**RESOLUTION NO. \_\_\_\_**

**RESOLUTION TO ENACT AN ORDINANCE DECLARING BARANGAY SIBULAN, TORIL DISTRICT, DAVAO CITY, AS AN AGRICULTURAL ORGANIC ZONE AND FOR OTHER PURPOSES**

 **WHEREAS,** Section 15, Article II of the 1987 Philippine Constitution provides that the State shall protect and promote the right to health of the people and instil health consciousness among them;

 **WHEREAS**, Section 16 of the same article also provides that it is the policy of the State to protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature;

 **WHEREAS,** Republic Act No. 10068 otherwise known as *“The Organic Agriculture Act of 2010”* and was signed into law on April 6, 2010, is the governing organic agricultural law in the Philippines embodying therein, among others, the promotion, propagation, development, and implementation of the organic agriculture practice in the Philippines that will cumulatively condition and enrich the fertility of the soil, increase farm productivity, reduce pollution and destruction of the environment, prevent the depletion of natural resources, further protect the health of the farmers, consumers, and the general public and save on imported farm inputs.

 **WHEREAS,** Davao City Ordinance No. 0384-10 otherwise known as *“Organic Agriculture Ordinance of Davao City of 2009”* acknowledges that Organic Agriculture is a contributor to the City’s economy and the attainment of food security, ecological sustainability, and the well-being of the people of Davao City;

 **WHEREAS,** Section 3 (f) of the said Ordinance provides that Organic Agriculture cannot co-exist with genetically-modified crops, chemically produced crops, and related organisms both living and non-living;

 **WHEREAS,** under section 5, Chapter 2 of the said Ordinance, there are areas set aside as organic agricultural zones that will be protected from encroachment and contamination of using chemical-based farm inputs, mining, including contamination of genetically-engineered crops and other similar activities;

 **WHEREAS,** Section 5, Chapter 2 of the said Ordinance provides that the Organic Agriculture Zone shall be set up according to the following minimum criteria;

 1. Presence of actual agriculture practitioners;

2. Presence of natural or man-made water formations, including areas covered irrigation and similar facilities;

3. Identified buffer zone to shield organic agriculture to other land uses that impact on the integrity of the practice of organic agriculture; and

4. Areas suited for agricultural production as defined in the Davao City Land Use Plan.

 **WHEREAS,** Section 5, Chapter 2 of the said Ordinance also provides that should an area passed the minimum criteria for it to be considered an Organic Agricultural Zone, the same will be submitted to the Sangguniang Panlungsod for approval in an Ordinance.

 **WHEREAS,** there are existing organic practices in the area managed by the Foundation of Agrarian Reform Cooperatives in Mindanao, Inc. (FARMCOOP), consisting of 110.61 hectares of organic banana exported to Japan; 106.65 hectares of Organic Cacao and Coffee, and 3 hectares vegetable gardens, all of which are covered by 3rd Party Organic Certifications issued by ECOCERT-Japanese Agricultural Standards (JAS), USDA-National Organic Program (NOP), and Organic Center Certification of the Philippines (OCCP)– Philippine National Standard (PNS);

 **WHEREAS,** in the interest of general welfare and public health, there is an imperative need for the City to establish an Organic Agricultural Zone to address Chapter 2, Section 7 – Conservation of Indigenous Farm Practices, the people’s need for food security and ecological sustainability;

 **WHEREAS,** Republic Act No. 7160 grants the local government unit the power to enact measures that will promote health and safety, and enhance the right to a balanced ecology of its inhabitants;

 **WHEREAS,** theCity Agriculturist Office with Organic Agriculture Management Council/Technical Committee on Organic Agriculture had conducted series of consultations to barangay residents regarding this matter;

 **WHEREAS,** Declaring Barangay Sibulan, Toril District as pilot Organic Agriculture Zone will ensure that organic practices are feasible;

 NOW THEREFORE:

BE IT ORDAINED BY THE SANGGUNIANG PANLUNGSOD OF THE CITY OF DAVAO, PHILIPPINES:

**Ordinance No.: \_\_\_\_\_**

Series of 2018

**AN ORDINANCE DECLARING BARANGAY SIBULAN, TORIL DISTRICT, DAVAO CITY, AS AN AGRICULTURAL ORGANIC ZONE, AND FOR OTHER PURPOSES**

Be it Ordained by the Sangguniang Panlungsod of Davao City in session assembled, that:

**SECTION 1. TITLE. –** This Ordinance shall be known and cited as “Barangay Sibulan Organic Agriculture Zone”.

**SECTION 2. DECLARATION OF PRINCIPLE AND POLICY. –** It is hereby declared as the policy of the Local Government of Davao that;

1. The Local Government shall promote and protect the right to health of the people and instill health consciousness among them;
2. The Local Government shall ensure that the Dabawenyos have access to clean and safe food products free from harmful synthetic pesticides and fertilizers; and
3. The Local Government shall promote Organic Agriculture as a mode of agricultural practice to ensure that the health of the consumers as well as the producers of food products are protected.

**SECTION 3. DEFINITION OF TERMS. –** As used in the Ordinance, the following terms shall mean:

1. **Buffer Zone –** are defined areas on the boundary of an organic farm that has land use controls and allow only activities compatible with the protection of the organic farm. It serves as a barrier that surrounds or separates an organic farm from other traditional or conventional farms where plants are not designated as organic.
2. **Conversion –** is the process of transforming a traditional or conventional farm into an organic farm for period of three (3) to five (5) years.
3. **Conventional Farm –** refers to farming systems which include the use of synthetic chemical fertilizers, pesticides and other synthetic farm inputs.
4. **Organic Agriculture –** is a production system that sustains the health of soils, ecosystems and people. It relies on ecological processes, biodiversity and cycles adapted to local conditions, rather that the use of inputs with adverse effects. Organic agriculture combines tradition, innovation and science to benefit the shared environment and promote fair relationships and good quality of life for all involved (IFOAM);
5. **Organic Farming –** is a farming method that involves growing and nurturing crops without the use of synthetic based fertilizers and pesticides.
6. **Organic Zone-** is a zone that will be protected from encroachment and contamination of using chemical-based farm inputs, mining, including contamination of genetically-engineered crops and other similar activities. This Zone shall be separate and distinct and shall not be confused with the Zones provided under the Davao City Comprehensive Land Use Plan (CLUP).

**SECTION 4. DECLARATION OF BARANGAY SIBULAN AS ORGANIC AGRICULTURAL ZONE. –** It is hereby declared that Barangay Sibulan located at the third district of Davao City is an Organic Agricultural Zone. As such, all synthetic and chemical-based farm inputs shall be prohibited within the said zone. Further, no genetically-modified/engineered agricultural products shall be introduced therein.

**SECTION 5. BUFFER ZONE. –** To preserve the integrity of the area as an organic agricultural zone and to prevent contamination from non-organic practices surrounding the area, a buffer zone shall be established.

5.1 A minimum of 40-meter buffer zone shall be established between the organic agricultural zone and non-organic agricultural areas near and/or adjacent to the former which shall be measured from the outermost boundary of the organic agricultural zone. Buffer Zones shall be planted with diversified plant species.

**SECTION 6.** **FARM CONVERSION. –** Non organic farms within the organic agricultural zone shall have a maximum period of five (5) years from the date of approval of this Ordinance within which to convert their conventional farm to organic farm. No new conventional farm using synthetic chemicals shall hereafter be established within the organic zone.

**Section 7. INCENTIVES TO INDIVIDUALS, FARMERS AND SCHOOLS-** The City shall give incentives, awards and financial support to individuals, farmers and schools which pursue, promote and practice organic farming. The City Agriculturist’s Office shall formulate guidelines for developing incentive programs, award systems and/or financial support.

**SECTION 8. IMPLEMENTING AGENCIES. –** City Agriculturist Office (CAO) shall serve as the lead agency in implementing this order in collaboration with the City Environment and Natural Resources Office (CENRO). The Department of Agriculture Region XI (DA XI), Department of Environment and Natural Resources Region XI (DENR XI), and Fertilizers and Pesticides Authority Region XI (FPA XI) are hereby enjoined to give their full support, assistance, and cooperation in the course of the implementation of the provisions of this order.

 **SECTION 9. SUPPORT SERVICES. –** Section 9 and Section 15 of the Organic Agriculture City Ordinance No. 0384-10 state that provision of support services to organic farmers and other assistance as may be deemed necessary by the implementing agencies;

**SECTION 10. SIGNS. –** The Brgy. Sibulan LGU is hereby directed to provide appropriate signages in collaboration with a cooperative advocating organic agriculture and the City Agriculturist Office indicating that the area is an organic agricultural zone, as well as the prohibited acts within the area.

**SECTION 11. SEPARABILITY CLAUSE. –** If any part or provision of this Order is held unconstitutional or invalid, other parts of provisions thereof which are not affected shall continue to remain in force and effect.

**SECTION 12. EFFECTIVITY. –** This Ordinance shall take effect fifteen (15) days after completion of its publication in a local newspaper of general circulation in Davao City.

Done in the City of Davao, Philippines, this \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_ 2018.