



Republic of the Philippines
Province of Aklan
MUNICIPALITY OF MALAY



Office of the Sangguniang Bayan

MUNICIPAL ORDINANCE NO. 99-123

AN ORDINANCE REGULATING THE OPERATION OF MOTORBOATS ENGAGING IN BUSINESS SERVICING ISLAND HOPPING AND OTHER WATER SPORTS ACTIVITIES, AND PRESCRIBING PENALTIES IN VIOLATION THEREOF.

(SPONSOR: HON. FROLIBAR S. BAUTISTA)

Be it ordained by the Sangguniang Bayan of Malay, Aklan, assembled that,

SECTION 1. - **ORDAINING CLAUSE.** No motorboat owners/operators, crews is allowed to engage in this kind of business activity without first securing Municipal License or Mayors Permit in this Municipality.

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

"ISLAND HOPPING" - an activities wherein tourist (local or foreigner) uses the services of motorboats for a fee to tour around the Island of Boracay or to visit other beaches and coves.

"OTHER WATER SPORTS ACTIVITIES" - motorboats hired by tourist (local or foreigner) and Scuba Dive Shop owners for fishing, snorkeling and scuba diving purposes.

SECTION 3. - Requirements before issuance of Municipal License or Mayor's Permit:

(a) **FOR CREWS:**

- (1) Barangay Clearance and Certification of Good Moral Character.
- (2) Certificate of Good Health by the Municipal Health Officer.
- (3) Certificate that the applicant had undergone Training on First Aide and Rescue Operation.

(b) **FOR MOTORBOATS:**

- (1) Receipts of Premium payment for Accidental Insurance.
- (2) Endorsement from Boracay Island Hopping Association (BIHA).

SECTION 4. - **GUIDELINES FOR OPERATION.**

A. **SNORKELING AREA:**

- (1) Five (5) mooring buoy shall be installed within the identified snorkeling areas by BIHA members in coordination with LGU and Philippine Coast Guard. (See Annex A).
- (2) Motorboats shall be tied in the mooring buoy to avoid throwing of anchors.
- (3) Catching of fish, collection of shells and other marine products is strictly prohibited.

B. PARKING AREA/LOADING AND UNLOADING

(1) The following are designated area for parking/loading and unloading of passengers:

- FRONTING** -
- 1) Club Panoly
 - 2) Pearl of the Pacific
 - 3) Bans Beach Resort
 - 4) Red Coconut Resort
 - 5) Regency Hotel
 - 6) Delos Santos Place
 - 7) 357 Resort
 - 8) Fridays Resort

(2) Passengers must be ready before docking of motorboats for departure.

(3) Motorboat must setback after unloading as per Municipal Ordinance 97-110.

(4) Entry and Exit of motorboats is allowed only in designated loading and unloading area.

SECTION 5. - ID's shall be issued by the Mayor's Office to crews and must be displayed during operation.

SECTION 6. - Other business like serving foods, drinks, liquors and beverages is strictly prohibited.

SECTION 7. - Trash cans is required, and shall be installed during operation.

SECTION 8. - **REPEALING CLAUSE**. Any ordinance inconsistent herewith is hereby repealed or modified.

SECTION 9. - **PENAL CLAUSE**. Any violation of any provision of this Ordinance shall be fined FIVE HUNDRED PESOS (₱500.00) in first offense, ONE THOUSAND PESOS (₱1,000.00) in second offense and ONE THOUSAND FIVE HUNDRED PESOS (₱1,500.00) in third offense and revocation of Mayor's Permit and or imprisonment of not more than two (2) months or both at the discretion of the court.

SECTION 10. - **EFFECTIVITY**. This ordinance shall take effect upon approval and proper publication.

ENACTED. NOVEMBER 11, 1999.

APPROVED. NOVEMBER 25, 1999.

CERTIFIED TRUE COPY:


CONCORDIA S. ALCANTARA

Secretary to the Sangguniang Bayan

APPROVED. SP RESOLUTION NO. 2000-24-A, dtd. 1-10-2000

