



SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE 17th REGULAR SESSION OF THE SANGGUNIANG BAYAN OF MONCADA, TARLAC HELD ON THE 4th DAY OF NOVEMBER 2019 AT THE SB SESSION HALL, LEGISLATIVE BUILDING

PRESENT:

HON. JAIME O. DUQUE	.. VICE MAYOR/PRESIDING OFFICER
HON. CLEOFE D. FAVIS	.. MEMBER
HON. RODOLFO C. ESPEJO, JR.	.. MEMBER
HON. ALBERTO C. MARZAN, JR., MD	.. MEMBER
HON. RUBEN V. GAMBOA, JR.	.. MEMBER
HON. THELMAFLOR A. ESPEJO	.. MEMBER
HON. GEORGE MICHAEL P. AGUILAR	.. MEMBER
HON. JANIUS M. YASAY	.. MEMBER
HON. CELESTE A. AYSON	.. MEMBER
HON. EZEKIEL C. RIVERA	.. SKF PRESIDENT

ABSENT:

HON. GEORGE R. CUCHAPIN, MD	.. LnB PRESIDENT (<i>Official Business</i>)
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RESOLUTION NO. 124
Series of 2019

Sponsored by: Coun. Alberto C. Marzan, Jr., MD
Chairperson, Committee on Health, Social Services and Environmental Protection

RESOLUTION ORDERING THE CLOSURE AND REVOCATION OF BUSINESS PERMIT OF SMART GIANT CORPORATION POULTRY FARM LOCATED AT BARANGAY CAPAOAYAN, THIS MUNICIPALITY, FOR REPEATED VIOLATION OF PERTINENT SANITATION AND ENVIRONMENTAL LAWS, RULES AND REGULATIONS

WHEREAS, the Sanitation Division of the Municipal Health Office has recommended to this August Body the closure of a poultry farm located in Brgy. Capaoayan operated by Smart Giant Corporation;

WHEREAS, pursuant to SB Resolution No. 64, Series of 2019, the Local Chief Executive issued a Cease and Desist Order dated June 11, 2019, directing Smart Giant Corporation to suspend its operations because of complaints received by the LGU about the swarm of flies and emission of foul odor allegedly from animal carcasses and refuse from the farm;

WHEREAS, after a public hearing conducted on July 8, 2019 and acting on the motion for reconsideration submitted by Smart Giant Corporation, this Sanggunian passed Resolution No. 73, Series of 2019, ordering the lifting of the cease and desist order and allowing the resumption of its operation on a strict proviso that they comply with all pertinent laws governing its operations, otherwise, the facility will be closed;

WHEREAS, acting on Sanitary Order No. 3 dated October 29, 2019, submitted by the Municipal Health Office, this August Body, upon thorough investigation and ocular inspection conducted in the poultry farm, finds that Smart Giant Corporation has



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Province of Tarlac

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repeatedly violated existing sanitation laws, rules and regulations, as evidenced by continued proliferation of flies and uncontrolled stench that come from animal manure, causing discomfort and apprehension among constituents residing proximate to the facility;

WHEREAS, the Local Government Unit of Moncada has exhausted all legal means to compel the facility owners to comply with existing laws, rules and regulations governing the operation of such poultry farm, but to no avail;

WHEREAS, Section 16 of Republic Act 7160 provides that the Local Government Unit shall exercise the powers which are essential to the promotion of the general welfare of the people;

NOW, THEREFORE, on motion by Coun. Alberto C. Marzan, Jr., and unanimously seconded;

RESOLVED, that this Sanggunian, acting on the favorable recommendation of the Committee on Health, Social Services and Environmental Protection hereby orders the closure and revocation of business permit of Smart Giant Corporation Poultry Farm located at Barangay Capaoayan, this municipality, for repeated violation of pertinent sanitation and environmental laws, rules and regulations;

RESOLVED FINALLY, that copies of this Resolution be furnished all concerned parties for their information;

UNANIMOUSLY CARRIED.

CERTIFIED to have been duly
ADOPTED on the above-mentioned
date and place:

VICTOR SANDINO S. MOLINA
Secretary to the Sanggunian

ATTESTED AND CERTIFIED
TO BE DULY ADOPTED:

JAIME O. DUQUE
Vice-Mayor & Presiding Officer

APPROVED by HER HONOR, the MAYOR, on Nov. 4, 2019

ESTELITA M. AQUINO
Municipal Mayor