



Republic of the Philippines
Province of Aklan
MUNICIPALITY OF MALAY



Office of the Sangguniang Bayan

EXCERPT FROM THE MINUTES OF THE 10TH REGULAR SESSION OF THE SANGGUNIANG BAYAN OF MALAY, AKLAN (2010-2013) HELD AT THE SB SESSION HALL, POBLACION, MALAY, AKLAN ON MARCH 19, 2013.

Present:

Hon. Ceciron S. Cawaling, Municipal Vice Mayor, Presiding Officer
SB Member Wilbec M. Gelito
SB Member Esel L. Flores
SB Member Rowen T. Aguirre
SB Member Natalie C. Paderes
SB Member Dante C. Pagsugiron
SB Member Paterno S. Sacapaño Jr.
SB Member Ric P. Calvario, Liga President
SB Member Cristina R. Daguno, SK Federation President

Absent:

SB Member Jonathan C. Cabrera (leave)
SB Member Jupiter Aelred G. Gallenero (OB)

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MUNICIPAL ORDINANCE NO. 325
Series of 2013

AN ORDINANCE REGULATING THE TRANSPORT AND DISPLAY OF BAMBOO POLES/BAMBOO SLATS IN THE ISLAND OF BORACAY.

(SPONSOR: HON. DANTE C. PAGESUGIRON)

SECTION 1. **RATIONALE.** Safety, security and convenience of the travelling public are the primary concern of the Municipality. Traffic congestion remains to be a principal issue in the island, proof of which are various complaints received from local and foreign tourists. Unregulated transport and delivery of commercial materials, bamboos to be specific, contributes to this predicament. Thus, the formulation of this ordinance.

SECTION 2. **DEFINITION OF TERMS.** For the purpose of this ordinance, the following terms shall mean:

- a. **BAMBOO POLES** - a long straight piece of bamboo usually with a round cross-section with a length of more than four (4) meters.
- b. **COVERAGE** - the extent of an area in which bamboos are delivered, displayed and sold. This includes all the main roads and access roads in the island of Boracay.
- c. **DISPLAY** - the extent and stockpiling of bamboo products intended for sale.
- d. **MODE OF CONVEYANCE** - any four wheeled vehicle not exceeding 4.5 gross tonnage, motorized tricycle, top down, push cart or pedicabs used in transporting bamboos.
- e. **OPERATOR** - includes the owner, manager, administrator, or any other person who operates or is responsible for the operation of a business establishment or undertaking.

- f. **ROAD** - shall mean any main roads or access roads, or any secondary or tertiary road network leading to the centers of population, commerce or trades and tourism sites within the island of Boracay. This includes the path walk along the front beach.
- g. **SLATS** - is a long, thin, flat piece of bamboo parts spliced from the bamboo poles with a length of not more than four (4) meters.

SECTION 3. RULES AND REGULATION.

- a. The designated loading area of all bamboos transported from the mainland shall be in Manoc-manoc proper.
- b. Bamboo poles shall be delivered/transported within the island from 4:00 o'clock in the morning to 6:00 o'clock in the morning and 10:00 o'clock in the evening to 12:00 o'clock in the evening, while bamboo slats may be transported anytime provided it does not exceed 12 feet in length.
- c. Transport operators transporting bamboo poles and slats are required to display reflectorized stickers visible from fifty (50) meters away of the tail end of the bamboo being transported in size and color noticeable and identifiable by tailing vehicles while in transit.

SECTION 4. SPECIAL PERMIT. Transport of bamboos in the front beach shall be allowed only upon issuance of a Special Permit.

SECTION 5. PROHIBITED ACTS.

- a. It shall be unlawful for any person/entity to transport bamboo poles in all main roads and access roads at anytime of the day not specified in the rules and regulation above.
- b. It shall be unlawful for any trader/business proprietor to store or display bamboo poles and bamboo slats outside the coverage area, thereby obstructing the 3.5 meter road setback area provided in Sec. 21 of Municipal Ordinance No. 2000-130 (Revised Zoning Regulation).

SECTION 6. PENALTY. Any person in violation of Section 4 hereof shall pay a fine of TWO THOUSAND FIVE HUNDRED PESOS (₱2,500.00). In addition, the apprehended articles shall be forfeited in favor of the local government.

SECTION 7. SEPARABILITY CLAUSE. If any part or provision of this Ordinance shall be declared invalid or unconstitutional, the remainder shall not be affected thereby.

SECTION 8. REPEALING CLAUSE. All ordinance, resolutions and rules and regulations or parts thereof inconsistent with the provision of this Act are hereby repealed or modified accordingly.

SECTION 9. EFFECTIVITY. This Ordinance shall take effect following its completion of publication.

ENACTED. DECEMBER 4, 2012.

APPROVED. MARCH 19, 2013.

APPROVED. SP RESOLUTION NO. 2013-077, dtd. 4-17-13


PUBLISHED. MADYAAS PEN, dtd. 7-6, 13 & 20, 2013

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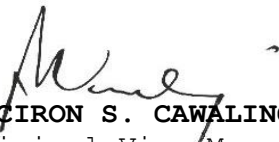
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I HEREBY CERTIFY to the correctness of the afore-quoted Municipal Ordinance.


CONCORDIA S. ALCANTARA
Secretary to the Sangguniang Bayan

ATTESTED:


CECIRON S. CAWALING
Municipal Vice Mayor
Presiding Officer

APPROVED:


JOHN P. YAP
Municipal Mayor