



Republic of the Philippines
Province of Aklan
MUNICIPALITY OF MALAY



Office of the Sangguniang Bayan

MUNICIPAL ORDINANCE NO. 2000-132

**AN ORDINANCE REGULATING ACTIVITIES ALONG THE WHITE BEACH
AREA IN BORACAY ISLAND AND ALLOCATING FUNDS THEREOF.**

(SPONSOR: HON. A. D. SALAVER)

SECTION 1. - **DECLARATION OF POLICY.** It is hereby declared the policy of the Municipality that the white beach portion of Boracay Island shall be preserved in order to sustain its natural environment and pristine beauty.

It is also the policy of the Municipality to reserved the white beach portion for tourist who come and spend money to enjoy, relax, seek peace of mind and experience the unique tropical ambience of the Island;

It is still likewise the policy of the Municipality to regulate the activities in the white beach for the convenience of tourists and to boost the Tourism Industry of this town;

SECTION 2. - **DEFINITION OF TERMS.**

- **WHITE BEACH** - pertains to all beaches in Boracay Island.
- **PATH ROAD** - a portion of four (4) meters on the beachfront used mainly for pedestrian traffic and lately also for vehicle traffic.
- **VENDORS** - refers to the people engaged in selling or offering their goods or services to the tourist in exchange for money. They include masseurs, manicurists, boatmen and sailboat operators engaged in Island Hopping, operators of motorbike for hire and ambulant and stationary vendors selling fruits, shell craft, garments, sunglasses and other souvenir items, etc.
- **SERVICE VEHICLES** - refers to vehicles engage in delivering of goods.
- **VEGETATION AREA** - refers to that portion of the beach where the plants thrive.

SECTION 3. - **RULES AND REGULATIONS.**

3.a) ON VENDORS

- All Vendors resident in Malay shall be required to secure proper permits from the Office of the Municipal Mayor.
- Peddlers shall be required to secure Special Permit from the Municipal Mayor and shall pay TWO THOUSAND PESOS (₱2,000.00) as a Security Deposit. This will ensure their proper behavior. Any penalty imposed for certain violations will be deducted from this security deposit. This security deposit shall be good only for one (1) week and shall be given back to them partially or fully once they leave the Island.
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- All Vendors shall be required to wear their prescribed uniforms and IDs properly.
- All Vendors and Peddlers shall be strictly prohibited to approach and or disturb tourists to offer their goods or services.
 - (a) Vendors engaged in selling and promoting services like massage, island hopping and boat trips shall be required to transact their business in all boat stations or in places identified and sanctioned by the Municipality. They may put up a Signboard indicating their services being offered.
 - (b) Manicure and pedicure shall be strictly prohibited along the white beach.
 - (c) Massage shall be allowed at the vegetation area only.
- Boat trips and sailboat operators shall be required to observe proper setbacks and should lower their sails while on standby as prescribed by Section No. 2 (A) of Municipal Ordinance No. 97-110.

3.b) ON VEHICLES AND TRAFFIC ON WHITE BEACH PATH:

- All service - vehicles like motorbikes, trisikad and tricycle private or government shall only be allowed to enter the path road from 12:00 Noon to 3:00 P.M. except the Garbage Truck and on emergency cases.
- Only ten (10) trisikads at a time shall be allowed to standby near the boat station and allowed only from main road to boat station and vice versa.
- All Drivers and Operators of these vehicles should secure a Permit and Sticker from this Municipality subject for renewal annually.

THE FOLLOWING ARE THE REQUIREMENTS OF THIS MUNICIPALITY:

- (a) Permit Fee in the amount of FIVE HUNDRED PESOS (₱500.00) for the use of path road between 12:00 to 5:00 P.M. This shall be imposed on the vehicles and shall only be good for one year.
- (b) Residence Certificate.
- (c) Barangay Clearance.
- (d) Drivers shall be required to undergo a Lecture Seminar conducted by an appropriate Officer of this Municipality.
- Operators of Motorbikes for rent shall not be allowed to establish their office or base station along the path road. They should be relocated somewhere along the main road or in any place designated by this Municipality. Further regulations pertaining to their operations shall be prescribed thru another Ordinance.

3.c) ON TEMPORARY AND PERMANENT STRUCTURES AND ACCESSORIES:

- Chairs, beach beds and only movable beach umbrellas are allowed two (2) meters from the vegetation line offshore with a distance of three (3) meters each umbrella.
- Volleyball post and nets shall be removed after the game.

- Establishments with permanent structures along the NO BUILD ZONE which have violated Section 1 Municipal Ordinance No. 96-97 shall pay TEN THOUSAND PESOS (₱10,000.00) per month for two (2) years, after which they shall not be allowed to operate anymore. They shall be required to correct their violation or to demolish their own structures. Otherwise, it shall be the duty of this Municipality to demolish such structure at the expense of the owner.
- Tables and chairs are allowed three (3) meters from vegetation line landward during nighttime only. The owner has the responsibility to clean the area afterwards.
- Fences made of indigenous materials for plant protection shall be limited to two (2) feet high only.
- Establishments shall maintain access roads to the beach.
- Chainsaw operation shall be strictly prohibited except on emergency cases.

3.d) OTHER ACTIVITIES NOT ALLOWED:

- Serving foods and eating shall be strictly prohibited in the white beach.
- Loading and unloading of supplies in bulk (like gasoline and petroleum products, gas, softdrinks, beers, construction materials and market goods, etc.) shall be strictly prohibited along the white beach. They shall only be allowed to be loaded and unloaded at the Manocmanoc Jetty Port area and in other areas designated by this Municipality per Section No. 2 (C) of Municipal Ordinance No. 97-110.
- Dry Docking of all watercraft is strictly prohibited except on emergency cases.

SECTION 4. - **PENALTY.** Any person or group of persons who violate any provision of this ordinance shall be fined with the amount of not more than TWO THOUSAND FIVE HUNDRED PESOS (₱2,500.00) plus confiscation of the object/s of violation and/or imprisonment of not more than fifteen (15) days at the discretion of the court. **(AMENDED BY MO # 184, s. 2003 & APPROVED SP PER RESOLUTION No. 03-193)**

SECTION 5. - **IMPLEMENTING GUIDELINES.** It shall be the duty of the Boracay Special Task Force to see to it that this Ordinance will be implemented properly thru: the help of the PNP, Philippine Coast Guard, Beach Watchers, Barangay Officials and Tanods or anybody deputized by the said office. The position of an Ordinance Officer shall be created thru another Resolution and allocating funds for the discharge of his duty.

SECTION 6. - **REPEALING CLAUSE.** Previous Ordinances, Executive Orders and Resolutions covered by these rules and regulations are hereby repealed.

SECTION 7. - **EFFECTIVITY.** This Ordinance shall take effect upon approval and fifteen (15) days after publication.

ENACTED. MARCH 2, 2000.

APPROVED. AUGUST 10, 2000.

CERTIFIED TRUE COPY:


CONCORDIA S. ALCANTARA
Secretary to the Sangguniang Bayan

APPROVED. SP RESOLUTION NO. 01-054, dtd. 2-5-01

