



Republic of the Philippines
Province of Aklan

MUNICIPALITY OF MALAY

Office of the Sangguniang Bayan



EXCERPT FROM THE MINUTES OF THE 25TH REGULAR SESSION OF THE SANGGUNIANG BAYAN OF MALAY, AKLAN (2007-2010) HELD AT THE SB SESSION HALL ON JULY 9, 2008.

Present:

- SB Member Esel L. Flores, Presiding Officer Pro-Tempore
- SB Member Gideon T. Siñel
- SB Member Rowen T. Aguirre
- SB Member Cristina C. Prado
- SB Member Dante C. Pagsuguiron
- SB Member Mateo A. Tayco
- SB Member Roldan M. Casidsid, Liga President
- SB Member Niño Elpe D. De Sullan, SK Federation President

Absent:

- Hon. John P. Yap, Municipal Vice Mayor
- SB Member Wilbec M. Gelito
- SB Member Charlie D. Villanueva

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MUNICIPAL ORDINANCE NO. 256
Series of 2008

AN ORDINANCE REGULATING THE ESTABLISHMENT & OPERATION OF ALL BOARDING HOUSES AND DORMITORIES IN THE MUNICIPALITY OF MALAY, PRESCRIBING PENALTIES FOR VIOLATION THEREOF, AND FOR OTHER PURPOSES.

SECTION 1. - **RATIONALE.** Observable is the fact that boarding houses and dormitories in the Municipality of Malay, particularly in the Island of Boracay, is a thriving business. Such business interest however poses health, safety and environmental concerns which must be addressed squarely through appropriate regulations hence this legislation.

SECTION 2. - **DEFINITION OF TERMS.** As used in this Ordinance, the following words or phrases shall mean:

BOARDING HOUSE/BED SPACE/DORMITORY - any place of abode or any part of a residential house where an occupant stays for a fee for food and/or lodging purposes regardless of the length of stay;

BOARDER OR BED SPACER - refers to the occupant of any place or space for rent for food and/or lodging purposes regardless of the length of stay.

SECTION 3. - **REGULATORY POLICIES.** All boarding houses, bed spaces and dormitories shall strictly observe the following regulatory policies:

- a) Boarding houses, bed spaces and dormitories, of whatever nature, shall be considered business establishments hence shall be required to secure respective annual business and sanitary permits to operate. Certification from the Municipal Engineering Office and the Municipal Zoning Office on the structural aspect of the building, as required by the nature of business applied, and the zonal requirements compliance of the same, respectively, are requisites for the procurement of the above-stated permits/licenses.

- b) Applicants for business permits/licenses to operate boarding houses, bed spaces and/or dormitories must indicate the number of occupants such can accommodate and in no case shall be permitted to accommodate dwellers or boarders beyond the number stipulated therein;
- c) A fire exit shall be provided, location of such must be accessible from the various points of occupancy by way of unhampered passage way/s with a width of no less than one (1) meter of space;
- d) A separate comfort rooms for male and female, at a ratio of one (1) toilet bowl for every five occupants, shall be maintained and availability of water in the maintenance of the same must be in place at all times;
- e) Garbage receptacles shall be provided every room and disposal garbage shall be made regularly as not to pose sanitary problems to the occupants and the surroundings, in general;
- f) The owners shall set rules for the occupants pursuant to the relevant provisions of R.A. 9003 and other local legislations on environmental health and sanitation.

SECTION 4. - **PENALTY.** In case of violation of any of the provision of this Ordinance, the license and permit to operate shall, after due hearing, be revoked and the grantee of such permit or license to operate shall, upon conviction thereof, be fined of not less than ONE THOUSAND PESOS nor more than TWO THOUSAND FIVE HUNDRED PESOS or imprisonment of not less than seven days or more than ninety days, or both, at the discretion of the court.

SECTION 5. - **REPEALING CLAUSE.** All existing ordinances or parts thereof, which are inconsistent with the provisions of this ordinance, are hereby repealed.

SECTION 6. - **EFFECTIVITY.** This Ordinance shall take effect upon its approval.

ENACTED. JUNE 11, 2008.

APPROVED. JULY 9, 2008.

APPROVED. SP RESOLUTION NO. 2008-284, dtd. 8-28-08

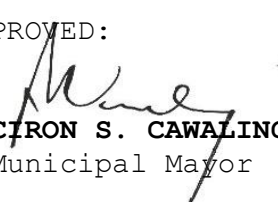
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I HEREBY CERTIFY to the correctness of the afore-quoted Municipal Ordinance.


CONCORDIA S. ALCANTARA
 Secretary to the Sangguniang Bayan

ATTESTED:


ESEL L. FLORES
 SB Member
 Presiding Officer Pro-Tempore

APPROVED:

CECIRON S. CAWALING
 Municipal Mayor