



Republic of the Philippines
Province of Aklan
MUNICIPALITY OF MALAY



Office of the Sangguniang Bayan

**EXCERPT FROM THE MINUTES OF THE 7TH REGULAR SESSION OF THE
SANGGUNIANG BAYAN OF MALAY, AKLAN (2013-2016) HELD AT THE
SB SESSION HALL, POBLACION, MALAY, AKLAN ON MARCH 11,
2014.**

Present:

Hon. Wilbec M. Gelito, Municipal Vice Mayor, Presiding Officer
SB Member Natalie C. Paderes
SB Member Rowen T. Aguirre
SB Member Frolibar S. Bautista
SB Member Danilo G. Delos Santos
SB Member Leal B. Gelito
SB Member Paterno S. Sacapaño Jr.
SB Member Manuel S. Delos Reyes
SB Member Abram L. Sualog, Liga President

Absent:

SB Member Jupiter Aelred G. Gallenero (OB)

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MUNICIPAL ORDINANCE NO. 331
Series of 2014

**AN ORDINANCE REGULATING FIRE DANCING SHOWS IN BORACAY
ISLAND AND PROVIDING PENALTIES FOR VIOLATION THEREOF.**

(AUTHORED BY: HON. FROLIBAR S. BAUTISTA)

SECTION 1. RATIONALE. Boracay Island earned its status as the world's premier tourist destination because of its pristine, powdery white sand beach. Fire dancing, a hottest night attraction in the island, has been ascertained by the Department of Environment and Natural Resources (DENR) as harmful and detrimental as the fuel used leaves black stains that pollutes the pristine white sand. Endless campaign to conserve, preserve and protect the island from man-made destruction remains a top priority of the local government, hence, this piece of legislation.

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

- a. **FIRE DANCING** - a dance performed by an individual or group of persons using a poi or torch.
- b. **FIRE DANCERS** - an individual or group of persons performing fire dancing.
- c. **POI/TORCH** - any small container that uses kerosene or any other flammable chemicals used by fire dancers. (*Torch - a rod-shaped piece of wood with fabric wrapped around one end and soaked in a flammable chemical.*)
- d. **VEGETATION AREAS** - that portion of the beach immediately adjacent to the path road or the main road, as the case maybe, where plants thrives.

- e. **PLATFORM/LINING** - any covering materials that protect the powdery white sand from leakages of kerosene or any other flammable material.
- f. **CONTAINERS** - where kerosene or any other flammable chemicals are stored.
- g. **ESTABLISHMENTS** - refers to hotels/resorts, restaurants and bars.
- h. **SPECIAL EVENTS** - any sponsored activities making fire dancing a part of their entertainment.
- i. **DECENT COSTUME** - any appropriate attire with a decent look.
- j. **KEROSENE OR ANY OTHER FLAMMABLE CHEMICALS** - used in igniting or lighting the poi or torch.

SECTION 3. RULES AND REGULATION.

1. Fire dancing shall be allowed only in the vegetation areas.
2. Establishments using fire dancing show as part of their regular entertainment shall secure Mayor's Permit.
3. Fire Dancers shall secure a Health Certificate, a Mayor's Permit and an Occupational Permit.
4. The poi/torch must be handled properly, secured and safety measures must be observed.
5. Kerosene or any flammable material on containers shall be securely covered to avoid leakages.
6. Fire dancers must be wearing decent costumes.

SECTION 4. PROHIBITED ACTS.

1. It shall be unlawful to any person or group of persons to perform Fire Dancing shows on the beaches, path road or pathways and offshore waters of Boracay.
2. It shall be unlawful for any establishment making fire dancing activity as part of their entertainment during special events on the beach without first securing Mayor's Permit.
3. It shall be unlawful for fire dancers or the establishment to put out the fires of the poi or torch using the white sands of the Island.

SECTION 5. **EXEMPTION.** The Office of the Mayor shall issue permit for fire dancing shows on special events on the beach provided that a platform and lining covering the white sand shall be installed in the areas where the show is being held.

SECTION 6. **PENALTY.** Any establishment in violation of the preceding sections shall pay a fine of TWO THOUSAND FIVE HUNDRED PESOS (₱2,500.00)

Any fire dancer or group of fire dancers in violation of the preceding sections hereof shall pay a fine of Two Thousand Five Hundred Pesos (₱2,500.00) and confiscation of fire dancing paraphernalia.

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 Ordinance are hereby repealed or modified accordingly.

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

ENACTED. AUGUST 13, 2013.

APPROVED. MARCH 11, 2014.

APPROVED. SP RESOLUTION NO. 099, S. 2014, dtd. 5-21-14

PUBLISHED. MADYAAS PEN, dtd. 6-7, 14 & 21, 2014

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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:


WILBEC M. GELITO
Municipal Vice Mayor
Presiding Officer

APPROVED:


JOHN P. YAP
Municipal Mayor