



Republic of the Philippines
Province of Aklan
MUNICIPALITY OF MALAY



Office of the Sangguniang Bayan

MUNICIPAL ORDINANCE NO. 240
Series of 2006

**AN ORDINANCE DECLARING BARANGAY SAMBIRAY AND ITS PERIPHERY
AS FISH LANDING AREA IN THE MUNICIPALITY OF MALAY, AKLAN.**

(SPONSOR: HON. GIDEON T. SIÑEL)

SECTION 1. - **RATIONALE.** The LGU shall coordinate with the private sector and other concern agencies and FARMCs in the establishment of Post Harvest Facilities for fishing communities such as, but not limited to, municipal fish landing sites, fish ports, ice plants, and cold storage, and other fish processing establishments to service primarily the needs of municipal fisherfolks: provided that such post harvest facilities shall be consistent with the comprehensive Post Harvest and Ancillary Industries plan.

SECTION 2. - **DEFINITION OF TERMS.** As used in, and for purposes of this ordinance, the following terms, whether in singular or plural are hereby defined as follows:

POST-HARVEST FACILITIES - these facilities include, but are not limited to fish ports, fish landings, ice plant and cold storages, fish processing plants.

ANCILLARY INDUSTRIES - firms or companies related to the supply, construction and maintenance of fishing vessels, gears, nets and other fishing paraphernalia; fishery machinery shops, and other facilities such as hatcheries, nurseries, feed plants, cold storage and refrigeration, processing plants and other pre-harvest and post-harvest facilities.

WHARF - a structure built on the shore of a harbor.

HARBOR - a body of water for ship's refuge.

MOORING - to secure a boat/vessel in a place by fastening with cable or line.

ANCHORING - to hold fast the vessel or ship in the harbor by means of chain, cable or rope and anchor.

SECTION 3. - **BARANGAY SAMBIRAY DECLARED AS FISH LANDING AREA.** Barangay Sambiray is declared as municipal fish landing area of Malay, Aklan. It shall be prohibited for any fishing boats/vessels (foreign or domestic) to unload fish cargoes, and to load paraphernalia and facilities aside from the designated area within the territorial shoreline of Barangay Sambiray, Malay, Aklan.

SECTION 4. - **DESIGNATED AREA.** Designated areas for unloading of fish cargoes from fishing boats/vessels (foreign or domestic) and loading equipments and other paraphernalia shall be identified by LGU-Malay within the shoreline of Barangay Sambiray.

SECTION 5. - **MOORING AND ANCHORING.** All fishing boats/vessels (foreign or domestic) shall moor and anchor within the shoreline of Barangay Sambiray. For purposes of this ordinance, the shoreline of Barangay Sambiray will start from the Mouth of Potol River in the East up to the mouth of Banga Creek in the West.

SECTION 6. - **CHARGES AND FEES.** LGU-Malay shall impose and collect fees and services or users charges for any service rendered in connection with the operation of above-cited public utilities owned, operated and maintained by the Municipality, rates of which shall be based on existing revenue ordinance. Charges shall be based on wharfage fee, quantity of fish catch in tubs/boxes or other containers in kilograms.

SECTION 7. - **PENALTIES.** Owners/operators of fishing boats/vessels (foreign or domestic) who violates Section No. 3 shall suffer the following penalties. First offense ONE THOUSAND PESOS (₱1,000.00), second offense ONE THOUSAND FIVE HUNDRED PESOS (₱1,500.00), third offense TWO THOUSAND FIVE HUNDRED PESOS (₱2,500.00) and cancellation of permit to operate within the territorial waters of Malay and confiscation of catch fishing boats/vessels and patron/captain's license and/or imprisonment of not less than ten (10) days and not more than thirty (30) days upon the discretion of the court.

SECTION 8. **EFFECTIVITY.** This ordinance shall take effect upon its approval and proper publication.

ENACTED. FEBRUARY 23, 2006.

APPROVED. APRIL 6, 2006

CERTIFIED TRUE COPY:



CONCORDIA S. ALCANTARA

Secretary to the Sangguniang Bayan

