



**EXCERPT FROM THE MINUTES OF THE 87<sup>th</sup> REGULAR SESSION OF THE 13<sup>TH</sup> SANGGUNIANG BAYAN OF THE MUNICIPALITY OF BINGAWAN, PROVINCE OF ILOILO, HELD AT THE SANGGUNIANG BAYAN SESSION HALL ON FEBRUARY 28, 2018.**

Present:

Hon. Matt P. Palabrica, Ph.D.	Vice Mayor/Presiding Officer
Hon. Joy L. Quimba	SB Member
Hon. Jose C. Rabago, Jr.	SB Member
Hon. Ted Peter P. Plagata	SB Member
Hon. Nemesio A. Cachite	SB Member
Hon. Jofe C. Celeste	SB Member
Hon. Eduardo A. Dalipe	SB Member
Hon. Leovy C. Simora	SB Member/Floor Leader
Hon. Perceval T. Girao	Ex-officio SB Member/Liga President

Absent:

Hon. Lorens M. Belloga	SB Member
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**MUNICIPAL ORDINANCE NO. 251  
 (Series of 2018)**

Sponsored by:

The Committee on Environmental Protection  
 Chairperson: Hon. Jose C. Rabago, Jr.  
 Vice Chairperson: Hon. Leovy C. Simora  
 Members: Hon. Ted Peter P. Plagata  
 Hon. Nemesio A. Cachite  
 Hon. Lorens M. Belloga

**AN ORDINANCE REGULATING THE OPERATIONS OF PIGGERY, POULTRY AND OTHER LIVESTOCK/ANIMAL FARMS IN THE MUNICIPALITY OF BINGAWAN, PROVINCE OF ILOILO.**

Be it ordained by the Sangguniang Bayan of Bingawan, Iloilo in its regular session assembled that;

**Section 1. Title.** This ordinance shall be known as An Ordinance Regulating the Operations of Piggery, Poultry and Other Livestock/Animal Farms in the Municipality of Bingawan, Province of Iloilo.

**Section 2. Legal Basis.** This Ordinance shall be governed by the provisions of the PD 856 or the Sanitation Code of the Philippines; RA 9003 or the Ecological Solid Waste Management Act; RA 8749 or the Clean Air Act; RA 9275 or the Clean Water Act; RA 7160 or the Local Government Code of 1991, and their Implementing Rules and Regulations.

**Section 3. Definition of Terms.** The following terms in this Ordinance shall mean:

- a) Barangay Clearance - a permit given by the barangay where the establishment will be located.



- b) Certificate of Non-Coverage – a document issued by the Department of Environment and Natural Resources (DENR) stating that the proposed project is not covered by the Philippine Environmental Impact Assessment System, therefore, the proponent is not required to secure an ECC prior to commencement of operation.
- c) Environmental Compliance Certificate - a document issued by the Department of Environment and Natural Resources (DENR) certifying that based on the representation of the project proponent as reviewed and validated by the appropriate agency, the proposed project or undertaking will not cause a significant negative environmental impact and the proponent has complied with all the requirements.
- d) Establishment - piggery, poultry or livestock farm.
- e) Individual - person/employee working in the establishment.
- f) Livestock - includes the following animals: cattle, sheep, goats, bees, swine, poultry and equine animals.
- g) Livestock Farm - any parcel of land devoted to raising or breeding of any group of livestock, i.e., carabao, cow, horse, sheep, goat and other animals.
- h) Local Deputized Zoning Administrator - administers the Zoning Ordinance and manages the zoning division of the Municipal Planning and Development Office.
- i) Locational Clearance - a clearance issued to a project that is allowed under the provisions of the Zoning Ordinance as well as other standards, rules and regulations on land use.
- j) Municipal Zoning Clearance - a permit that certifies that proposed structure and/or use of land that meet all requirements of the municipal zoning code consistent with the Comprehensive Land Use Plan.
- k) Piggery Farm - any parcel of land devoted to raising or breeding of pigs/swine.
- l) Porous Soil - soil where water easily passes through.
- m) Poultry - domestic fowls collectively.
- n) Poultry Farm - plot of land devoted to the raising of domesticated fowls, which serve as sources of eggs and meat for human consumption.
- o) Proper Waste Disposal Management - an integrated system approach or process on the generation, segregation, storage, collection, transport, processing recycling, recovery and final disposal or containment of waste material.



- p) Residential Area - area that is full of houses, shops and offices and other building with very little open space.
- q) Rolling Terrain - refers to hilly land surface.
- r) Rural Area - area outside of the designated urban area.
- s) Sanitary Permit - certificate given to business applicants who were able to comply with the standards of the Sanitation Code of the Philippines.
- t) Septic Tank - a sewage-disposal tank in which anaerobic bacteria decompose a continuous flow of waste material.
- u) Stockade - an enclosure.
- v) Vermin - a group of insects or small animal such as flies, mosquitoes, cockroaches, lice, bed bugs, mice and rats that are vectors of diseases.

**Section 4. Documentary Requirements.** Piggery, poultry and other livestock/animal farms operating in the Municipality of Bingawan shall be required to secure the documentary requirements, but not limited to the following:

- a) Locational Clearance
- b) Zoning Clearance
- c) Transfer Certificate of Title
- d) Barangay Clearance allowing the Establishment of Poultry
- e) Attendance of Attendees in General Assembly with Signature of residents
- f) Pictures of Site
- g) Tax Declaration from Municipal Assessor's Office
- h) Barangay Resolution approving the establishment of poultry
- i) Sketch Plan
- j) Bills of Materials
- k) Engineering Plans
- l) Environment Compliance Certificate (ECC for 10,000 heads/ Certificate of Non-Coverage for 9,999 heads and below)
- m) DAR Permit/Certificate/Clearance
- n) Special Permit from Deputized Zoning Administrator
- o) Letter applying for permit to establish a poultry addressed to the Mayor

**Section 5. Location.** Piggery, poultry and other livestock animals shall conform to the following locational requirements:

- a) shall preferably be located in agricultural areas;
- b) shall preferably be located on a rolling terrain;
- c) flood prone areas and other environmentally critical areas like water shed, source of water supply, shall be avoided;
- d) site should be planted with trees and vegetable crops to protect the animals from strong winds;



- e) shall be located at least five hundred (500) meters away from residential, commercial, institutional and industrial areas;
- f) shall be 500 meters away from major roads and/or highways; and
- g) shall be away from the path of immediate urban expansion.

**Section 6. Existing Farms.** Existing piggery, poultry and other livestock/animal farms in commercial quantities within the residential areas shall be given six (6) months upon effectivity of this Ordinance to close or relocate in an area deemed to be suitable for the purpose as delimited under the preceding section.

**Section 7. Backyard Raising.** Pursuant to Article VI Section 10 (18) of the Comprehensive Land Use Plan 2013-2023, backyard raising of livestock and fowls shall mean:

- a) in urban residential areas
  - a. for livestock – not allowed
  - b. for fowl – a maximum of 20 heads; with enclosure/fence inside owner's lot
- b) in rural residential areas
  - a. for livestock – maximum of five (5) heads, pig pens with proper waste disposal system
  - b. for fowl – a maximum of fifty (50) heads; with enclosure/fence

**Section 8. Septic Tank/Reservoir.** A backyard and commercial piggery or poultry should require a septic tank/reservoir or otherwise, proper waste disposal management must be hygienically observed and implemented.

**Section 9. Stockade of Livestock.** No animal stockade for livestock industry shall be maintained and operated within urban residential area of the Municipality of Bingawan. The keeping of any kind of livestock animal intended for butchering in any premises within the urban residential area for more than three (3) days shall constitute a violation of this section.

**Section 10. Stockade of Gamecocks.** Stockade of gamecocks intended for trade and/or for breeding shall be allowed only upon securing the necessary sanitary permit and provided that proper sanitary standards are maintained, such as:

- a) adequate water supply for drinking and cleaning for other domestic purposes of at least thirty (30) liters per day/fifty (50) heads shall be provided in the establishment;
- b) every stockade shall be provided with a watertight, easy to carry and vermin-proof receptacle for manure and other litter arising within premises of the stockade;
- c) the stockade shall be located within twenty-five (25) meters from any ground and surface drinking water source nor shall it be located in flood-prone areas: Vermin abatement programs should be maintained by the operator;
- d) disinfection shall be undertaken at least three (3) times a week or as frequent as necessary;
- e) all poultry feeds shall be kept and stored under such condition that will limit the attraction and harborage of vermin;



- f) adequate sanitation shall be observed to prevent obnoxious odor that may arise from the establishment; and
- g) the owner shall inform adjacent households three (3) days before the schedule of vaccination to avoid contamination.

**Section 11. Cleanliness and Sanitation.** Failure to maintain cleanliness and good sanitary surrounding at all times, is sufficient ground for the revocation of licenses and permits for its operation.

**Section 12. Penalties.** Penalties shall be imposed for any violation of this Ordinance:

a) Establishment:

- First Offense: Fine of Two Thousand Pesos (Php 2,000.00).
- Second Offense: Fine of Two Thousand Five Hundred Pesos (Php 2,500.00).
- Third Offense: Closure of the Establishment and Revocation of Permit.

b) Individual:

- First Offense: Fine of One Thousand Pesos (Php 1,000.00).
- Second Offense: Fine of Two Thousand Pesos (Php 2,000.00).
- Third Offense: Fine of Two Thousand Five Hundred Pesos (Php 2,500.00) or imprisonment or both at the discretion of the Court.

Any person who shall interfere, hinder or oppose any officer or member of Municipal Health Office of the Municipality of Bingawan in the performance of their duty in the implementation of this Ordinance, or shall tear down, mutilate, deface or alter any billboard, streamer, poster or similar notices affixed to the premises in the enforcement of this Ordinance shall be guilty of misdemeanor and is punishable, upon conviction, by the imprisonment of not more than six(6) months ,or a fine not less than Two Thousand Five Hundred Pesos, or both, upon the discretion of the court.

**Section 13. Implementing Authority.** The Bingawan Municipal Health Office is hereby mandated as lead agency tasked to implement and enforce Ordinance. For this purpose, it may enlist the support of the Municipal Treasury's Business Permit and Licensing Section, the Philippine National Police and any other government agency, as it may deem necessary.

**Section 14. No Fixer.** No local government employee shall be allowed to transact in any establishment for the facilitation of the issuance of Health Certificate and Business Permit.

**Section 15. Applicability of Sanitation Code of the Philippines and Other Laws.** The Sanitation Code of the Philippines, the Ecological Solid Waste Management Act, the Clean Air Act and the Clean Water Act and Implementing Rules And Regulations and other laws shall be applied to all matters not provided on this Code.

**Section 16. No Contest Provision.** Any person, individual or entity, who is apprehended or cited for violation, and who does not wish to contest the violation and is willing to pay voluntarily the fine imposed upon him/her prior to the filing of formal charges with the proper courts, shall be allowed to pay said fine with the Municipal Treasurer to avoid being criminally prosecuted within thirty six (36) hours from apprehension, otherwise the case shall be prosecuted.



Republic of the Philippines  
 Province of Iloilo  
**MUNICIPALITY OF BINGAWAN**  
 Office of the Sangguniang Bayan



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**Section 17. Administrative Clause.** The Municipal Mayor may issue such other rules and procedures for the smooth implementation of this Ordinance.

**Section 18. Separability Clause.** If any purpose any part or provision of this Ordinance shall be held unconstitutional or invalid, other parts or provision hereof which are not affected shall continue to be in full force and effect.

**Section 19. Repealing Clause.** All ordinances, administrative circulars and executive orders, or parts thereof that are found inconsistent with the provision of this Ordinance are hereby repealed or amended accordingly.

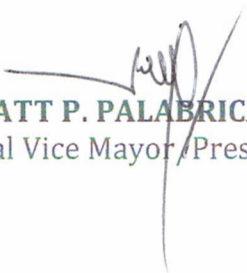
**Section 20. Effectivity Clause.** This Ordinance shall take effect in full immediately upon its approval and publication in local circulation unless otherwise, suspended by the proper authorities.

**ENACTED**, this 28<sup>th</sup> day of February 2018.


**CERTIFIED CORRECT:**

  
**JULIO C. CASTIGADOR**  
 SB Secretary

**ATTESTED:**

  
**MATT P. PALABRICA, Ph.D.**  
 Municipal Vice Mayor/Presiding Officer

**APPROVED:**

  
**MARK P. PALABRICA**  
 Municipal Mayor  
 Signed on: 02 MAR 2018  
