



Republic of the Philippines
Tanggapan ng Sangguniang Panlungsod
City of Naga



ORDINANCE NO. 2000-018

AN ORDINANCE ESTABLISHING CONTROL MEASURES IN PRESERVING AQUATIC LIFE AT THE NAGA RIVER AND PRESCRIBING APPROPRIATE PENALTIES:-

Author: Hon. Simeon F. Adan

Be it ordained by the Sangguniang Panlungsod of the City of Naga, that:

SECTION 1. - TITLE. - This ordinance shall be known as the “Naga City Ordinance to Control and Preserve Aquatic Life at the Naga River”.

SECTION 2. - COVERAGE. - This ordinance shall cover the entire stretch of Naga River from its immediate tributaries of the upland Barangays of Carolina, Pacol, Cararayan and San Isidro to the lowlying Barangays of Concepcion Grande and Concepcion Pequeña and unto the eleven (11) riverside barangays of the Central Business District up to the mouth of the river in Barangay Sabang.

It also affects all residents and people using the river for possible washing and bathing especially those engage in fishing at the river either for pleasure or for a source of livelihood.

SECTION 3. - DEFINITION OF TERMS -

- 3.1 AQUATIC LIFE - refers to in this ordinance all types of fish found in the river either those placed purposely by the caretakers like the ENRO or those which by course of nature find the river as their habitat. Clams and shell fish are included in the classification of fish.
 - 3.1.1 Aquatic Life shall also include all water plants that are specifically cultured by the ENRO and its cooperators including those that thrive in the river even without having been deliberately planted.
- 3.2 ENRO - is the Environment & Natural Resources Office, the executive department of the City Government of Naga that is primarily responsible for the care and maintenance of this river.
- 3.3 LADIES IN GREEN - for the purpose of this ordinance, the Ladies In Green, an organization of women leaders in the City, an NGO who are the lady spouses of high echelon officials of the City is the recognized partner of ENRO in the rehabilitation and care of the Naga River tasked primarily to coordinate all other agencies and entities interested in the said rehabilitation and care of Naga River.
- 3.4 CONTROL MEASURES - are prescribed rules and regulations to prevent illegal practices of dwellers along the river as well as fishermen who avail of the fish

resources found in the Naga River such as throwing garbage or dirt into the river or catching very small sized fish or using electric current to demobilize the fish.

- 3.5 ILLEGAL RIVER DWELLERS - are those who build their dwellings inside the prescribed three-meter easement along the riverbanks more particularly those who are build structures without any government permit.

SECTION 4. - THE CONTROL MEASURES - Acts prohibited under this ordinance:

- 4.1 It shall be prohibited under this ordinance to put up, building and live in a house or living quarters within the prescribed three (3) meter easement along the whole stretch of the Naga River.
- 4.1.1 Those already found with such structures and/or living quarters inside said easement or under existing bridges are notified by this ordinance to search for a new living area outside of the easement and/or vacate their present abode.
- 4.2 It shall be prohibited under this ordinance to catch fish in the Naga River by any means thereby and removing from the water any kind of fish in very small size from a fingerling size to about one inch in width of its main body or to a size which will not be useful to eat with satisfaction.
- 4.3 It shall also be prohibited to catch fish of any type or kind at the Naga River by using electrically charge wire or similar contraption that demobilize or kill the fish or to use for this purpose explosives such as dynamites or any other type.
- 4.4 It is prohibited under this ordinance to throw any solid or liquid waste or dirt or refuse or dead animal into the riverbank or into the water surface of the Naga River.
- 4.5 It is also prohibited under this ordinance to build pipes of any kind or type that serve as outlets from the kitchen or septic vaults that flow into the riverbank or surface.
- 4.5.1 Any of such pipes existing shall henceforth be cut or disconnected.
- 4.6 It is prohibited under this ordinance to plant or culture “kangkong” or other plants for commercial purposes without the written permission from the ENRO.
- 4.7 All motorized watercraft as well as bancas that ply or may enter the Naga River shall be registered with the ENRO and be given a written authority to navigate along the river.

SECTION 5. - CREATION OF MONITORING TEAM. - A Monitoring Team to implement the Control Measures herein prescribed is hereby created in this ordinance to consist of a Five (5) man team headed by the Division Chief of the ENRO In-Charge of Rivers and Parks with four members coming from the rank and file of the said office.

- 5.1 The Philippine National Police (PNP) is hereby designated under this ordinance to assign at least one of its key personnel to assist the Team herein created and join its Team operations clothed with the power to apprehend violators.

- 5.2 The Barangay Captains of each of the eleven (11) Riverside Barangays are likewise authorized under this ordinance to designate at least one (1) Barangay Tanod from his barangay to be a permanent member of the Monitoring Team clothed with the same powers and responsibility as the other members of the Team.

SECTION 6. - PENALTIES -

Violations of any of the provisions stated under Section 4 of this ordinance except 4.1 above shall be punished with the following:

- 6.1 For the first apprehension – a fine of Five Hundred (P500.00) Pesos or an imprisonment of not less than one (1) day nor more than six (6) days.
- 6.2 For the second and subsequent apprehensions – a fine of One Thousand (P1,000.00) Pesos or an imprisonment of not less than six (6) days nor more than one (1) month or both at the discretion of the court.
- 6.3 For violation of Section 4.1 above all those found to have violated the same after the enactment of this ordinance shall outright be ejected and his structures demolished and made to suffer a fine of Two Thousand (P2,000.00) Pesos or an imprisonment of six (6) month or both such fine and imprisonment at the discretion of the court.
- 6.3.1 for those found to have been living on structures before the enactment of this ordinance, they will be given notice to vacate the area within a reasonable time but not within six (6) months after apprehension.

SECTION 7. - SEPARABILITY CLAUSE. - Should any portion or portions of this ordinance be declared unconstitutional or illegal by any court of competent jurisdiction, the portion not so declared shall be in full force and effect.

SECTION 8. - REPEALING CLAUSE. - All ordinances, executive orders and administrative regulations or parts thereof which are inconsistent with this ordinance are hereby repealed or modified accordingly.

SECTION 9. – EFFECTIVITY. - This ordinance shall take effect upon its approval.

ENACTED: May 10, 2000.

WE HEREBY CERTIFY to the correctness of the foregoing ordinance.

J. ANTONIO A. AMPARADO
Secretary to the
Sangguniang Panlungsod

ESTEBAN R. ABONAL
City Vice Mayor & Presiding Officer

APPROVED:

SULPICIO S. ROCO, JR.
City Mayor