



Republic of the Philippines
Province of Bohol
MUNICIPALITY OF LOON

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE 108TH REGULAR SESSION OF THE 14TH SANGGUNIANG BAYAN OF LOON, PROVINCE OF BOHOL HELD ON THE 28TH DAY OF SEPTEMBER 2021 AT JUAN M. RELAMPAGOS SESSION HALL, LOON, BOHOL-

PRESENT:

Hon. Pedro M. Literatus, Jr.	SB Member
Hon. Lydia L. Almasa	SB Member
Hon. Kristel P. Tecson	SB Member
Hon. Zaide Y. Coritico	SB Member
Hon. Priscila C. Branzuela	SB Member
Hon. Timoteo L. Legitimas	SB Member
Hon. Emalinda A. Veloso	LnB President, Ex-Officio Member
Hon. April Joseph L. Corciega	SKMF President, Ex-Officio Member

VIRTUAL PRESENCE:

Hon. Lloyd Peter M. Lopez, M.D.	Vice Mayor, Presiding Officer
Hon. Ana Lisa O. Go	SB Member

SICK LEAVE:

Hon. Judy Marie H. Veloso	SB Member
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MUNICIPAL ORDINANCE NO. 21-007 Series of 2021

AN ORDINANCE REGULATING THE OPERATION OF FLOATING COTTAGES IN THE MUNICIPAL WATERS OF LOON, PROVINCE OF BOHOL

RATIONALE

The enactment of this ordinance is in response to the pressing demand of the time when eco-tourism industry affecting the coastal and marine areas of Loon requires rules and regulations for the proper and orderly operation of floating cottages along the 17 mainland coastal barangays, 8 coastal barangays of Sandingan Island, and 5 coastal barangays of Cabilao Island.

KRISTEL P. TECSON

Chairperson

Committee on Tourism

Committee on Livelihood and Barangay Micro-Business Enterprises

Be it enacted by the 14th Sangguniang Bayan of Loon, Bohol in session duly assembled that:

SECTION 1. TITLE. This ordinance shall be recognized as “An Ordinance Regulating the Operation of Floating Cottages in the Municipal Waters of Loon, Province of Bohol”.

SECTION 2. STATEMENT OF POLICY. The Local Government Unit of Loon believed that it is essential to enact an ordinance with regards to regulation of the operation of Floating Cottages in the Municipal Waters of Loon due to:

- a) increasing number of floating cottage in the municipal waters;
- b) the existence of floating cottage which helps to promote and boost the tourism industry of Loon; and
- c) the presence of risk to marine life and the eco-balance in the municipal sea waters.

Pursuant to Section 131 of the Local Government Code (Republic Act 7160) the municipality has an exclusive authority to grant fishery privileges in the municipal waters. Moreover, Section 16 of the Philippine Fisheries Code (Republic Act 8550) strengthens the jurisdiction of the municipality over its municipal waters.

SECTION 3. DEFINITION OF TERMS. For purposes of this ordinance, the following terms shall be defined:

1. **Floater** – an inflatable swimming tool which prevents an individual from sinking in the sea water
2. **Floating Cottage** – a *Filipino-designed* cottage which stays afloat in the sea water
3. **Life Guard** – a rescuer who supervises the safety and rescue of swimmers in the ocean
4. **Life Jackets** – an inflatable jacket for keeping a person afloat in the sea water
5. **Operator** – considered as the owner, proprietor or manager of the floating cottage business
6. **Occupant** – the one who pays for rent to utilize the floating cottage with the consent of the operator
7. **Pumpboat** – a utility boat used for nearly everything from inter-island transportation of occupant to fishing

SECTION 4. RULES AND REGULATIONS. The following are the guidelines set by the Local Government Unit of Loon to regulate the construction and operation of all the floating cottage business within the jurisdiction of the Municipality of Loon:

- a. No person shall operate floating cottage business for commercial purpose/use without securing:
 - i. Barangay Business Clearance to Operate;
 - ii. Business Permit from the Office of the Mayor; and
 - iii. Payment of regulatory fee

- iv. Approved PAMB clearance for floating cottage located in Cabilao & Sandingan Island and other protected areas to be declared by the LGU and other government authorities
- b. The proprietorship of the floating cottage business shall be exclusive to:
 - i. Duly registered voters of the Municipality of Loon;
 - ii. Duly accredited people's organization of the Municipality of Loon; or
 - iii. Registered Cooperatives
 - iv. Municipal and Barangay LGUs of Loon
- c. The Municipal Mayor, upon recommendation of the Municipal Tourism Office, Municipal Disaster Risk Reduction Management Office, Municipal Fisheries and Aquatic Resources Management Council and concerned Barangay Council, shall fix the maximum number of floating cottages that shall be allowed to operate in a specific barangay and the designated area wherein they are allowed to operate.
- d. The proprietor must follow the Rules on the Registration, Licensing and Operation of Recreational Boats of Maritime Industry Authority, given the fact that Floating Cottage is a type of Recreational Boat- Special Use Vessels. (*Memorandum Circular No. DS-2019-01, Series of 2019*)
- e. No proprietor of any floating cottages shall be allowed to operate during bad weather condition as forecasted by PAG-ASA or advisory from any authorized government agency.

SECTION 5. BARANGAY BUSINESS CLEARANCE REQUIREMENTS. The following are the pre-requisites for the issuance of Barangay Business Clearance to Operate:

- a. Inspection Certificate from the Barangay Council for risk assessment of marine life within the location of the floating cottage business;
- b. Present Floating Cottage Plan to the Barangay Council and secure favorable endorsement from the majority of the Barangay Officials;
- c. Certificate of Public Hearing
- d. Settlement of regulatory fees

SECTION 6. MAXIMUM NUMBER OF FLOATING COTTAGES. No person, natural or juridical, shall own more than two (2) floating cottages for business within the municipal waters of Loon.

SECTION 7. FLOATING COTTAGE IDENTIFICATION. The Floating Cottage Operators shall legibly inscribe their business name, address, cellphone/telephone number, and their official number bearing 10 Alpha Numeric Characters on the body of the floating cottage (*Memorandum Circular No. DS-2019-01, Series of 2019, Maritime Industry Authority*).

SECTION 8. OPERATION POLICIES. The following operation policies shall be strictly observed:

- a. Floating Cottage operators and occupants shall observe proper management and disposal of plates, food containers, cups, utensil and the like in the sea waters;
- b. Operators must ensure the safety of the occupants through provision of pump boat, floaters and life jackets;
- c. Everyone is responsible to secure protection of marine life within the local sea waters;
- d. Floating Cottage Operators shall provide trash bins or garbage bags inside the floating cottage;

- e. The Floating Cottage must be located not more than ten (10) feet depth in the sea waters;
- f. A Life Guard must be within the vicinity of the Floating Cottage for customers' safety and supervision;
- g. Every floating cottage shall be equipped with an emergency first aid kit which contains:
 - ✓ Flash Light
 - ✓ Whistle
 - ✓ Band-aids
 - ✓ Gauze
 - ✓ Medical Tape
 - ✓ Scissor
 - ✓ Thermometer
 - ✓ Medicine for fever, diarrhea and pain relief
 - ✓ Alcohol
 - ✓ Communication access (cellphone/ handheld radio) with Alagad Action Center and PNP-Loon Station
- h. There shall be a designed portable toilet for proper human waste disposal;
- i. Operators must also encourage the occupants about social responsibility and appropriate behavior against consumption of alcoholic drinks within the area

SECTION 9. PROHIBITIONS. The following are the prohibitions concerning the regulation of the Floating Cottage business within the municipality of Loon:

- a. Foods and/or drinks shall not be thrown in the municipal waters;
- b. Alcoholic drinks and illegal drugs are strictly prohibited within the floating cottage
- c. Dumping or discharge of toxic chemicals, hazardous substances or pollutants in the municipal waters are prohibited;
- d. No person shall be allowed to bring deadly weapons, including hand-grenades and other explosives, within the area;
- e. Sewage from a portable toilet shall not be discharged in the municipal waters

SECTION 10. PREVENTIVE MEASURES. The following are the preventive measures to ensure the health and safety of the staff and occupants against COVID-19 Virus:

- a. All floating cottage staff are required to wear face masks and face shield;
- b. All occupants are advised to wear face masks except when swimming in the municipal waters and eating their foods;
- c. Before boarding, staff must check the health and temperature of the occupants;
- d. Subject to the supervision of the cottage operator, occupants shall be required to answer a Questionnaire for Health Check:
 - Do you have a fever and a cough? If YES or passenger refuses to answer, deny boarding.
 - Do you have a fever and breathing difficulty? If YES or passenger refuses to answer, deny boarding.
 - Have you been refused boarding in the past 14 days due to a medical reason related to COVID-19? If YES or passenger refuses to answer, deny boarding.
 - Are you the subject of a quarantine order? If YES or passenger refuses to answer, deny boarding.
 - Are you in possession of a face mask that covers your mouth and nose, and do you agree to wear this covering in situations where you cannot maintain two meters of physical separation from your fellow passengers? If NO, or the passenger refuses to answer, deny the boarding privilege.
- e. The staff and occupants must follow the Department of Health guidelines on hand washing, hygiene and social distancing;
- f. Enhanced sanitation of equipment and high touch point areas inside the Floating Cottage;
- g. Ensure high-risk staff members to remain at home and contact Rural Health Unit;
- h. All foods served must have plastic coverings

SECTION 11. REGULATORY FEE. There shall be an annual regulatory fee amounting to P2,000.00 per cottage for the issuance of Mayor’s Permit to every person, natural or juridical, for the operation of the floating cottage business within the Municipality of Loon.

SECTION 12. PENALTIES. The following are the penalties imposed to any person who violates any provision of this ordinance:

FREQUENCY	PENALTY OF THE OCCUPANT	PENALTY OF THE OPERATOR
First & Second Offense	P 1, 000.00	P 1, 000.00 with 10 days suspension of operations
Third Offense	P 1, 000.00	P 2, 500.00 and revocation of Mayor’s Permit to operate

SECTION 13. REPEALING CLAUSE. All other ordinances, rules and regulations, or parts thereof, which are in conflict with, or contrary to, the provisions of this ordinances are hereby repealed, amended or modified accordingly.

SECTION 14. EFFECTIVITY. This ordinance shall take effect upon its approval and due publication in a newspaper of general circulation pursuant to Section 511b, of RA 7160.

UNANIMOUSLY APPROVED.

I hereby certify to the correctness of the above-quoted ordinance.

FIDELINO P. CORITICO, LLB
 Secretary to the Sanggunian

ATTESTED:

LLOYD PETER M. LOPEZ, M.D.
 Vice Mayor
 Presiding Officer

APPROVED:

ELVI PETER L. RELAMPAGOS
 Municipal Mayor

Date Signed: _____

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Date Signed: 10/04/2021