



Republic of the Philippines
PROVINCE OF NEGROS ORIENTAL
City of Bayawan
Office of the Sangguniang Panlungsod

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION HELD BY THE CITY COUNCIL OF BAYAWAN, NEGROS ORIENTAL ON JULY 1, 2024 AT 10:00 AM AT THE SESSION HALL, LEGISLATIVE BUILDING GOVERNMENT CENTER.

RECORD OF ATTENDANCE

HON. HENRY E. CARREON, JR.	Vice Mayor & Presiding Officer	Present
HON. MARK FIDENCIO L. AURELIA		On Leave
HON. NARCISO N. CASIPONG		Present
HON. RUSMAR IAN D. TIJING		Present
HON. MERLITA R. GAUDIEL		Present
HON. NICO ANGELO L. LIM		Present
HON. ROLANDO B. ABRASALDO		Present
HON. KARL T. SARAÑA		On Leave
HON. LUIS J. SUMALPONG		Present
HON. FELIPE O. SANTIAGO, JR.		Present
HON. MA. LUCIANA T. TIZON		Present
HON. SEVERINO SALVADOR M. CAPULSO	LNMB President	Present
HON. EDILBERT J. BOLTIADOR	SK Federated President	Present

RESOLUTION NO. 521

Authored by:

Honorable Councilor Narciso N. Casipong

“Third and Final Reading of “An Ordinance Adopting the Revised Paonay Ordinance of 2024 of Bayawan City and Regulating the Conduct of its Activities.

“On motion of Honorable Councilor Narciso N. Casipong and duly seconded by Honorable Councilor Luis J. Sumalpong, the Council

“RESOLVED, To enact, as it hereby enacts the following ordinance:

ORDINANCE NO. 39

AN ORDINANCE ADOPTING THE REVISED PAONAY ORDINANCE OF 2024 OF BAYAWAN CITY AND REGULATING THE CONDUCT OF ITS ACTIVITIES

Be it ordained by the Sangguniang Panlungsod of the City of Bayawan in Session assembled, that:

SECTION 1. TITLE. This ordinance shall be known as the “Paonay Ordinance of 2024”.

SECTION 2. DEFINITION OF TERMS.

- a) **Marginal Farmer/Fishermen** – refers to an individual engaged in subsistence farming or fishing, which shall be limited to the sale, barter, or exchange of agricultural or marine products produced by himself and his immediate family. (Republic Act. 7160, also known as the “Local Government Code of 1991, “Sec. 131. Provided further, that the annual net income from such fishing does not exceed Fifty Thousand Pesos (50,000.00) or the poverty line established by NEDA for the particular region or locality, whichever is higher.
- b) **Agricultural Produce** – any produce derived from the garden or farm of a farmer, limited to leafy vegetables, root crops, legumes, rice, corn, flowers and related harvest.
- c) **Marine Products** – Include all fishes from fresh and seawaters, and all other products of aquatic living resources of any form such as crustaceans (crabs, prawns, shrimps and lobsters), mollusks (clams, mussels, oysters, scallops, snails and other shell fish).

- d) **Livestock** – domesticated animals with four legs and hoofs, excluding cows, carabaos, horses, and other large cattle.
- e) **Poultry** – are classified as chickens, whether native or hybrid, ducks, quails, geese, etc.
- f) **Second-hand/Used clothing or ukay-ukay** – any clothing/material offered for sale at a considerably reduced price showing signs of being used but are still decently wearable.
- g) **Middleman** – any person who acts as a go-between or deals with Paonay customers on behalf of Paonay traders/merchants, regardless of at whose behest, for purposes of serving the customers' buying needs or otherwise to satisfy their intentions to buy, whether the transaction between the said traders/merchants and the customers is consummated or not.

SECTION 3. LOCATION.

The Bayawan City coast, which portion shall be utilized for activities subject to this ordinance, shall comprise, as may be reasonable and necessary for the purpose herein, the coast area of Barangay Suba at the southwest end of the intersection of Zamora Street extending along the southern side of the coastal road up to the proximity of the Community Fish Landing Center. Provided that the said area, insofar as it shall affect the zone subject to an easement for public usage under appropriate laws, shall be without prejudice to such use of the general public for recreation, navigation, floatage, fishing, and salvage purposes: Provided, further, that PAONAY activities shall be subject to monitoring, control, supervision, and administration of the Economic Enterprise Office, in coordination with other LGU offices mentioned herein, who shall ensure that appropriate measures shall be undertaken for the maintenance of order and preservation of cleanliness in the said area.

SECTION 4. QUALIFICATIONS.

- a) Every farmer desiring to sell his/her produce must secure a certification from the City Agriculture Office before he/she can display or sell agricultural produce in the Paonay area. The certification must show his farm's location and production extent.
- b) Ukay-ukay sellers and those selling snacks/refreshments must secure a certification from the Economic Enterprise Office. After securing the necessary certification, ukay-ukay and refreshment sellers, as with other Paonay traders/merchants, shall only sell their goods within the designated area. Ukay-ukay sellers who are Bayawan residents shall have preference over those from other LGUs in the allotment of slots, for the exercise of their selling privileges.

SECTION 5. TIME OF ACTIVITIES.

PAONAY activities shall start from 3:00 p.m. on Fridays until the whole day of Saturdays, only. The start of Paonay activities on Friday may be moved earlier than 3:00 P.M. upon the recommendation of the Economic Enterprise Officer and approval of the City Mayor, for valid reasons only such as approaching storms, to allow sufficient time for farmers and other sellers to trade their products.

SECTION 6. IMPLEMENTING OFFICE.

1. City Agriculture Office

The City Agriculture Office in coordination with the Economic Enterprise Office shall identify the farmers qualified to display and/or sell in the Paonay area.

2. City Treasurer's Office

The City Treasurer shall be charged with the collections of taxes, fees on a daily basis, and other charges in the Paonay area.

3. City Environment and Natural Resources Office

The City Environment and Natural Resources Office in coordination with the Economic Enterprise Office shall ensure the cleanliness and sanitation of the Paonay area and the immediate surroundings.

4. City Public Safety Office

City Public Safety Office shall maintain the area's traffic management, security, peace and order.

5. Economic Enterprise Office

The Economic Enterprise Office shall have general supervision of the Paonay area/activities. He/She shall adjudicate in the assignment of stalls to qualified sellers.

6. City Health Office

The City Health Office shall be responsible for the issuance of Health Certificates and Food Handling Safety for all those selling snacks/refreshments.

SECTION 7. PROHIBITIONS. The following shall be prohibited in the Paonay area –

1. Farmers and Fishermen without certification mentioned in Section 4 (a) of this ordinance are prohibited from selling their products in the Paonay area.
2. Middlemen or a middleman as defined herein, and other traders not mentioned in this ordinance are not allowed to sell in the Paonay area.
3. Stall owners in the Bayawan City Public Market shall not be allowed to sell in the Paonay area.
4. All land vehicles and sea vessels shall not be allowed to park/moor anywhere in the Paonay area except in places designated by appropriate ordinances/regulations of the City.
5. All forms of littering, including irresponsible and/or inappropriate disposal of animal litters and other forms of wastes generated by said animals subject for sale, construction of permanent structures, and other activities which tend to destroy or spoil the natural beauty of the coast area mentioned above by any person shall be punished accordingly.
6. Selling of fishes from freshwater, brackish water, and seawater, and all other products of aquatic living resources of any form, such as crustaceans (crabs, prawns, shrimps and lobsters) and, mollusks (clams, mussels, oysters, scallops, snails and other shellfish) except for processed fishery products such as partially dried fish or "lamayo", fish balls, fish lumpia and other similar products that are appropriately packed in sealed containers or packaging.

SECTION 8. PENALTY CLAUSE.

Any person or groups of persons found violating this Ordinance shall be fined ₱1,000.00 for the first offense. For the second offense, the violator shall not be allowed to sell for three (3) months and a fine of ₱2,000.00. For the third offense, the violator shall be banned from selling in the Paonay area and fined ₱5,000.00.

Stall owners of the Public Market of Bayawan found violating the prohibitions mentioned above shall be banned from selling in the Paonay area and the Public Market.

SECTION 9. REPEALING CLAUSE.

All other duly passed ordinances or provisions thereof inconsistent with this ordinance are hereby repealed.

SECTION 10. EFFECTIVITY.

This ordinance shall take effect after compliance with the provisions of R.A. 7160, the Local Government Code of 1991.

"Enacted."

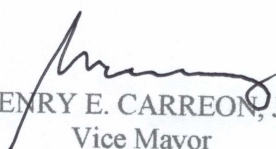
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I hereby certify to the correctness of the foregoing resolution.


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JULIUS T. ESPARTERO
Secretary to the Sangguniang Panlungsod

ATTESTED:


HENRY E. CARREON, JR.
Vice Mayor
Presiding Officer

APPROVED:


JOHN T. RAYMOND, JR.
Mayor

Date: JUL 12 2024

Copy for:

- The Honorable Provincial Board, Dumaguete City