



Republic of the Philippines
Province of Antique
Municipality of Pandan
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OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF PANDAN, ANTIQUE HELD ON FEBRUARY 6, 2002 AT THE MUNICIPAL SESSION HALL

PRESENT: Hon. Arthur R. Dionela Vice Mayor, Presiding Officer
Hon. Patria F. Candari SB Member
Hon. Marissa M. Napat “
Hon. Renato D. Tugon, M.D. “
Hon. Edesio G. Pechon “
Hon. Tony R. Chan “
Hon. Jesus O. Tamboong “
Hon. Celedonio A. Dionela “
Hon. Mildred R. Camero “
Hon. Jesus A. Dionela “ , LIGA President

ABSENT: Hon. Johanna Marie D. Cajilig “ , SKMF President

RESOLUTION NO. 30-2002

RESOLUTION ENACTING AN ORDINANCE REGULATING THE OPERATION OF CHAINSAW FOR THE PROTECTION AND PRESERVATION OF TREES AND FOREST IN THE MUNICIPALITY OF PANDAN, ANTIQUE

WHEREAS, it is the primordial objective of the Local Government Unit of Pandan to protect and preserve the environmental bounties of the municipality;

WHEREAS, in order to be successful in this noble objective, the Local Government Unit of Pandan through this august body strongly believe of the effectiveness of legislation to this effect.

NOW, THEREFORE, on motion by Hon. SB Member Edesio G. Pechon, duly seconded by Hon. SB Member Renato D. Tugon, M.D., this Sanggunian, in a regular session assembled, resolved, as it hereby resolves, to enact the following Ordinance to wit:

ORDINANCE NO. 03-2002

AN ORDINANCE REGULATING THE OPERATION OF CHAINSAW FOR THE PROTECTION AND PRESERVATION OF TREES AND FOREST IN THE MUNICIPALITY OF PANDAN, ANTIQUE

Section 1. Purpose

It is the purpose of this Ordinance to monitor and regulate the operation of chainsaw for the protection of watershed, tree parks, communal forest so as to avoid disastrous calamity that may occur due to denudation.

Section 2. Definition of Terms

Following words and phrases when used in this Ordinance shall mean:

- a. **CHAINSAW** – a power saw, having teeth set on endless chain used in cutting and slicing tree, log and timber.
- b. **PROTECTED AREA** – a water shed, tree parks and communal forest that maintain and preserve by the government free from destruction.
- c. **OPERATION** – Shall mean the actual use of chainsaw in converting a tree, log, or timber into lumber.

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*Cont. of Res. No. 30-2002
Dated February 6, 2002*

- d. **REGULATE** – to manage its operation in accordance to the standard or requirements set by law and Ordinances.
- e. **LICENSING** – the registration of chainsaw to the Municipal Treasurer Office to operate legally in accordance with the provision of the law.

Section 3. Licensing

No chainsaw machinery shall operate within municipality of Pandan without license permit from the Local Government Unit. License is valid for a year and shall be renewed upon its expiration. License Permit shall not mean free from any violation.

Section 4. Registration

All chainsaw owners are obligated by this Ordinance to register the chainsaw in their name to the Sangguniang Bayan Office. This is under the supervision of the Committee incharge for Environment. Registration will eliminate the operation of chainsaw for those who are not bonafide residents of this municipality.

Section 5. Barangay Certification

Operation of chainsaw shall be monitored by securing certification from the barangay every time it operates. This will originate from the place where the subject (tree) is located. In the absence of certification, the operation is null and void. Indeed, legal documents in cutting trees from proper authority are necessary requirements before the issuance of barangay certification.

Section 6. Payment

Payment of certification, registration and licensing shall be made at the treasurer’s office with official receipts. Proceeds will be directly entered to the General Fund. Charges will be rated in accordance with the Local Government Code as follows:

Licensing -----	P 500.00
Registration -----	50.00
Certification -----	10.00

Payments transacted without Official Receipts is considered null and avoid.

Section 7. Penalty

Any person found violating the provision of this Ordinance will be imposed administrative fines without any court prosecution as follows:

First Offense -----	P 500.00
Second Offense -----	1,200.00
Third Offense -----	2,500.00 and cancellation/revocation of permit to operate and confiscation of the chainsaw

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*Cont. of Res. No. 30-2002
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If the violators wish to elevate the case in court after arrests have been made upon conviction thereof shall mean a maximum penalty of fine of Two Thousand Five Hundred **(P2,500.00)** Pesos, confiscation of chainsaw and an imprisonment of not less than **15** days or upon the discretion of the court.

If the violator in the third offense choose not to elevate the case in court, the confiscated chainsaw can be retrieved within three days upon payment of the maximum penalty of Two Thousand Five Hundred **(P2,500.00)** Pesos.

Section 8. Citation of Ticket

For violating the provision of this Ordinance the law enforcer shall issue Municipal Citation ticket in lieu of arrest or prosecution. Apprehending Officer shall notify the offender of his/ her violation or infraction and the corresponding administrative fine to be paid at the treasurer's office only immediately after the apprehension have been made. Chainsaw paraphernalia confiscated for violating the said ordinance shall be deposited in the station for the meantime and shall be released only after paying administrative fine.

Section 9. Incentive/Awards

Any citizen who directly give and relay information leading to the arrest of any offender shall received awards/ incentives pay of 40% from administrative fine collected. The remaining 60% shall accrue to the General Fund for "**Cleaning and Greening Program**".

Section 10. Effectivity

This Ordinance shall take effect immediately upon approval.

UNANIMOUSLY carried.

CERTIFIED CORRECT:

ATTESTED:

SGD. **NEOPITO R. VARON**
SB Secretary

SGD. **ARTHUR R. DIONELA**
Vice Mayor
Presiding Officer

Date Submitted: _____

APPROVED:

SGD. **PLARIDEL E. SANCHEZ, VI**
Municipal Mayor

Date Approved: _____

Date Released: _____

A TRUE COPY:

NEOPITO R. VARON
SB Secretary/ 9-13-02