



Republic of the Philippines  
Province of Aklan  
MUNICIPALITY OF MALAY



*Office of the Sangguniang Bayan*

**MUNICIPAL ORDINANCE NO. 157**  
Series of 2002

**AN ORDINANCE REGULATING THE OPERATION OF MOTORBOATS AND OTHER SEACRAFT IN BORACAY, DESIGNATING MOORING AREAS FOR SUCH AND PROVIDING PENALTIES FOR VIOLATION THEREOF.**

SECTION 1. - **MOORING AREAS.** Areas between Cagban and Lorenzo South; Din-iwid and Fridays are designated as mooring areas for all motorboats and seacrafts not beyond eighteen (18) gross tons. Seacrafts beyond twenty five (25) gross tons shall moor at Sambiray Port or Caticlan or Five Hundred (500) meters off-shore Angol Point.

SECTION 2. - **EMBARKING AND DISEMBARKING.** Embarking and disembarking of passengers by all sea transport services, including those for sea sports activities, boating and snorkeling shall only be done at any of the existing boat stations.

SECTION 3. - **SEA LANES. RESTRICTIONS.** Seacrafts are prohibited to moor within the designated sea lanes between Caticlan and Boracay route.

SECTION 4. - **PROVISION OF FACILITIES.** Except for Caticlan and Sambiray, the Local Government of Malay shall construct a watch tower along the beach adjacent to these mooring areas; provide and install buoys enclosing such; provided communication facilities and service paddle boats; and establish police outpost in each of these identified mooring areas.

SECTION 5. - **TOWING AND IMPOUNDMENT.** Motorboats apprehended, towed and impounded in accordance with the provisions of this ordinance shall be charged FIVE HUNDRED PESOS (₱500.00) towing fee and TWO HUNDRED PESOS (₱200.00) per day impounding fee which must be paid before such vessel shall be released to the owner or his representative. Upon apprehension, the boat owner shall sign a waiver relieving the LGU - Malay or its impounding agency of any liability from losses, damages or wreckages of said impounded seacraft.

SECTION 6. - **RESTRICTIONS.** Caticlan-Boracay Transport and Multi-Purpose Cooperative (CBTMPC) Scheduled Boats. CBTMPC scheduled motorboats shall only be permitted to park not more than five (5) motorboats at Station I, not more than three (3) motorboats at Station 2 and Station 3, respectively, at a time: Provided, that only two boats at a time shall be allowed to park directly at the beach and the rest shall observe the One Hundred (100) meter setback requirement.

SECTION 7. - **PENALTIES.** Operators/owners and boatmen of motorboats and other seacrafts who violate any provision of this ordinance except Section 3, shall suffer the following penalties.

A) Frequency of Commission	<b>Operator/Owner</b>	<b>Boatmen</b>
<b>FIRST OFFENSE</b>	<b>Stern Warning:</b> FIVE HUNDRED PESOS (₱500.00)	<b>Stern Warning:</b> FIVE HUNDRED PESOS (₱500.00)

<b>SECOND OFFENSE</b>	Cancellation of Mayor's Permit to operate; TWO THOUSAND FIVE HUNDRED PESOS (₱2,500.00). Impoundment of the motorboat for three (3) days.	Cancellation of Mayor's Permit; FIVE HUNDRED PESOS (₱500.00) per boatman, five (5) days community service (beach cleaning).
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B) Violators of Section 3 of this ordinance shall suffer a penalty of TWO THOUSAND FIVE HUNDRED PESOS (₱2,500.00).

SECTION 8. - **AMENDING CLAUSE.** Provisions of Ordinance No. 54, S. 1992 as amended by Ordinance No. 110, S. 1997 or any ordinance prior to this promulgation which are inconsistent with any of the provisions of this ordinance shall be deemed amended by this promulgation.

SECTION 9. - **EFFECTIVITY.** This ordinance shall take effect immediately upon approval.

**ENACTED.** APRIL 3, 2002.

**APPROVED.** APRIL 24, 2002.

CERTIFIED TRUE COPY:



**CONCORDIA S. ALCANTARA**

Secretary to the Sangguniang Bayan

**APPROVED. SP RESOLUTION NO. 02-255, , 8-2-02**

