



Republic of the Philippines  
Province of Aklan  
**MUNICIPALITY OF MALAY**



*Office of the Sangguniang Bayan*

**EXCERPT FROM THE MINUTES OF THE 28<sup>TH</sup> REGULAR SESSION OF THE SANGGUNIANG BAYAN OF MALAY, AKLAN (2001-2004) HELD AT THE SESSION HALL ON SEPTEMBER 4, 2002.**

Present:

- SB Member Ralf A. Tolosa, Presiding Officer Pro-Tempore
- SB Member John P. Yap
- SB Member Abcedes S. Dela Torre
- SB Member Charlie D. Villanueva
- SB Member Julieta A. Aron
- SB Member Allan T. Bigueja
- SB Member Leny S. Sacapaño
- SB Member Dante C. Pagsuguiron
- SB Member Ladd E. Cahilig, SK Federation Presiding

Absent:

- Hon. Frolibar S. Bautista, Vice Mayor (OB)
- SB Member Joel V. Gelito, Liga President

X

X

X

**MUNICIPAL ORDINANCE NO. 173**  
Series of 2002

**AN ORDINANCE AMENDING SECTION 10, PARAGRAPHS B AND C (PENALTIES) OF MUNICIPAL ORDINANCE NO. 2000-131 ORDINANCE AMENDING MUNICIPAL ORDINANCE NO. 96-97 REGULATING THE CONSTRUCTION OF ALL BUILDINGS AND OTHER STRUCTURES IN THE ISLAND OF BORACAY.**

SECTION 1. - **Amendment.** Section 10, Paragraphs b and c of Municipal Ordinance No. 96-97 shall read as follows:

- b) The service by the Zoning Officer and Municipal Engineer of a written Notice of Violation to the owner, project proponent, architect, engineer, foreman or any person in charge of the construction of the building or structure shall have the effect of immediately canceling or revoking the Zoning and Building Permits issued to the project and shall be prima facie evidence that the building or structure is being or has been constructed in violation of the provisions of this Ordinance. A fine of TWO THOUSAND FIVE HUNDRED PESOS (₱2,500.00) shall imposed against the owner, contractor, foreman and/or the Civil/Supervising Engineer should they continue to undertake works despite the Notice of Violation. Continued defiance of the Notice may result to suspension of contractor's and/or Civil Engineer's privilege to practice profession within the jurisdiction of Malay upon recommendation of the Zoning Officer and/or Municipal Engineer as the case may be, to the Sangguniang Bayan, through a resolution of the latter and with the concurrence of the Municipal Chief Executive.

SECTION 2. - Section 10 paragraph c of Municipal Ordinance No. 96-97 shall read as follows:

c) Upon receipt of Notice of Violation, the owner, project proponent, architect, engineer, foreman or any person in charge of the construction immediately stop or discontinue the works being undertaken on the building or structure constituting the violation until the Zoning Officer and Municipal Engineer has issued a written authorization to resume the works. Should the owner, project proponent, architect, engineer or foreman or any person in charge of construction of the building or structure disregard the Notice of Violation and continue to undertake the works, the owner or the project proponent of the offending structure or any part or portion thereof, without prejudice to the provisions of the preceding paragraphs, shall be asked to demolish the same within fifteen (15) days from receipt of Notice of Demolition. Should the owner or project proponent fails to demolish the said violating building/structure within the given period, the Local Government shall demolish the same at the expense of the owner or project proponent.

SECTION 3. - **EFFECTIVITY.** This Ordinance shall take effect upon approval and publication.

**ENACTED.** AUGUST 14, 2002.

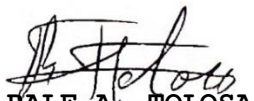
**APPROVED.** SEPTEMBER 4, 2002.

**APPROVED. SP RESOLUTION NO. 02-352, dtd. 10-18-2002.**

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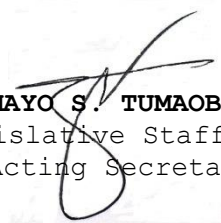
I HEREBY CERTIFY to the correctness of the afore-quoted Municipal Ordinance.

ATTESTED:


  
**RALE A. TOLOSA**

SB Member

Presiding Officer Pro-Tempore

  
**MAYO S. TUMAOb**  
Local Legislative Staff Asst. III  
Acting Secretary

APPROVED:

  
**CECIRON S. CAWALING**  
Municipal Mayor