



Republic of the Philippines  
Province of Zamboanga del Sur  
**MUNICIPALITY OF BAYOG**  
7011  
**OFFICE OF THE SANGGUNIANG BAYAN**

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**MUNICIPAL ORDINANCE NO. 13-210-17**  
**AN ORDINANCE DECLARING THE WATER WAYS OF SIBUGUEY RIVER,  
DIPILI RIVER TRAVERSING SEVERAL BARANGAYS OF THE MUNICIPALITY  
OF BAYOG INCLUDING DEPORE RIVER TO EXCLUDE FROM THE  
APPLICATIONS FOR QUARRY CONCESSIONS.**

**SECTION I. RATIONALE.** Over the past years *quarrying* are uninterrupted in the water ways of Sibugaey, Dipili, to include Depore Rivers as sands, gravels and boulders are vastly abundant and prone to cover larger areas of the river beds. Indeed, it is a lucrative business to concessionaires and the LGU's offer to earn more, but the preceding experience(s), when great flood is occurring, has not altered the fact that it continuously claimed lives of the inhabitants and animals, and destroy crops and properties as well.

Quarrying has nothing to abate the destructive effects of the flooding rivers to farmlands in the flat-laying agricultural areas of the Municipality of Bayog like the flood-prone 200-hectare ricelands of Barangay Dipili, the 300-hectare ricelands of Barangay Depore and a hundred more of Barangays Salawagan and Lamare. Extraction/excavation of sand and gravel deposits only makes the flooding current strong and powerful enough to cause massive erosion and destroy river banks, and often change the course of the river extremely damaging anything on its way, resulting to severe economic hardships and untimely displacement of the affected inhabitants. Proof is the "*TulayngPangulo*" at Barangay Depore which was totally damaged and rendered un-passable until now.

The situation is also alarming because of the other existing government infrastructures of roads and bridges, of which the continued quarrying operations would likely affect, because most of the concessions are near to the project sites. The incumbent Sangguniang Bayan is aware to the situation that would soon aggravates if nothing is done to protect the sensitive areas from quarrying operations. Hence, the areas mentioned under Section II of this Ordinance "shall be declared to exclude from the applications for quarry concessions."

Inhabitants of the lower areas of Barangay Poblacion and several other barangays are in constant danger when dark skies soon to produce heavy rainfalls. "*Rain waters pouring hard on the river and the numerous tributaries cause the immediate overflowing, and the siltation immensely blocking the water passage makes the situation worst most of the time when weather condition is utterly bad*", thus engendering one to suffer heavy losses in crops, raised animals and properties, or to experience a tragic loss of a family member by drowning.

Siltation is apparently the cause why the flat-laying areas are easily flooded, and it often transpire unless a decisive action is meet at the expense of something and someone's interest to sacrifice.

However, the Local Government decidesthe necessary means for the protection and welfare of its inhabitants. It shall then undertake de-silting operation in all areas enumerated in Section II of this Ordinance, and that the Municipal Mayor shall continuously allocate funds to use for the extraction/excavation on the river beds with heavy equipment provided for the purpose.

**SECTION II. LEGAL BASIS OF THE LGUs.**

- a. Paragraph (I), Section 2 (*Declaration of Policy*) of Republic Act No. 10121, expressly provides to "recognize and strengthen the capacities of LGUs and communities in mitigating and preparing for, responding to, and recovering from the impact of disasters."
- b. Paragraph 1, Section 14 (*Local Climate Change Action Plan*) of Republic Act No. 9729 *The LGUs shall be the frontline agencies in the formulation, planning and implementation of climate change action plans in their respective areas, consistent with the provisions of the Local Government Code, the Framework, and the National Climate Change Action Plan.*

**SECTION III. AREAS TO BE PROTECTED.**

A. Areas under protection and excluded in the application for quarrying concessions;

a.1 As of **Sibugaey River**, areas protected and excluded are the Barangays of Sigacad, Balukbahan, Datagan, Conacon, Matun-og, Supon, Poblacion, Kahayagan East, Lamare and Damit.

a.2 As of **Dipili River**, the areas of *Barangays Pulangbato, Dipili, Kahayagan West and Salawagan.*

a.3As of **Depore River**, the entire waterway of *Barangay Depore*.

**SECTION IV. GOVERNMENT ENTITIES EXEMPTED TO CONDUCT QUARRYING OPERATIONS.**

Department of Public Works and Highways (DPWH), Provincial Engineer’s Office (PEO) and the National Irrigation Administration (NIA) that undertake repair/rehabilitation of government projects/infrastructures within the Municipality of Bayog, provided that quarrying shall be done in area(s) designated by the Municipal Mayor or Municipal Engineer for de-siltation and concession that had been approved by the Provincial Governor prior to the approval of this Ordinance.

**SECTION V. QUARRY MATERIALS DERIVE FROM DE-SILTATION**

The Municipal Mayor, thru the Municipal Economic Enterprise Office, shall apply for a Gratuitous Permit from the Provincial Governor for the disposition of same.

**SECTION VI. PROMULGATION OF THE IMPLEMENTING RULES AND REGULATIONS:**

The Municipal Mayor shall, within ninety (90) days upon approval of this Ordinance by the reviewing authority, promulgates rules and regulation in connection to the implementation of the de-siltation activity.

**SECTION VII. FUNDING REQUIREMENT.**

The Municipal Mayor shall allocate funds for the purpose.

**SECTION VIII. EFFECTIVITY.**This Ordinance shall take effect after three (3) consecutive weeks of posting in conspicuous places, publication in the local newsletter and of broadcasting in the local radio station of the Municipality of Bayog, Zamboangadel Sur.

ADOPTED this 13<sup>th</sup> day of June 2017, on motion of Hon. Horace Paul T. Anlap, duly seconded.

**AYES:** Hon. HoracePaul T. Anlap, Hon. Ernesto C. Yagos, Hon. Cerilo B. Carcueva, Hon. Teofisto B. Deocades, Jr., Hon. Norelyn B. Rodriguez and Hon. Godofredo T. Compacion.

**NAYS:** NONE

**CERTIFIED CORRECT:**

**ATTESTED:**

**(SGD) RAMONITO E. MATALINES**  
Secretary to the Sanggunian

**(SGD) CELSO A. MATIAS**  
Municipal Vice Mayor-Presiding Officer

**VERIFIED CORRECT:**

**APPROVED:**

**(SGD) HORACE PAUL T. ANLAP**  
SB Member-Floor Leader

**(SGD) LEONARDO L. BABASA, JR.**  
Municipal Mayor