

Republic of the Philippines
 Province of Iloilo
 Municipality of Tigbauan
 -00o-

OFFICE OF THE SANGGUNIANG BAYAN

MINUTES OF THE REGULAR SESSION OF THE HONORABLE SANGGUNIANG BAYAN, TIGBAUAN, ILOILO HELD AT THE CONFERENCE ROOM, TIGBAUAN MUNICIPAL BUILDING, TIGBAUAN, ILOILO ON SEPTEMBER 18, 2002 AT 9:05 A.M.

PRESENT:

HON. JESSIE G. TERRE,	Vice Mayor & Presiding Officer
HON. AGATON O. TUMABOTABO,	Councilor
HON. ROMEO T. LEDESMA,	Councilor
HON. REMEDIOS T. TORRATO,	Councilor
HON. FERNANDO M. VALENCIA,	Councilor
HON. CECILIA T. GARRIDO,	Councilor
HON. ALFONSITO E. ESTOCE,	Councilor
HON. ORVILLE T. TANGENTE,	President, Liga ng mga Brgy.
HON. JOSE DONEL T. TRASPORTO,	SKMF, President

ABSENT:

HON. GEORGE T. TRIBUNAL,	Councilor (Sick Leave)
HON. REXFEL G. TRIVILEGIO,	Councilor

Municipal Ordinance No. 2002-007

AN ORDNANCE REQUIRING ALL BEACH RESORTS IN THE MUNICIPALITY OF TIGBAUAN TO MAINTAIN FULL-TIME LIFEGUARDS, FIRST-AID, AND OTHER LIFE-SAVING PERSONNEL, AND TO IMPLEMENT SAFETY MEASURES FOR PREVENTING SERIOUS ACCIDENTS THAT MAY LEAD TO THE LOSS OF LIVES OF THEIR CUSTOMERS AND CLIENTS

SPONSORED BY: HON. ALFONSITO E. ESTOCE, *Chairman, Committee on Rules, Ordinances and Resolutions*

CO-SPONSORED BY: HON. ROMEO LEDESMA, HON. REXFEL TRIVILEGIO & HON. AGATON O. TUMABOTABO

SECONDED BY: HON. CECILIA T. GARRIDO

WHEREAS, Section 16 of the Local Government Code of 1991 (R.A. 7160), states that every Local Government Unit shall exercise the powers expressly granted, those necessarily implied therefrom as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the *general welfare*. Within their respective territorial jurisdictions local government units shall ensure and support, among other things, promote health and safety, maintain peace and order, and preserve the comfort and convenience of the inhabitants;

WHEREAS, the Sangguniang Bayan *under Section 447*, approve ordinances and pass resolutions, necessary for an efficient and effective municipal government;

WHEREAS, human life is paramount over all other considerations that are of value to society;

WHEREAS, the loss of lives from drowning and other accidents in beach resorts in Tigbauan has reached an alarming frequency, which investigation revealed were caused primarily by the complete absence of lifeguards and by grossly deficient safety measures in all those incidents;

WHEREAS, it is the primary duty and responsibility of the municipal government to safeguard the welfare of its entire constituency;

NOW, THEREFORE, BE IT ORDAINED by the Sangguniang Bayan of the Municipality of Tigbauan, Province of Iloilo, in session assembled, that:

Section 1 - All beach resorts in Tigbauan must maintain at least one (1) full-time lifeguard, who shall be a competent swimmer, who shall be ably trained in emergency life-saving measures particularly Cardio- Pulmonary Resuscitation (CPR), who shall be equally trained

in first-aid medication, and who shall be on active duty for the duration of the resort's day-to-day operation.

Section 2 - All danger zones, areas, or spots in these beach resorts must be clearly and conspicuously marked with appropriate warning signs, or must be isolated with effective constraints or barriers from the access of minors or non-swimmers.

Section 3 - All persons within the premises of these beach resorts who pose a danger to others, or to their own selves, because of extreme intoxication, possession of deadly weapons, unpacifiably belligerent behavior, or some other equally detrimental state or condition, must be safely or politely brought out of the said premises, or promptly reported to the proper authorities, as prudence and good business policy could dictate.

Section 4 - All beach resorts must maintain at least one (1) telephone or other communication device for emergency use, which device shall be other than what may be provided for customers within their premises.

Section 5 - All operators of beach resorts in Tigbauan are not limited to implementing the above-described precautionary, safety, and life-saving measures, and are hereby enjoined by this municipal initiative to exert greater wisdom and effort in sewing their customers and clients through the health-promoting use, and enjoyment, of their facilities, thereby attracting more customers and clients to their beach resorts.

Section 6. PENALTIES AND SANCTIONS:

1. No Mayor's Permit or renewal thereof, shall be granted by the Mayor's Office unless Section 1 hereof is satisfactorily complied with.
2. First Offense on Section 2 — A fine of P1,000. 00.
3. Second Offense on Section 2 — A fine of P 2,000. 00.
4. Third Offense on Section 2 -- Cancellation of Mayor's permit and permanently prohibiting him/her from operating a beach resort in Tigbauan.

Section 7. IMPLEMENTATION AND MONITORING:

1. The Barangay Captains in whose jurisdictions these beach resorts are located shall be directly responsible for implementing the relevant provisions of this ordinance, particularly Sections 1 and 2 hereof
2. The same Barangay Captains shall be directly responsible for effectively monitoring satisfactory compliance by beach resort operators with the relevant provisions of this ordinance, particularly Sections 1 and 2 hereof.
3. The same Barangay Captains shall be directly responsible for reporting to the Mayor's Office violations of relevant provisions of this ordinance, particularly Sections 1 and 2 hereof for the purpose of imposing the appropriate penalty or sanction.

Section 8. SEPARABILITY CLAUSE — should any provision of this Ordinance be declared illegal or unconstitutional and hence invalidated, the provision hereto which are not affected thereby shall remain effective and enforceable.

Section 9. EFFECTIVITY OF THIS ORDINANCE - This ordinance shall take effect on September 18, 2002, after the Mayor of Tigbauan has signed it.

ENACTED: September 18, 2002

I HEREBY CERTIFY that the foregoing Municipal Ordinance was approved by the Sangguniang Bayan.

CERTIFIED CORRECT:

(SGD.) MARLENE T. NAVA
S.B Secretary

ATTESTED:

(SGD.) JESSIE G. TERRE
Vice Mayor & Presiding Officer

APPROVED:

(SGD.) MYRNA M. TORRES
Municipal Mayor