

Republic of the Philippines
Province of Cebu
CITY OF NAGA



Excerpt from the minutes of the Regular Session of the Sangguniang Panlungsod of the City of Naga, Cebu held on September 27, 2017 at the Session Hall, Legislative Building, City of Naga, Cebu.

Present:

HON.OTHELLO M. CHIONG
HON.ALEXANDER R. LARA
HON. VIRGILIO M. CHIONG
HON. AURELIO B. ALINSONORIN
HON. DELFIN R. SEÑOR
HON. AFSHIN MARK K. SEÑOR
HON. CARMELINO N. CRUZ, JR
HON.RODRIGO A. NAVARRO
HON.PABLO A. ABANGAN
HON.LUZMINDA R. LAPITAN
HON. PORFERIO V. RESABA
HON. JUSTINO L. DAKAY

-Vice Mayor/Presiding Officer
- Sangguniang Panlungsod Member
- Sangguniang Panlungsod Member
- Sangguniang Panlungsod Member
- Sangguniang Panlungsod Member
- Sangguniang Panlungsod Member
- Sangguniang Panlungsod Member
- Sangguniang Panlungsod Member
- Sangguniang Panlungsod Member
- Sangguniang Panlungsod Member
- Sangguniang Panlungsod Member
- ABC President



ORDINANCE NO. 2017- 018

Hon. Porferio V. Resaba, Jr. - Sponsor

AN ORDINANCE DECLARING THE COASTAL WATERS ALONG THE SHORE IN ST. FRANCIS OCEAN PARK AS NO SWIMMING AND NO DIVING ZONE AND IMPOSING PENALTIES FOR VIOLATIONS THEREOF

EXPLANATORY NOTE

The City Government of Naga, Cebu, has developed its coastline in the Poblacion area for recreational use, making some portions of the city's coastal waters shallow and unsuitable for swimming and/or diving.

It has been observed that despite constant warnings by the Coast Guard and security personnel for people to refrain from swimming and/or diving for their safety, some merely ignore these and are still swimming and/or diving in the dangerous waters.

To strengthen these warnings, the City Government deems it necessary to set forth a no swimming and no diving zone in order to prevent swimming and diving-related accidents from happening in the coastal waters particularly along the shore in the baywalk zone.

BE IT ORDAINED, as it is hereby ORDAINED by the Sangguniang Panlungsod of the City of Naga, Cebu, in session assembled, that:

SECTION 1. TITLE. This Ordinance shall be known as "AN ORDINANCE DECLARING THE COASTAL WATERS ALONG THE SHORE IN ST. FRANCIS OCEAN PARK (SFOP) AS NO SWIMMING AND DIVING ZONE AND IMPOSING PENALTIES FOR VIOLATIONS THEREOF."

SECTION 2. COVERAGE. The Ordinance shall cover the coastal waters along the shore in SFOP and extend towards the seaward distance of 300 meters from the shoreline or seawall of SFOP.

For the purpose of this Ordinance, the coastal waters along the SFOP refers to such body of water extending from the lighthouse tower where the Coast Guard holds office up to the tip of reclaimed areas of the City of Naga, Cebu, which necessarily includes the baywalk zone; the area where the watersports facilities of the City Government are to be established; and such other facilities or structures found in the reclaimed areas.

SECTION 3. POSTING OF SIGNAGE. Signage shall be posted along the coastal waters of the baywalk zone which shall on its face have a clear and concise message of "NO SWIMMING AND NO DIVING AREA," after fifteen (15) days from the effectivity of this Ordinance.

SECTION 4. EXCEPTION TO THE NO SWIMMING AND NO DIVING POLICY. The no swimming policy shall not be applicable in the area or zone where the watersports activities are conducted. Further, swimming is not prohibited in times of emergencies which includes, but not limited to, occurrence of incidents where there is a need to save the life or ensure the safety of the user of said facilities or if it is incidental or a necessary consequence of the use of said watersports facilities.

SECTION 5. PENALTY. Anyone found to be in violation of this Ordinance shall be made to pay a fine of P1,000.00, per offense or in case the offender is proven to be an indigent, which can be verified through presentation of a barangay-issued certificate of indigency, he/she shall be required to render 72 hours of community service to be determined by the City Social Welfare and Development. The penalties collected shall accrue to a trust fund for the maintenance and rehabilitation of SFOP.

SECTION 6. SEPARABILITY CLAUSE. If any provision of this Ordinance is declared invalid or unconstitutional by any court of competent jurisdiction, the other provisions unaffected shall remain valid and subsisting.

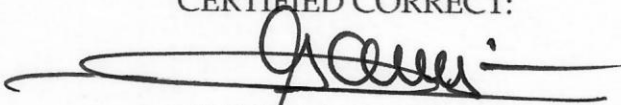
SECTION 7. REPEALING CLAUSE. All ordinances, resolutions, orders, issuances, rules, regulations, or parts thereof, which are inconsistent with any of the provisions of this Ordinance are hereby repealed accordingly.

SECTION 8. COPIES FURNISHED CLAUSE. Let copies of this Ordinance be furnished to all offices concerned for their formation, reference, guidance, and documentation.


SECTION 9. EFFECTIVITY. This Ordinance shall take effect immediately upon approval and compliance with all the requirements as mandated under the law.

UNANIMOUSLY APPROVED this 27th day of September 2017, on motion of Hon. Porferio V. Resaba, Jr., seconded by Hon. Rodrigo A. Navarro.

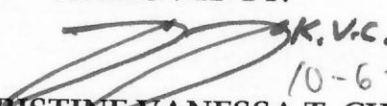
CERTIFIED CORRECT:


GARRY A. CABOTAJE
Secretary to the Sanggunian

ATTESTED BY:


OTHELLO M. CHIONG
Vice Mayor/Presiding Officer

APPROVED BY:


ATTY. KRISTINE VANESSA T. CHIONG
City Mayor