribution, marketing and pricing of said goods, especially during periods of calamity, emergency, widespread illegal price manipulation and other similar situations.

**SECTION 3. DEFINITION OF TERMS.** The words and phrases used in this ordinance are hereby defined as follows:

- a) **Price ceiling** – means the maximum price at which any basic necessity of prime commodities maybe sold to the general public.
- b) **Prevailing price** – means the average price at which any basic necessity has been sold in a given time.
- c) **Basic necessities** – includes rice, corn, bread; fresh, dried, canned fish and other marine products, fresh pork, beef and poultry; fresh egg; fresh and processed milk; fresh vegetable, root crops; coffee; sugar; cooking oil; salt; laundry soap, detergents, firewood; charcoal; candles; and drugs classified as essential by the Department of Health.
- d) **Recommendable** – to say that something is good and deserves to be chosen
- e) **Marine products** – any fish, shellfish or crustacean able to live in a marine environment and any echinoderm, including parts of such animals and the products or by-products derived therefrom.

**SECTION 4. SCOPE AND APPLICABILITY.** The provisions of this ordinance shall apply to all retailers of marine products in all public markets or talipapa within the territorial jurisdiction of the City of Ormoc.

**SECTION 5. CLASSIFICATION AND PRICE CEILING OF MARINE PRODUCTS.** Except for the Bangus, Tilapia and Galunggong that are subject to price monitoring and regulation of the Department of Agriculture, the price ceiling of the following marine products shall be classified according to their corresponding class/group/kind:

FISH - FIRST CLASS	
GROUP A (NOT TO EXCEED PHP 350.00/KILO)	GROUP B (NOT TO EXCEED PHP 300.00/KILO)
Tangigue	Danggit
Maya-maya	Dorado
Pugapo / Lapu-Lapu	Katambak
Mamsa	Kitong
Marang/Malasuge/Liplipan	Malasulid
Baha-alo	Towas
Kawayanon	Bilong-bilong
Panghalwan	Budlatan
Ahaan	
Mangagat/ malatindok	
Samin-samin	
Mahinlo	
Malaway	
Sagisihon	
White marlin	



Barangan/marla	
Timbungan	
Dugso/abu-abu	
Halwan tasik	

<b>FISH - SECOND CLASS</b> (NOT TO EXCEED PHP 250.00/ KILO)	
Anduhaw	
Batod	
Budloy	
Danggit (small)	
Indangan	
Lipti	
Pugot	
Solid	
Tamarong-adlo	
Hasa-hasa	
Tuna	

<b>FISH - THIRD CLASS</b> (NOT TO EXCEED PHP 200.00/ KILO)	
Awman	
Oso-os	
Balila	
Bawo	
Bolis	
Lawis	
Mangko	
Carabalyas	
Libgaw	
Mongpong	
Siwasid	

<b>FISH - FOURTH CLASS</b> (NOT TO EXCEED PHP150.00/ KILO)	
Aguk-ok (Imelda fish)	
Banak	
Barunday	
Barungoy	
Boga-og	
Bolinaw	
Borot	
Budloy (small)	
Gisaw	
Hawol-hawol	
Hilos-hilos	
Halwan	
Kiampi	
Potpot	
Pugot	
Sagoksok	
Tamban	
Tihue	
Ubod	



<b>SEAWEEDS</b> (NOT TO EXCEED PHP120/KILO)	
Guso	
Lato	
Lukot	

<b>SEA SHELLS</b> (NOT TO EXCEED PHP180/KILO)	
Barinday	Scallops
Tahong	Litob
Aninikad	Bagongon
Punaw	Sisi
Tudlo-dato	Saang
Bongkawil	Tab
Imbaw	

<b>CRUSTACEANS/ MOLLUSKS/CEPHALOPODS</b> (NOT TO EXCEED PHP500/KILO)	
Lambay	
Alimango	
Banhawon	
Banami	
Pasayan	
Pansat	

The classification or grouping of fish and other marine products prescribed herein shall be subject to the regulations of the Department of Agriculture (DA).

**SECTION 6. AUTHORITY OF THE LOCAL CHIEF EXECUTIVE TO ADJUST CEILING PRICE.** Notwithstanding the prescriptions in the preceding section, the City Mayor upon the recommendation of the Local Price Coordinating Council (LPCC) is hereby granted the authority to adjust the price ceiling in any grouping under the preceding section on the basis of the law of supply and demand, economic consideration of the people of Ormoc, and other forces of the market. The City Mayor, upon recommendation of the LPCC, is also granted the authority to include or exclude an item in the classifications or groupings in the preceding section subject to the regulations of the Department of Agriculture.

**SECTION 7. VIOLATIONS.** Disposing and/or selling of Fish and other marine products beyond the price ceiling listed herein violates this ordinance. Profiteering also violates this ordinance and this happens when there is a sale or offering of sale of any item in section 4 under the following circumstances:

- a. Has no price tag;
- b. Is misrepresented as to its weight or measurements; and
- c. Is adulterated or diluted.

**SECTION 8. PENALTY.** Any person violating Section 7 of this Ordinance shall be meted of the following penalty.



First violation	not more than Php 1,000.00 Fine
Second violation	not more than Php 2,500.00 Fine and/or imprisonment of 10-15 days and suspension of permit for one (1) month
Third and succeeding violation	not more than Php 5,000.00 Fine and/or imprisonment of 15-30 days and cancellation of permit

Any person cited for violation of Section 6 of this Ordinance who does not wish to contest the apprehension may opt to pay fine equivalent to fifty percent (50%) of the imposable penalty, in lieu of the institution of criminal charges. For such purpose, a citation ticket shall be issued to him/ her by the PNP or other persons or agents in authority.

Violators who opt to pay an administrative fine shall directly pay to the Office of the City Treasurer by presenting the citation ticket within twelve (12) hours immediately following the apprehension. After the lapse of twelve (12) hours from the time of apprehension without payment of the administrative fine to the Office of the City Treasurer, a case shall be filed against the violator in court.

**SECTION 9. PROHIBITED ACTS.** Selling of illegally- caught fish/ fishery/ aquatic or marine products by the use of explosives, noxious or poisonous substances, electricity and other deleterious methods of fishing is strictly prohibited by law. The penalty for each violation shall be pursuant to the provisions of the Republic Act No. 8550 otherwise known as "The Philippine Fisheries Code of 1998 as amended by RA 10654."

**SECTION 10. PRIMARY IMPLEMENTING OFFICE.** City Agriculture Office – Animal Production and Fisheries Division (CAO – APFD) shall be the primary implementing office of this ordinance and shall conduct regular monitoring of prices of marine products sold in Ormoc City and submit periodic recommendations on adjustments to be made on price ceiling to the LPCC.

**SECTION 11. IMPLEMENTING RULES AND REGULATIONS.** The City Mayor, upon the recommendation of the primary implementing office, may issue supplemental rules and regulations to effectively implement this ordinance.

**SECTION 12. SEPARABILITY CLAUSE.** Should any part or provision of this Ordinance be held unconstitutional and declared invalid by competent court, the other parts or provisions hereof not affected shall continue to be in full force and effect.

**SECTION 13. REPEALING CLAUSE.** Any provision of ordinance, rules and regulations and/or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed and/or modified accordingly.

**SECTION 14. EFFECTIVITY.** This Ordinance shall take effect immediately following compliance with the publication and posting requirements in the Local Government Code of 1991.

ENACTED, April 13, 2021.



RESOLVED, FURTHER, to furnish copies of this ordinance to the City Mayor Richard I. Gomez; the City Administrator; the City Legal Officer; the City Treasurer; the City Agriculturist; the City Agriculture Office – Animal Production and Fisheries Division; the Market Administrator; the City Director, OCPO; the President of Ormoc Federation of Sustainable Program Association, Inc.; Ormoc Fish Vendors' Association; the DTI; the President Liga ng mga Barangay ng Ormoc; the City Prosecutor's Office; the Municipal Trial Court in Cities; the City Local Government Operations Officer-DILG; and other offices concerned;

CARRIED by Ten (10) Affirmative Votes. SP Member Vincent L. Rama was out during the voting.


I HEREBY CERTIFY to the correctness of the above ordinance.

  
MARIA ANTONIETA G. CO HAT  
Secretary to the  
Sangguniang Panlungsod

ATTESTED:

  
LEO CARMELO L. LOCSIN, JR.  
City Vice Mayor & Presiding Officer

APPROVED:

  
RICHARD I. GOMEZ  
City Mayor

19 APR 2021

(Date)