



Republika ng Pilipinas

Sangguniang Panlalawigan

Balanga City, Bataan

RELEASED
RECORDS DIVISION
15 DEC 2014

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE
SANGGUNIANG PANLALAWIGAN OF BATAAN HELD AT LOU-IS
RESORT AND RESTAURANT, CAPITOL DRIVE, BALANGA CITY,
BATAAN, ON OCTOBER 27, 2014

received by:
Adm. Asst.
for B.M. Ferrer
12/15/14

recd by:
Grg (PVO)
12-29-14

PRESENT:

Hon. Efren E. Pascual, Jr., Vice-Governor and Presiding Officer

FIRST DISTRICT:

Hon. Dexter B. Dominguez, Board Member
Hon. Aristotle J. Gaza, Board Member
Hon. Gaudencio C. Ferrer, Board Member
Hon. Rolando Z. Tigas, Board Member
Hon. Reynaldo T. Ibe, Jr., Board Member

SECOND DISTRICT:

Hon. Jovy Z. Banzon, Board Member
Hon. Edgardo P. Calimbas, Board Member
Hon. Dante R. Manalaysay, Board Member
Hon. Gerardo R. Roxas, Board Member
Hon. Jose C. Villapando, Sr., Board Member

Hon. Doroteo M. Austria, Board Member (FABC President)
Hon. Manuel N. Beltran, Board Member (PCL President)

ABSENT:

None

RESOLUTION NO. 219

WHEREAS, there is a need to regulate the operation of the livestock and poultry industry in Bataan;

WHEREAS, the fly infestation continue to pose a threat to the public health in the Province of Bataan;

WHEREAS, it is the responsibility of the Province to protect its people, livestock and poultry farmers of Bataan;

NOW THEREFORE, on motion of Board Member Gaudencio C. Ferrer, which was unanimously approved, is the enactment of the following Ordinance:

ALBERT S. GARCIA
Provincial Governor

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ORDINANCE NO. 03-S-2014

AN ORDINANCE REGULATING THE OPERATION OF LIVESTOCK AND POULTRY RAISING.

Section I. TITLE. - This Ordinance shall be known as "PROVINCIAL ORDINANCE ON REGULATING THE OPERATION AND MANAGEMENT OF POULTRY, PIGGERY AND OTHER LIVESTOCK RAISING IN THE PROVINCE OF BATAAN (REGULATING THE OPERATION AND MANAGEMENT OF POULTRY, PIGGERY AND LIVESTOCK RAISING IN THE PROVINCE OF BATAAN);"

Section II. PURPOSE. - This Ordinance is enacted for the purpose of regulating the livestock and poultry raising;

Section III. OBJECTIVE AND PURPOSE:

1. To minimize fly infestation and water pollution to ensure public safety;
2. To protect the local livestock and poultry industry from various diseases;
3. To protect the health and safety of the affected residents;
4. To assist in the growth of livestock and poultry farms in the Province.

Section IV. SCOPE AND COVERAGE. - This Ordinance shall be enforced within the territorial jurisdiction of all Local Government Units of the Province of Bataan;

Section V. DEFINITIONS:

- a. ANIMAL POPULATION - the actual number of heads of animal present at the farm at specific reference date;
- b. CONTRACT GROWERS - entities/individuals engaged in raising animals based on an agreement with a contracting party (company or individual). The contract grower provides housing, labor and other necessities in rearing animals;

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Provincial Governor

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c. INSPECTION

- an act by an official inspector to ensure compliance with the rules and regulations including but not limited to quality assurance program, hygiene and sanitation program, sanitation and standard operating procedures and hazard analysis control program;

d. LIVESTOCK

- farm animals kept for consumption, work or leisure as cow, carabao, horse, goat, sheep, pig;

e. POULTRY

- a collective term for all domesticated fowl as chicken, turkey, ducks or geese and gamefowl;

f. ANIMAL WASTES

- means a material composed of excreta, with or without bedding materials and/or animal drugs, collected from poultry, ruminants or other animals except humans;

g. BACKYARD FARM

- refers to raising of (swine) animals in household backyard;

h. BODY OF WATER

- most often refers to large accumulations of water, such as oceans, seas, and lakes, but it includes smaller pools of water such as ponds, wetlands, or more rarely, puddles;

i. COMMERCIAL FARMS

- shall refer to any parcel of land devoted to the raising or breeding of animals, generally under the management of a tenant or owner, used for commercial purposes;

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- j. NEAREST GROUNDWATER - the nearest water beneath the earth's surface, often between saturated soil and rock, that supplies wells and springs;
- k. STANDARD SEPTIC TANK - a watertight, multi-chambered receptacle, constructed within the set standards that receives sewage and partially digested organic matter in the sewage;
- l. ENVIRONMENTAL COMPLIANCE CERTIFICATE (ECC) - refers to the documents issued by the Secretary of Department of Environmental and Natural Resources (DENR) or his duly authorized representative certifying that the proposed project under consideration will not bring about an unacceptable environmental impact and that the proponent has complied with the requirements of the Environmental Impact Statement (EIS) System as mandated by DAO-021-S-1992;
- m. COMPLIANCE MONITORING - refers to the activity designed to gauge the level of compliance with the conditions stipulated in the ECC issued in the EIS or PD submitted as mandated by DAO-021-S-1992;
- n. CERTIFICATE OF NON COVERAGE (CNC) - means projects that are no longer expected to secure an ECC and not covered by EIS System.

Section VI. CREATION OF THE PROVINCIAL TASK FORCE. - The Provincial Task Force shall be formed and shall be the authority to oversee the implementation of the provisions of this Ordinance including the periodic monitoring thereof and other related activities as maybe provided by rules, regulations and guidelines mandated by national laws. Hereby created, it shall be composed but not limited to the following:

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Chairman : Provincial Governor
Members : Provincial Veterinarian
Provincial Health Officer
Environment and Natural Resources Officer
Environment Management Bureau
Provincial Planning and Development Officer
Philippine National Police
Municipal/City Agriculturist
Municipal/City Veterinarian
Member of the Poultry Raisers Association and
Hog Raisers

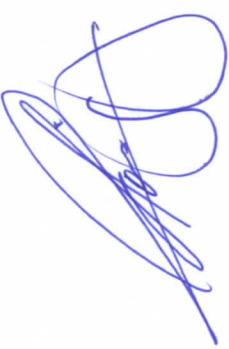





Section VII. CENSUS. - The Local Government shall conduct a census of all livestock and poultry holding facilities in the premises. The data shall include the type of animal, total number or animal population, facility owner/operator/contract grower (if on lease - contract of lease, duration of lease), location of farm.

Section VIII. REGULATED ACTS:

1. The Provincial Task Force has the authority to inspect the animal farms for the issuance of certificate to operate. Certification from the Environment and Natural Resources Office is a prerequisite for the Provincial Veterinarian Office permit. These certifications must be obtained as a condition for the issuance of business permit;
2. All plans, designs, specifications and special features of proposed Poultry and Piggery Farm Buildings should be submitted to local building official for review and approval proper to the issuance of permit;
3. REGISTRATION. - All animal farms, backyard and commercial, are required to register the animal farm with their respective city/municipality;
4. FEES. - The fees payable on applications for permits and upon the issuance/renewal shall be in the amount imposed by city/municipality;
5. RECORD OF PERMIT CERTIFICATES. - Every City or Municipality shall keep a record of all animal farms that have been issued permits and renewal thereof with the following:
 - a. The name and address of the holder of permit who shall be actual operator of the animal farm;
 - b. The location of the animal farm;

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Provincial Governor

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- c. The purpose for what the permit has been issued;
- d. The date of the first permit issued on the date of any renewal granted;
- e. Every change of occupants and management of the farm since the 1st permit was issued;
- f. Conditions under which the permit was issued.
6. Backyard farming shall be limited to three (3), two heads for fattening and one (1) head for farrowing for swine and a total of twenty (20) heads for poultry. Volume in excess of the prescribed number of heads shall be considered commercial farming;
7. Establishment of Commercial Farming shall be located in accordance to the zoning of the Municipality/City;
8. Piggery farms are strictly required to construct biogas digester or standard septic tank for animal waste disposal and conform with the following requirements:
- a. It shall be watertight;
- b. It shall be built on concrete and the size is proportional to the stock population;
- c. It shall not be constructed under any building/within twenty-five (25) meters radius from the nearest ground water.
9. Plans for biogas digester must be presented to the Provincial Task Force for review and approval before construction;
10. It shall be unlawful to directly discharge animal wastes in any irrigation canal, river/riverbanks or any body of water;
11. ECC/CNC of Commercial Farming of Corporation/Individual shall be presented to the ENR Office for Compliance Monitoring reference;
12. Commercial Farming are required to plant trees within the vicinity of their project site in compliance to the terms and conditions in the ECC and in support to the tree planting program of the Provincial Government.

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Section IX. PENAL CLAUSE

A penalty amounting to FIVE THOUSAND PESOS (PHP5,000.00) shall be imposed to all violators on the 1st and 2nd offense, and upon the 3rd offense, the same amount shall be imposed plus the closure of the animal farm and/or imprisonment of not exceeding SIX (6) MONTHS upon the discretion of the Court.

1. AMENDATORY CLAUSE:

Any amendment of the provisions/sections of this Ordinance shall be through a majority vote of the Members of the Sangguniang Panlalawigan in a session duly convened;

2. SEPARABILITY CLAUSE:

If for any reason or reasons, the provision/provisions of this Ordinance shall be held invalid or unconstitutional, other parts thereof which are not affected shall continue to be in full force and effect;

3. REPEALING CLAUSE:

All ordinances, rules and regulations or any part thereof, whose provisions are in conflict to the provisions of this Ordinance are hereby repealed, amended and modified accordingly;

4. EFFECTIVITY CLAUSE:

This Ordinance shall take effect upon approval and publication in a newspaper of local circulation.

ENACTED: OCTOBER 27, 2014.

RESOLVED FINALLY, that copies of this Ordinance be forwarded to the Provincial Governor, Hon. Albert S. Garcia, for his information and Executive action, all Municipal and City Mayors in the Province and other parties concerned for their information and guidance.

APPROVED UNANIMOUSLY."

We hereby certify to the correctness of the above-quoted resolution.

SEVERINO P. SALAZAR
Secretary to the SP

ALBERT S. GARCIA
Provincial Governor

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DEXTER B. DOMINGUEZ
Board Member



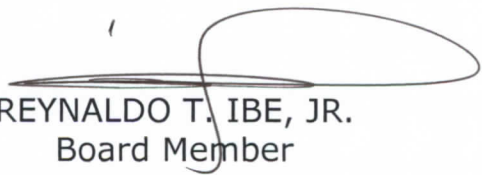
ARISTOTLE J. GAZA
Board Member



GAUDENCIO C. FERRER
Board Member



ROLANDO Z. TIGAS
Board Member




REYNALDO T. IBE, JR.
Board Member



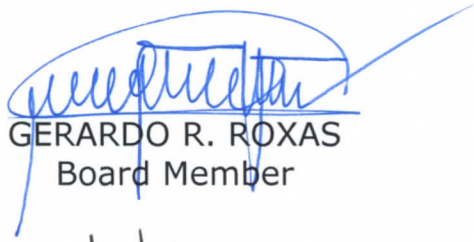
JOVY Z. BANZON
Board Member



EDGARDO P. CALIMBAS
Board Member



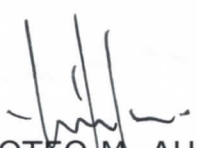
DANTE R. MANALAYSAY
Board Member




GERARDO R. ROXAS
Board Member



JOSE C. VILLAPANDO, SR.
Board Member



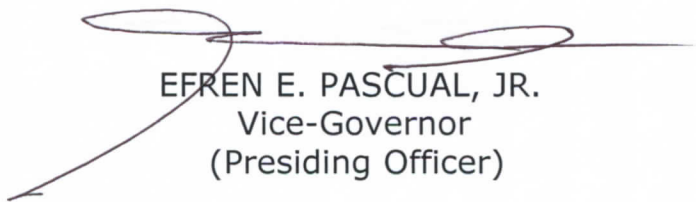
DOROTEO M. AUSTRIA
Board Member
(FABC President)



MANUEL N. BELTRAN
Board Member
(PCL President)

ATTESTED:

APPROVED:



EFREN E. PASCUAL, JR.
Vice-Governor
(Presiding Officer)



ALBERT S. GARCIA
Provincial Governor