



Republic of the Philippines
Province of Aklan
MUNICIPALITY OF MALAY



Office of the Sangguniang Bayan

MUNICIPAL ORDINANCE NO. 199

Series of 2003

AN ORDINANCE REGULATING THE OPERATION OF WATER SKIS, JET SKIS, PARA-SAILING, BANANA BOAT RIDING AND OTHER AQUA SPORTS ACTIVITIES DESIGNATING AREA OF OPERATION AND PRESCRIBING PENALTIES FOR VIOLATION THEREOF.

SECTION 1. - **OWNERSHIP LIMITATION.** No person, natural or juridical, shall be allowed to own or operate more than four (4) units jet ski and one (1) unit water ski within the municipal waters of Malay.

SECTION 2. - **MARKINGS. IDENTIFICATION.** Owner/Operators shall inscribe the name of the entity or organization and the designated number on the body of the Jet Ski unit.

SECTION 3. - **AREA OF OPERATION. JET SKI.** The area five hundred (500) meters, but in, no case beyond six hundred (600) meters offshore, stretching from Boracay Terraces to Station 1 and the area three hundred (300) meters, but in no case beyond five hundred (500) meters offshore stretching from Lapus-lapus, Bolabog to Tulubhan are designated as the areas for jet ski operation.

SECTION 4. - **AREA OF OPERATION. WATER SKI.** The area five hundred (500) meters; but in no case beyond six hundred (600) meters offshore, stretching from Station I to Red Coconut is designated as water ski operation.

SECTION 5. - **AREA OF OPERATION. PARA-SAILING.** The area five hundred (500) meters offshore, stretching from Station 1 to Angol Point, is designated as area for para-sailing operation.

SECTION 6. - **AREA OF OPERATION. BANANA BOAT RIDING.** The area two hundred (200) meters offshore but not beyond three hundred (300) meters, stretching from Boracay Terraces to Station 3 is designated as area for banana boat riding operation.

SECTION 7. - **UNITS IN OPERATION. LIMITATION.** A maximum of twenty four (24) jet ski and six (6) water ski units shall be allowed to operate, at the same time, within its respective area of operation. Water ski operator however shall be limited to operate one water ski at a time.

SECTION 8. - **Operation Policies.** The following operation policies shall be strictly observed.

- a) Serving foods and/or drinks from, to and within the gaming area is prohibited.
- b) All pick-ups and beaching of jet ski, water ski, para-sailing and banana boat riding equipment and gamers shall only be done at any of the identified boat station or LGU designated points for such purpose.
- c) Jet skiing, water skiing, para-sailing and banana boat riding shall only be allowed from sunrise to sunset and only during good weather.

- d) Jet ski units shall be towed to the gaming area or at least one hundred (100) meters offshore. In the case of the latter, the jet ski unit must be driven to the gaming area by the operator's licensed driver. In beaching the jet ski units, same procedures shall be observed.
- e) Games for para-sailing and banana boat riding shall mount on their respective game facilities within their respective game areas.
- f) Within the respective gaming area, clockwise direction of sea craft movements shall be observed at all times.

SECTION 9. - **REQUIRED EQUIPMENT. JET AND WATER SKI OPERATORS.** Every jet and/or water ski operator shall maintain the following operational equipment:

- a) Binocular
- b) Two (2) Way Radio
- c) Rescue Boat/Craft
- d) Raft Measuring 100 sq. meters.

SECTION 10. - **PERMIT REQUIREMENTS.** The following requirements are pre-requisites for issuance of Mayor's Permit to Operate.

- a) Inspection Certificate from Municipal Transportation Officer for the sea worthiness of the sea-crafts used in the business.
- b) Favorable endorsement from LGU accredited association or entity within which applicant is classified.
- c) Payment of taxes and regulatory fees as provided by the Municipal Revised Revenue Code.

SECTION 11. - **PENALTIES.** The following penalties shall be imposed to those who violate any provision of this ordinance.

| FREQUENCY | RENTER | PENALTY OPERATOR/OWNER |
|-----------------------------|-----------|--|
| First & Second Offense | ₱1,000.00 | ₱1,000.00 impoundment |
| Third & Subsequent Offenses | 1,000.00 | ₱2,500.00 and cancellation of Mayor's Permit to operate. |

SECTION 12. - **REPEALING CLAUSE.** All other ordinances, rules and regulations, or parts thereof, whose provisions are in conflict with, or contrary to, the provisions of this ordinance are hereby repealed, amended or modified accordingly.

SECTION 13. - **EFFECTIVITY.** This ordinance shall take effect upon approval and proper publication.

ENACTED. MARCH 26, 2003.

APPROVED. SEPTEMBER 3, 2003.

CERTIFIED TRUE COPY:


CONCORDIA S. ALCANTARA
 Secretary to the Sangguniang Bayan

APPROVED. SP RESOLUTION NO. 04-138, dtd. 6-18-04

