MUNICIPAL ORDINANCE NO. 99-123

AN ORDINANCE REGULATING THE OPERATION OF MOTORBOATS ENGAGING IN BUSINESS SERVICING ISLAND HOPPING AND OTHER WATER SPORTS ACTIVITIES, AND PRESCRIBING PENALTIES IN VIOLATION THEREOF.

(Sponsor: Hon. Frolibar S. Bautista)

Be it ordained by the Sangguniang Bayan of Malay, Aklan, assembled that,

SECTION 1. - ORDAINING CLAUSE. No motorboat owners/operators, crews is allowed to engage in this kind of business activity without first securing Municipal License or Mayor’s Permit in this Municipality.

SECTION 2. - DEFINITION OF TERMS.

“ISLAND HOPPING” - an activities wherein tourist (local or foreigner) uses the services of motorboats for a fee to tour around the Island of Boracay or to visit other beaches and coves.

“OTHER WATER SPORTS ACTIVITIES” - motorboats hired by tourist (local or foreigner) and Scuba Dive Shop owners for fishing, snorkeling and scuba diving purposes.

SECTION 3. - Requirements before issuance of Municipal License or Mayor’s Permit:

(a) FOR CREWS:
   (1) Barangay Clearance and Certification of Good Moral Character.
   (2) Certificate of Good Health by the Municipal Health Officer.
   (3) Certificate that the applicant had undergone Training on First Aide and Rescue Operation.

(b) FOR MOTORBOATS:
   (1) Receipts of Premium payment for Accidental Insurance.
   (2) Endorsement from Boracay Island Hopping Association (BIHA).

SECTION 4. - GUIDELINES FOR OPERATION.

A. SNORKELING AREA:
   (1) Five (5) mooring buoy shall be installed within the identified snorkeling areas by BIHA members in coordination with LGU and Philippine Coast Guard. (See Annex A).
   (2) Motorboats shall be tied in the mooring buoy to avoid throwing of anchors.
   (3) Catching of fish, collection of shells and other marine products is strictly prohibited.
B. **Parking Area/Loading and Unloading**

(1) The following are designated area for parking/loading and unloading of passengers:

**Fronting**
- 1) Club Panoly
- 2) Pearl of the Pacific
- 3) Bans Beach Resort
- 4) Red Coconut Resort
- 5) Regency Hotel
- 6) Delos Santos Place
- 7) 357 Resort
- 8) Fridays Resort

(2) Passengers must be ready before docking of motorboats for departure.

(3) Motorboat must setback after unloading as per Municipal Ordinance 97-110.

(4) Entry and Exit of motorboats is allowed only in designated loading and unloading area.

**SECTION 5.** - ID’s shall be issued by the Mayor’s Office to crews and must be displayed during operation.

**SECTION 6.** - Other business like serving foods, drinks, liquors and beverages is strictly prohibited.

**SECTION 7.** - Trash cans is required, and shall be installed during operation.

**SECTION 8.** - **Repealing Clause.** Any ordinance inconsistent herewith is hereby repealed or modified.

**SECTION 9.** - **Penal Clause.** Any violation of any provision of this Ordinance shall be fined FIVE HUNDRED PESOS (₱500.00) in first offense, ONE THOUSAND PESOS (₱1,000.00) in second offense and ONE THOUSAND FIVE HUNDRED PESOS (₱1,500.00) in third offense and revocation of Mayor’s Permit and or imprisonment of not more than two (2) months or both at the discretion of the court.

**SECTION 10.** - **Effectivity.** This ordinance shall take effect upon approval and proper publication.

**ENACTED.** NOVEMBER 11, 1999.

**APPROVED.** NOVEMBER 25, 1999.

CERTIFIED TRUE COPY:

CONCÓRDIA S. ALCANTARA
Secretary to the Sangguniang Bayan

**APPROVED. SP RESOLUTION NO. 2000-24-A, dtd. 1-10-2000**