



Republic of the Philippines
Province of Aklan
MUNICIPALITY OF MALAY



Office of the Sangguniang Bayan

MUNICIPAL ORDINANCE NO. 97-110

AN ORDINANCE AMENDING MUNICIPAL ORDINANCE NO. 54, S. 1992 BY REGULATING THE OPERATION OF MOTORBOATS AND OTHER WATERCRAFT IN THE LONG BEACH/ShORELINE OF BORACAY ISLAND, MALAY, AKLAN.

WHEREAS, to ensure safety, convenience and satisfactory use of our visitors and tourists of the shoreline and immediate water of our attractive island;

WHEREAS, to preserve approximately 4.5 kilometers of long beach and each immediate water measured 50 meters from the low mean water, mark, designated for swimming, wading, promenading, sun bathing, photographing, strolling and other legitimate purposes which are the usual activities of our visitors in Boracay; and

WHEREAS, to avoid conflicts and risks of life and property, inconvenience on all commuters, visitors and tourist alike as a result of restricting various activities like docking anywhere in the long beach;

SECTION 1. - COVERAGE. All owner and operators of motorboats, sailboats, paddle boats and other water crafts are hereby ordained to follow the herein rules and regulations for anchoring, docking, loading and unloading, entry and exit and other related activities in the long beach areas of Boracay Island.

SECTION 2. - RULES AND REGULATIONS.

A. ANCHORING SETBACKS AND SCHEDULES.

- 1) Anchoring of all types of water crafts and seaplanes shall not be allowed in the long beach areas from Boracay Terraces Point to Lorenzo South Angol Point, however docking to load and unload passengers and other cargoes are allowed only in designated areas.
- 2) Anchoring in the long beach areas shall now be allowed in three (3) boat stations, I, II & III, provided that they drop their anchor offshore 50 meters from the lowest tide inside the two (2) bright orange marker buoy. Parking area for motorboats is 150 meters on both sides of these boat stations from 8:00 a.m. to 6:00 p.m. After 6:00 p.m. the owner/operator of these boat may move his boat near his place for safety and convenience at night. It shall be 50 meters offshore.
- 3) Another boat station shall be opened in Angol and the Pinaungon area as soon as an access road is opened here and this will be for loading and unloading only. No parking on either side will be allowed.
- 4) Rented sailboats shall also park in the designated area for parking or motorboats, while service paddleboats shall standby onshore nearby. Sailboats shall lower their sail while parking.

- 5) Designated area for docking of bigger vessels like yacht, barges and the like shall be in Cagban or Puntabunga and Sambiray - 200 meters offshore.
- B. **DRY DOCKING.** Dry docking of all boats for construction, repair and for other purposes shall not be allowed in the long beach areas from point to point of Boracay Terraces and Lorenzo South Angol Point. These beach areas reserved only for strollers and sunbathers and other kind of beach activities for the guest, tourist and the residence of Boracay Island. However, repairs of not more than seven (7) days are allowed within the vegetation line after securing permit from the barangay.
- C. **ENTRY AND EXIT, LOADING AND UNLOADING.**
- 1) Entry to and Exit from, the Long Beach area, as well as unloading of passengers from all public commercial passengers boats (on schedule) shall be conducted in designated areas fronting the boat stations.
 - 2) All beach areas 100 meters fronting the boat stations shall be open for both public and private motorized boat to load and unload their passengers and cargoes and this will be in between the orange with yellow stripe marker buoy, 150 meters on both sides of all boat stations shall be reserved for parking areas of all private boats, dive shop boats, boats for hire and other seawater crafts shall be reserved for parking area 50 meters offshore from the main water mark of the lowest tide.
 - 3) Construction materials and cargoes such as: gravel and sand, cement and hollow blocks, shall be allowed in the long beach areas at all times, provided that;
 - a) Haulers/boat owners shall use plastic canvass lining with a minimum width of two (2) meters to cover the beach and will reach from the boat up to the vegetation area.
 - b) In order to avoid any spillage of gravel and sand, it shall be placed in double sacks and be tied shut and only undamaged sacks will be used.
 - c) Hollow blocks and cement shall be placed inside a container or bag preferable made out of plastic canvass and light materials.
 - d) Haulers/boat owners is not allowed to wash sacks and boats in the waters of the white beach.
 - e) Unloading is allowed only from 5:00 A.M. to 8:00 a.m. and 6:00 p.m. to 8:00 p.m. This include other materials not mentioned above.
 - 4) Bottled drinks of more than 50 cases and block ice in sack with rice husk shall not be allowed in the beach areas at all times. Other beaches such as Cagban, Manocmanoc, Tambisaan, Lagutan, Ilig-iligan, Lapus-lapus, Puntabunga, and Yapak is designated as an alternative unloading area provided that they will put a beach lining made of plastic canvass or other materials to avoid scattering in the beach.
 - 5) No cargoes/materials is allowed to be stock piled on the beach and within TEN (10) meters from vegetation line inward in the long beach area from point to point of Boracay Terraces and Lorenzo South Angol Point.

- D. **SERVICE FOR BOATMEN.** There shall be allowed paddle boats, if necessary to service the transfer of boatmen from the beach to their boats anchored 50 meters from the shoreline and vice versa.
- E. **USE OF BUOYS.** Buoys shall be place 50 meters from the shoreline, as markers enclosing the areas reserve for loading, unloading and parking, as well as guides for entry and exit, of all boats in the long beach area.
- F. **ENFORCEMENT AGENTS.**
- 1) The Malay PNP in coordination with the Philippine Coast Guard, the Maritime Police, Barangay Officials, Barangay Tanods and other Government Agencies under the over all supervision of the Local Chief Executive and the Sangguniang Bayan members will enforce this Ordinance.
 - 2) Boat owners/operators must secure Mayor's Permit and after paying of which, numbers shall be assigned to be painted in BOLD SIZE in the motorboats and watercrafts body.

SECTION 3. - **EXEMPTIONS.** This Ordinance shall not be applied in cases of emergency where imminent danger to lives and property are at stake.

SECTION 4. - **PENALTIES FOR VIOLATION.**

- 1) Violation of this Ordinance is punishable by a fine of FIVE HUNDRED PESOS (₱500.00) on first offense, ONE THOUSAND FIVE HUNDRED PESOS (₱1,500.00) on second offense, TWO THOUSAND FIVE HUNDRED PESOS (₱2,500.00) on third offense, plus the revocation of his Mayor's Permit to operate.
- 2) Any boatman/owners whose boat shall cause the loss or destruction of any buoy or parts thereof shall be imposed the penalty of paying a fine equivalent to the cost of the buoy including installation cost.

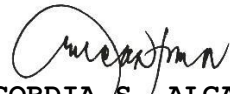
SECTION 5. - **EFFECTIVITY.** This Ordinance shall take effect FIFTEEN (15) days after approval of this Body, proper publication and public hearing.

- NOTE:**
- 1) Public Hearing was conducted October 22, 1997 at the Government Center in Balabag.
 - 2) Implementing guidelines will follow this Ordinance.

ENACTED. OCTOBER 9, 1997.

APPROVED AND ADOPTED. OCTOBER 23, 1997.

CERTIFIED TRUE COPY:


CONCORDIA S. ALCANTARA

Secretary to the Sangguniang Bayan

