MUNICIPALITY OF MALAY
Office of the Sangguniang Bayan

EXCERPT FROM THE MINUTES OF THE 1ST REGULAR SESSION OF THE
SANGGUNIANG BAYAN OF MALAY, AKLAN (2007-2010) HELD AT THE
SB SESSION HALL ON JULY 12, 2007.

Present:
Hon. John P. Yap, Municipal Vice Mayor, Presiding Officer
SB Member Wilbec M. Gelito
SB Member Gideon T. Siñel
SB Member Esel L. Flores
SB Member Rowen T. Aguirre
SB Member Cristina C. Prado
SB Member Charlie D. Villanueva
SB Member Dante C. Pagsuguiron
SB Member Mateo A. Tayco
SB Member Nolasco V. Claud, Liga President

Absent:
SB Member Ladd E. Cahilig, SK Federation President

AN ORDINANCE REGULATING SAND CASTLE MAKING ON THE BEACHES
AROUND BORACAY ISLAND.

(Sponsor: Hon. Dante C. Pagsuguiron)

SECTION 1. - RATIONALE. Huge quantity of sand is moved to make big sand castles utilized as photography backdrops for a fee. This daily unregulated commercial activity tinkers with the natural terrain of the beach resulting to prolonged presence of irregular contours which affect the natural symmetry of the beach. Hence this piece of legislation.

SECTION 2. - REGULATORY POLICIES. Sand castle making on the beaches of Boracay shall be regulated by the following policies:

a) Sand castle making, purpose of which is to be utilized as photography backdrop or any other purposes for a fee, shall be strictly prohibited. Promotional and/or special event issued with proper Mayor’s Permit, however, may include sand castle making as an activity provided that the same is declared in the permit and shall be conducted within the designated sand castle making areas and payment of proper sand castle building regulatory fees.

b) So as not to hamper pedestrian flow along the beach, sand castle making, as part of a promotional and/or special event, shall not be conducted within the six (6) meter stretch from the edge of the vegetation area towards the beach. Further, it shall be strictly prohibited of anybody to move any amount of sand outside the three (3) square meter area within which the sand castle is built.

c) Leveling of the castle made and area clean up shall be the primary responsibilities of the activity proponent/s hence it shall be mandatory for the proponents to restore the original terrain of the beach after the sand castle making activity was conducted.
SECTION 3. - SAND CASTLE MAKING REGULATORY FEE. Proponents of any promotional and/or special events, having to include sand castle making activity shall pay a sand castle building regulatory fee of ONE HUNDRED PESOS (₱100.00) per square meter per day of the space utilized for said purpose, but not to exceed five (5) days.

SECTION 4. - PENALTY. Violator/s of any provision of this ordinance shall be fined TWO THOUSAND FIVE HUNDRED PESOS (₱2,500.00) per infraction. On the second and subsequent offenses, an additional penalty of no less than thirty (30) days imprisonment shall be imposed depending on the discretion of the court.

SECTION 5. - AMENDMENTS. Any ordinance, rules and regulations, or parts thereof, provisions of which are in conflict with, or contrary to the provisions of this ordinance are hereby repealed, amended and modified accordingly.

SECTION 6. - EFFECTIVITY. This ordinance shall take effect upon its approval and proper publication.


APPROVED. JULY 12, 2007.

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

CONCORDIA S. ALCAÑTARA
Secretary to the Sangguniang Bayan

ATTESTED:

JOHN P. YAP
Municipal Vice Mayor
Presiding Officer

CECIRON S. CAWALING
Municipal Mayor

APPROVED: SP RESOLUTION NO. 07-126, dtd. 9-13-07