



OFFICE OF THE SANGGUNIANG BAYAN

MUNICIPAL ORDINANCE NO. 59 S, 2024

AN ORDINANCE ESTABLISHING THE SAN ROQUE, NORTHERN SAMAR WILDLIFE RESOURCES CONSERVATION AND PROTECTION PROGRAM, PROHIBITING WILDLIFE TRAFFICKING AND FOR OTHER PURPOSES

Author by: SB Member Gjo S. Galvez
Co - Authored by: Unanimous

WHEREAS, Republic Act Nr. 9147 also known as the Wildlife Resources Conservation and Protection Act, Section 2 (a) states, "It shall be the policy of the state to conserve the country's wildlife resources and their habitats for sustainability;

WHEREAS, Section 35 of the same law provides that Local Government Unit shall initiate conservation measures in their areas;

WHEREAS, based on the Department of Environment and Natural Resources (DENR) records, the Philippines is the sole host of 1,137 animal species and 14,000 species of plants, the country is also one of the top biodiversity hotspots with 592 endemic species of amphibians, birds and mammals considered "threatened or endangered.

NOW THEREFORE, be it enacted by the Sangguniang Bayan during its regular session duly assembled that:

SECTION 1. Short Title. This ordinance shall be known as the "San Roque, Northern Samar Wildlife Resources, Conservation, and Protection and Anti-Trafficking Program."

SECTION 2. Declaration of Policy. It shall be the policy of the state to conserve the country's wildlife resources and their habitats for sustainability. In the pursuit of this policy, this ordinance shall have the following objectives:

- a. To conserve and protect wildlife species and their habitats to promote ecological balance and enhance biological diversity;
- b. To regulate the collection and trade of wildlife;
- c. To pursue, with regard to national interest, the Philippine commitment to international conventions, protection of wildlife and their habitats; and
- d. To initiate support scientific studies on conservation of biological diversity.

SECTION 3. SCOPE. This ordinance shall cover all wildlife species found within the territorial jurisdiction Municipality of San Roque, Northern Samar.

SECTION 4. DEFINITION OF TERMS. For the purpose of this ordinance, the following shall mean:
1. Conservation- means preservation and sustainable utilization of wildlife, and /or maintenance, restoration and enhancement of the habitat;

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2. Critically endangered species- refers to a species or substance that is facing extremely high risk of extinction in the wild in the immediate future;
3. Endemic species- means species or sub species which is naturally occurring and found only within specific areas in the country;
4. Exotic species- means place or environment where species or sub species which do not naturally occur in the country;
5. Wildlife- means wild forms and varieties of flora and fauna, in all developmental stages, including those which are in captivity or are being bred or propagated;
6. Indigenous Wildlife- means species or sub species of wildlife naturally occurring or has naturally established population in the country;
7. Habitat- means place or environment where species or sub species naturally occur or has naturally established population in the country;
8. By product or derivatives- means any part taken or substance extracted from wildlife, in raw or in processed form. This includes stuffed animals and herbarium specimens;
9. Collection or collecting- means the act of gathering or harvesting wildlife, it's by products or derivatives; and
10. Wildlife Collectors permit- means a permit to take or collect from the wild certain species and quantities of wildlife for commercial purposes.

SECTION 5. LOCAL TRANSPORT OF WILDLIFE, BY-PRODUCT AND DERIVATIVES - Transport of wildlife, or the products and derivatives collected or processed through any other means shall only be allowed when the corresponding permits shall have been issued for that purpose by competent authorities.

Transport of wildlife shall be accompanied by proper permit and documents from the Department of Environment and Natural Resources (DENR). The absence of permit shall be prima facie evidence that the wildlife are illegally obtained and transported. Further, the subject wildlife shall be immediately confiscated and transfer to the nearest Wildlife Rescue Center of the Municipality. In addition to the DENR Permit, the corresponding local permit shall likewise be secured from the Municipal Environment and Natural Resources Office (MENRO); provided, that ownership of the said conveyances belongs to the third persons who have not participated in or knowledge of the illegal acts, the same may be released to said owner after presentation of proper documents. No need to secure local permit when the wildlife is just transported through this Municipality; provided, however, that the MENRO shall be furnished a copy of the transport permit issued by DENR.

No permit shall be issued when the transport is prejudiced to the wild life or public health.

SECTION 6. ILLEGAL ACTS – Unless otherwise allowed in accordance with RA 9147, it shall be unlawful for any person to exploit wildlife resources and their habitats, or undertake the following acts:

1. Killing and destroying wildlife species, except in the following instances:
 - i. When the wildlife is afflicted with an incurable communicable disease;
 - ii. When deemed necessary to put an end to the misery suffered by the wildlife;
 - iii. When it is done to prevent an imminent danger to the life or limb of a human being; and
 - iv. When the wildlife is killed or destroyed after it has been used in authorized research or experiments.
2. Inflicting injury which cripples and/or impairs the reproductive system of wildlife species;
3. Effecting any of the following acts in critical habitat(s):
 - i. dumping of waste products detrimental to wildlife;
 - ii. squatting or otherwise occupying any portion of the critical habitat;
 - iii. mineral exploration and/or extraction;
 - iv. burning;
 - v. logging; and
 - vi. quarrying
4. Introduction, reintroduction or restocking of wildlife
5. Trading of wildlife;
6. Collecting, hunting or possessing wildlife, their by-products and derivatives;
7. Gathering or destroying of active nests, nest trees, host plants and the like;
8. Maltreating and /or inflicting other injuries not covered by the preceding paragraph; and



9. Transporting of wildlife.

Nothing in this section shall be construed as to allow whatever is directly or indirectly prohibited by laws.

SECTION 7. WILDLIFE MONITORING UNIT. - There must be a wildlife traffic monitoring unit assigned in Municipal Environment and Natural Resources Office, who must have proper training in identifying the wildlife. Such unit, must also disseminate information on what acts are prohibited and banned species in every barangay.

SECTION 8. COMPOSITION OF THE LOCAL WILDLIFE ENFORCEMENT TASK FORCE

- Chairman : Municipal Environment and Natural Resources Officer
- Vice Chairman : Municipal Agriculturist
- Members : Representative from Department of Agriculture
- Representative from the Department of Environment and Natural Resources (DENR)
- Representative from the Municipal Police Station
- President Liga ng mga Barangay
- Chairman on Committee on Ecology and Natural Resources (Environmental Protection)

SECTION 9. DEPUTATION OF WILDLIFE ENFORCEMENT OFFICERS – The wildlife enforcement officers shall have the full authority to seize illegally traded wildlife and to arrest violators subject to existing laws, rules and regulations on arrest and detention.

SECTION 10. WILDLIFE RESCUE CENTER – The Municipal Mayor’s Office thru the Municipal Environment and Natural Resources Office shall establish a wildlife rescue center that will temporarily detain all confiscated, abandoned and/or donated wildlife to ensure their welfare and well-being.

All confiscated wildlife shall be properly turned over to the Department of Environment and Natural Resources (DENR) in accordance with the guidelines set forth under RA 9174.

SECTION 11. PENALTIES FOR VIOLATION - Any person committing any act mentioned in Section 6 herein shall be punished by the following:

- First Offense : A fine of One Thousand Pesos (Php. 1,000.00)
- Second Offense : A fine of Two Thousand Pesos (Php.2,000.00)
- Third or succeeding Offenses : A fine of Two Thousand Five Hundred Pesos (Php. 2,500,00)

Such penalties imposed shall be without prejudice to the penalties imposed by Section 28 of Republic Act 9147 also known as the Wildlife Resources Conservation and Protection Act.

SECTION 12. The Local Wildlife Enforcement Officers shall formulate guidelines and Implementing Rules and Regulations (IRR) for smooth implementation of the ordinance subject to the approval of the Sangguniang Bayan.

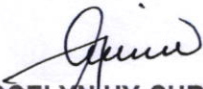
SECTION 13. SEPARABILITY CLAUSE. If any part of this Ordinance is declared as unconstitutional or unlawful, such declaration shall not affect the other parts or sections hereof that are not declared unlawful or unconstitutional.

SECTION 14. REPEALING CLAUSE. Any ordinance, executive order, local issuance or rules and regulations, or parts, thereof, which are inconsistent with this ordinance are hereby repealed and/or modified accordingly.

SECTION 15. EFFECTIVITY. This ordinance shall take effect after fifteen (15) days of publication in the bulletin board situated in the Public Market, Lobby of the Municipal Hall of San Roque, and in the Super Rural Health Unit.

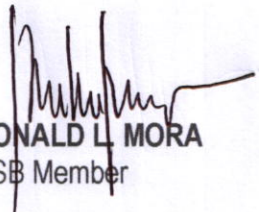


DONE and APPROVED, this 2nd day of September, 2024 at Sangguniang Bayan Session Hall, 2nd Floor, Balaudnan Building, San Roque, Northern Samar, Philippines.


JOCELYN UY-CURSO
SB Member


ENGR. DANTE C. TAN
SB Member


FREDDIE F. JARITO
SB Member

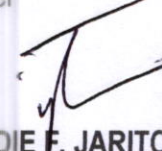

RONALD L. MORA
SB Member

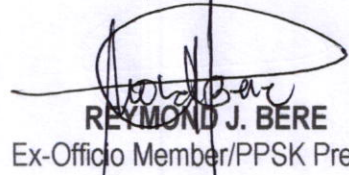

GIO S. GALVEZ
SB Member


HILARIO JOHN FRANCIS L. ACEBUCHE
SB Member


DEMETRIO S. AVALON, JR.
SB Member


ENGR. DEODATO L. BANTILO
SB Member


FREDDIE F. JARITO
Ex-Officio Member/ABC Pres.


RAYMOND J. BERE
Ex-Officio Member/PPSK Pres.

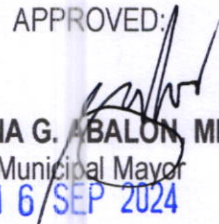
I HEREBY CERTIFY, as to the correctness of the foregoing Ordinance.


MARIENEL B. AVALON
Officer – in – Charge
Office of the Secretary to the Sangguniang Bayan

ATTESTED:


ETHEL O. RAMIREZ
Municipal Vice Mayor/Presiding Officer

APPROVED:


MARIA ANA G. AVALON, MD, MPH
Municipal Mayor
16 SEP 2024