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Sangguniang Panlalawigan

BATAAN CAPITOL, BALANGA CITY



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EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG PANLALAWIGAN OF BATAAN HELD AT LOU-IS RESTAURANT, CITY OF BALANGA, BATAAN ON APRIL 1, 2019

PRESENT:

Hon. Ma. Cristina M. Garcia, Vice Governor and Presiding Officer

FIRST DISTRICT:

- Hon. Benjamin C. Serrano, Jr., Board Member
- Hon. Aristotle J. Gaza, Board Member
- Hon. Dexter B. Dominguez, Board Member
- Hon. Rolando Z. Tigas, Board Member
- Hon. Reynaldo T. Ibe, Jr., Board Member

SANGGUNIANG PANLALAWIGAN
CAPITOL BATAAN

RECORDED
DIVISION
APR 16 2019

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SECOND DISTRICT:

- Hon. Jovy Z. Banzon, Board Member
- Hon. Manuel N. Beltran, Board Member
- Hon. Edgardo P. Calimbas, Board Member
- Hon. Dante R. Manalaysay, Board Member
- Hon. Jose C. Villapando, Sr., Board Member

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- Hon. Doroteo M. Austria, Board Member (FABC President)
- Hon. Noel Joseph L. Valdecañas, Board Member (PCL President)
- Hon. Precious D. Manuel, Board Member (SKF President)

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ABSENT:

None

**ORDINANCE NO. 05
Series of 2019**

AN ORDINANCE MANDATING POOL/RESORT OWNERS/MANAGERS/OPERATORS AND SIMILAR BUSINESS WITHIN THE TERRITORIAL JURISDICTION OF THE PROVINCE OF BATAAN TO PROVIDE DULY TRAINED, CERTIFIED AND LICENSED LIFEGUARD/S AND LIFE GUARDING EQUIPMENT IN THEIR OPERATION, PROVIDING PENALTIES FOR VIOLATION THEREOF AND OTHER PURPOSE.

Sponsored by: HON. ARISTOTLE J. GAZA

BE IT ORDAINED BY THE PROVINCE OF BATAAN THAT:

WHEREAS, UNICEF's data shows that drowning is the fourth leading cause of death among Filipino children 14 years old and below;

WHEREAS, recent studies reveal that the presence of the following factors contribute to fatal drowning incidents;

[Signature of Albert S. Garcia]
ALBERT S. GARCIA
Provincial Governor

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"EXCELLENT PUBLIC SERVICE TOWARDS A BETTER QUALITY OF LIFE FOR ALL"

- a. When there is no trained lifeguard/s to perform an emergency rescue;
- b. When there is no one skilled in Cardio-Pulmonary Resuscitation (CPR);
- c. When one disregards the exigency;
- d. When notice or warning is not provided at the danger zones;
- e. When there is no proper supervision by the operators over the swimming or bathing area; and
- f. When swimmer or bather fails to cope with a strong wave or the current of water.

WHEREAS, in Bataan, in order to prevent swimming accidents, ensure safety of pool/resort goers; preserve the state of the readiness of the swimming or bathing area, particularly, in times of emergencies, the provision of lifeguards and lifeguarding equipment by pool/resort owners are indispensable;

NOW THEREFORE, BE IT ORDAINED by the Sangguniang Panlalawigan of Bataan in session assembled that:

SECTION 1. TITLE: This Ordinance shall be known as **"THE RESORT SAFETY AND LIFESAVING ORDINANCE OF PROVINCE OF BATAAN"**.

SECTION 2. DEFINITION OF TERMS:

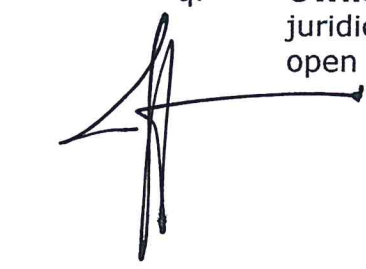
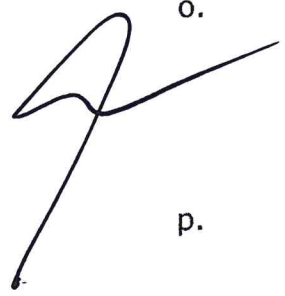
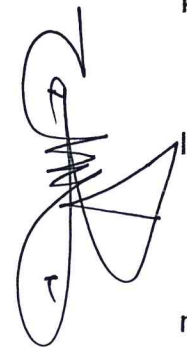
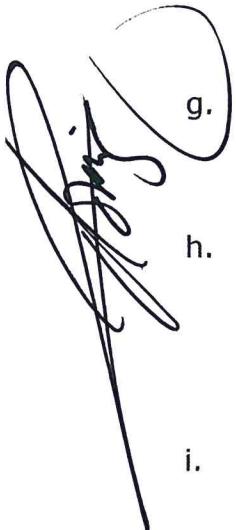
- a. **Accident** means an unforeseen and undesirable event resulting to damage, harm or death to the victim;
- b. **Basic Life Support Course** is an aspect of basic lifesaving training primarily composed of rescuing or helping the drowned victim to recover his/her breathing and consciousness characterized by Cardiopulmonary Resuscitation Course (BLS-CPR);
- c. **Beaches** refer to a pebbly or sandy shore, especially by the sea between high and low water marks; the part of the shore of a sea, large river, lake, etc., washed by the tide or waves; the area adjacent to a shore;
- d. **Cardio Pulmonary Resuscitation (CPR)** is the process of mouth-to-mouth respiration and chest compression to regain or enable the drowned victim to regain or recover his/her breathing allowing oxygenated blood to circulate to vital organs such as the brain and the heart;
- e. **Drowning** is the condition wherein a person is submerged in the water experiencing respiratory impairment as a consequence;
- f. **Duly Certified Lifeguards** refer to men and women possessing lifesaving skills (First Aid and Basic Life Support and Lifeguarding) as having been well-trained by Training Organizations duly certified and accredited by the Philippine Coast Guard, Philippine Life Saving, Philippine Red Cross or any accredited organization;

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Provincial Governor

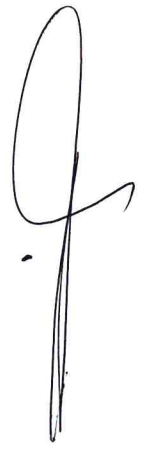
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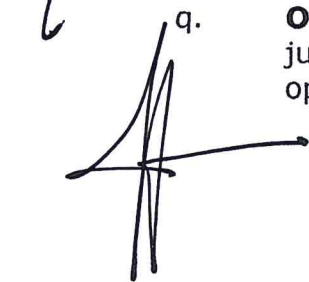
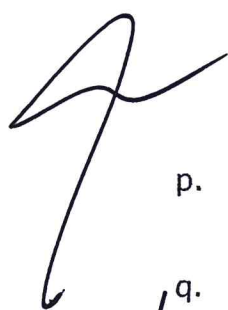
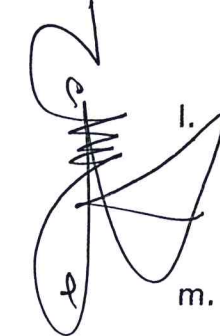
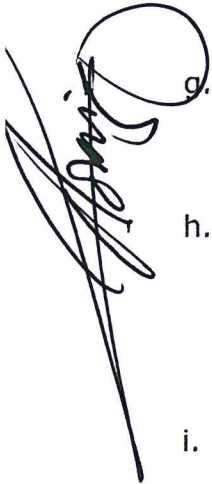
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- g. **Duly Licensed Lifeguards** refer to men and women possessing lifesaving skills (First Aid and Basic Life Support, Water Safety and Lifeguarding) as having been well-trained by the Philippine Red Cross;
- h. **First Aid Course** is the lifesaving course consisting of training to empower lifeguards with the skill and know-how on how to administer immediate medical care to treat a drowned victim's injury or condition while the physician is not around to give adequate and proper medical services to the patient;
- i. **First Aid Kit** is a collection of supplies and equipment for use in giving first aid, and put together for the purpose. Must contain: plasters, in different sizes and shapes; small, medium and large sterile gauze dressings; at least two (2) sterile eye dressings, triangular bandages; crepe rolled bandages; safety pins, disposable sterile gloves, tweezers, scissors, alcohol-free cleansing wipes, sticky tape, thermometer-preferably digital, skin rash cream such as, hydrocortisone or calendula, cream or spray to relieve insect bites and stings, antiseptic cream, painkillers such as paracetamol (or infant paracetamol for children); aspirin (not to be given to children under 16); or ibuprofen, cough medicine, antihistamine tablets, distilled water, for cleaning wounds and eye wash and eye bath;
- j. **Lifesaving tools and equipment** are PCG accredited facilities to include, but not limited to rescue tubes, rescue boards, life buoys, life ring, life jackets, first aid kits, and more or tools and improvised equipment that qualifies the Philippine Red Cross or any PCG accredited organization;
- k. **Philippine National Red Cross** refers to a voluntary, independent and autonomous non-governmental society auxiliary to the authorities of the Republic of the Philippines in the humanitarian field;
- l. **Philippine Coast Guard (PCG)** is an armed and uniformed service tasked primarily with enforcing laws within Philippine waters, conducting maritime security operations, safeguarding life and property at sea, and protecting marine environment and resources;
- m. **Recreation** is an activity of leisure, leisure being discretionary time;
- n. **Resort** is a place that is a popular destination for vacations or recreation, or which is frequented for a particular purpose; such as beaches, riverbanks, lakesides, swimming pools and other similar structures and facilities for bathing and/or recreation;
- o. **Signages** are PCG accredited safety signs and symbols that are to be displayed and placed in designated places of every beach, swimming pool, lakes, rivers, and the like, to inform the public of the hazards and dangers in the area. It may serve as a sort of instructions and precautions to make people safe and secured while in the area;
- p. **Swimming pool** is a structure, often a concrete-lined, excavation of various shapes that is filled with water and used for swimming;
- q. **Owners and Operators** are person or persons, whether natural or juridical who owns and run the beach or swimming resorts that are open to the public for recreation and swimming;



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g. **Duly Licensed Lifeguards** refer to men and women possessing lifesaving skills (First Aid and Basic Life Support, Water Safety and Lifeguarding) as having been well-trained by the Philippine Red Cross;

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m. **Recreation** is an activity of leisure, leisure being discretionary time;

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p. **Swimming pool** is a structure, often a concrete-lined, excavation of various shapes that is filled with water and used for swimming;

q. **Owners and Operators** are person or persons, whether natural or juridical who owns and run the beach or swimming resorts that are open to the public for recreation and swimming;


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SECTION 3. All owners/managers/operators of resorts within the territorial jurisdiction of Bataan are hereby required to provide the services of a sufficient number of well-trained lifeguards duly accredited by either the Philippine Red Cross or any recognized organization training or prompting safety objectives;

3.1 CERTIFIED AND LICENSED LIFEGUARD/S;

- a. For swimming pool with size, below 250 square meters will require either one (1) licensed lifeguard or one (1) certified lifeguard;
- b. For swimming pool with size of 250 to 500 square meters will require, one (1) certified and one (1) licensed lifeguard;
- c. For beaches, lakesides/riverbank resort without swimming pool, this resort will require one (1) licensed lifeguard for every twenty (20) meters of length of beach coast line, for more than 20 meters of length of beach coast line would require a watch tower and roving personnel;
- d. For beach resorts with swimming pool which contains the basic feature of letter a, b and c of this Section 3 requiring one (1) Certified Lifeguard and one (1) Licensed Lifeguard for every 250-500 sq. m. of pool size and one (1) lifeguard for every twenty (20) meter of length of beach coast line;
- e. On special events such as swim meets, training events, etc. one (1) Licensed Lifeguard must be on duty whose only responsibility is to guard swimmers for the said event/s.
- f. In addition to the basic requirement of a, b, c in this section, room (carrying) capacity of the resort should serve as basis in the mandatory provisions of lifeguards which would fall on the following bracket:
 - f.1 100 guests capacity - 1 lifeguard
 - f.2 200 guests capacity - 2 lifeguard
 - f.3 300 guests capacity - 3 lifeguard

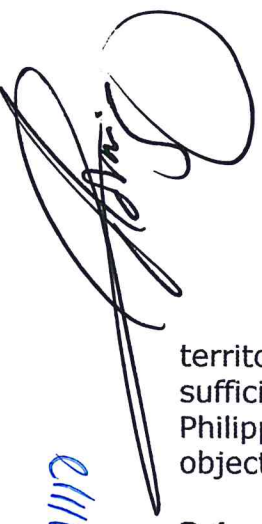
3.2 QUALIFICATIONS OF A LICENSED LIFEGUARD

Must possess all the following life-saving skills as having been well-trained by the Philippine Red Cross or any duly certified and accredited by the Philippine Coast Guard:

- a. First Aid and Basic Life Support;
- b. Water Safety;


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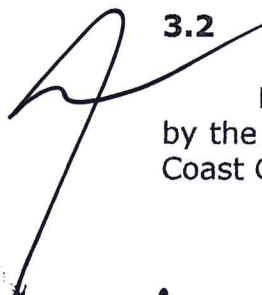


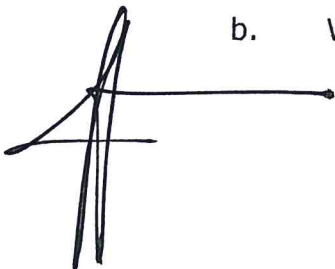






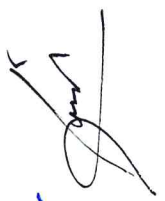


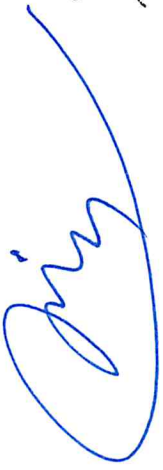
















- c. Lifeguarding.

3.3 QUALIFICATIONS OF A CERTIFIED LIFEGUARD

Must possess the following life-saving skills as having been well-trained by Philippine Coast Guard or any Training Organizations duly certified and accredited by the Philippine Coast Guard (PCG):

- a. First Aid and Basic Life Support (BLS-CPR);
- b. Lifeguarding.

SECTION 4. DUTIES AND RESPONSIBILITIES OF RESORTS OWNERS/MANAGER/OPERATORS:

- a. Conduct safety briefing to guests;
- b. Ensure the safety of the guests;
- c. Enforce rules and regulations of the resort;
- d. Perform basic life support and provide first aid, if necessary;
- e. Maintain, monitor and upgrade lifesaving tools and equipment, and first aid kits;
- f. Coordinate with other lifeguards during special events;
- g. Perform/Accomplish requirements set by law or government agencies;
- h. Provide a Registered Log Book of guest to identify all walk-in/day tour/overnight guest with the following details, Name/Address/Contact No./Lifeguard on Duty.

SECTION 5. The expanded coverage of this Ordinance would include **Private Resorts and Events Place** with features and services as specified and provided in Section 3 of this Ordinance;

SECTION 6. LIFEGUARDING EQUIPMENT. All owners/managers /operators of resorts within the territorial jurisdiction of Bataan are likewise hereby required and encourage to equip their respective resorts/establishments with the following lifesaving facilities such as:

6.1 Required – Lifeguarding Equipment for Beach Resorts

- a. Safety line with buoys;
- b. Life vests/life jackets;
- c. Megaphones;
- d. Binoculars/telescope;



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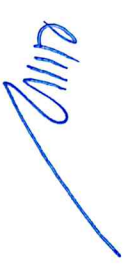




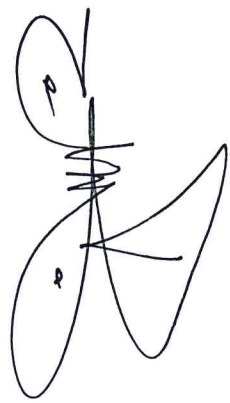









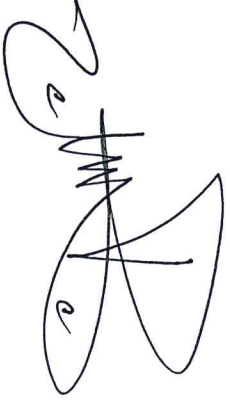










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- e. Emergency lights;
 - f. First Aid Kit;
 - g. Lifebuoy;
 - h. Spinal boards;
 - i. Paddle;
 - j. Pole.

6.2 Encourage/Lifeguarding (Optional):

- a. Life ring;
- b. Rescue boards;
- c. Rescue tubes;
- d. Spot lights;
- e. Craft;
- f. Automated External Defibrillators (AED).

6.3 Lifesaving tools and equipment are PCG accredited facilities to include but not limited and improvised equipment that qualifies Philippine Red Cross or any PCG accredited organization;

6.4 Lifesaving Tools and Equipment and First Aid Kits must be adequate, and made visible and accessible at all times;

6.5 Lifesaving tools such as Life vests and Life jackets shall be at all times available in all pools and reports and shall be free of charge.

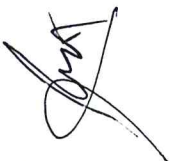
SECTION 7. MEDICAL SERVICES – All resorts shall provide services of a physician, either on-call or on full-time basis depending on its volume of operation and accessibility to hospital of medical centers. In addition, resort shall employ adequate first-aiders who have complete a course in first aid in duly certified by the Philippine Red Cross or any organization accredited by the same adequate first aid medicine and necessary lifesaving equipment shall be provided within the premises.

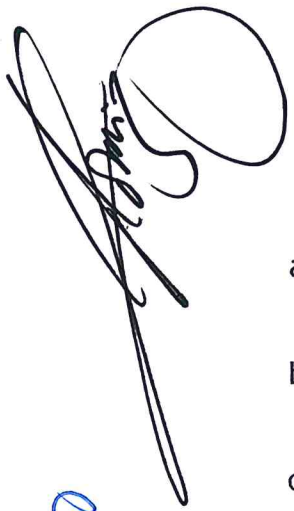

SECTION 8. SIGNAGES

Appropriate signages shall be conspicuously displayed outside the establishment showing clearly the name and qualification of the resort as determined by the Province of Bataan Council.




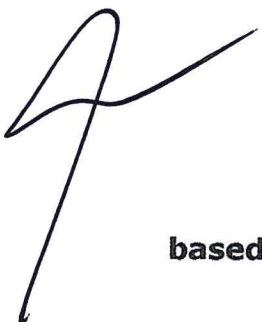
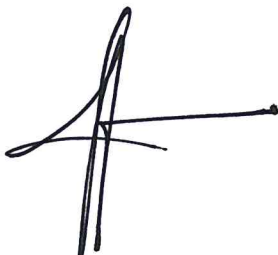



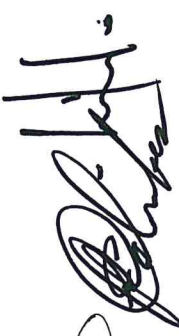



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Provincial Governor



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- a. Must be installed at all the areas indicated in the Risk Assessment Report;
 - b. Must be visible and clearly written in the Tagalog dialect and/or English;
 - c. Must be installed accordingly not later than fifteen (15) days after receipt of the Risk Assessment Report.

SECTION 9. STRICT IMPLEMENTATION OF THE FOLLOWING PRECAUTIONARY MEASURES.

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- a. Maintain a daily registry book of names of all visitors/guests of the resort;
 - b. Adequate provision of buoys along the swimming/bathing area of the beach/resort;
 - c. Management shall post sufficient signage at the strategic areas that warn customers/tourists of the hazards and danger posted;
 - d. Equipment for rescue such as craft, paddle, pole, lifebuoy, spine boards;
 - e. Provide accessories/equipment for first respondents (First Aid Kit);
 - f. Adequate security 24 hours basis;
 - g. Provide other instruments that would catch public attention, such as, but not limited to portable chair/watch tower, flags, whistles, and the like;
 - h. Resorts keepers, managers or operators shall likewise not allow children below eleven (11) years old without adult companion; and
 - i. Night swimming shall not be allowed beyond 10:00 o'clock in the evening pool and 6:30 o'clock in the afternoon for beach/resort, unless certified lifeguards on duty are present and lightning are adequately provided;
 - j. To install CCTV cameras in key, strategic areas for security purposes.

SECTION 10. FINES/PENALTY – Offenders shall be fined/penalized based on the following:

- a. 1st Offense – an imprisonment of eleven (11) to fifteen (15) days or a fine of TWO THOUSAND (₱2,000.00) PESOS or both at the discretion of the Court;



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Provincial Governor



- b. 2nd Offense – an imprisonment of sixteen (16) to thirty (30) days or a fine of THREE THOUSAND (P3,000.00) PESOS or both at the discretion of the Court;
- c. 3rd Offense – an imprisonment of not less than one (1) year and a fine of FIVE THOUSAND (P5,000.00) PESOS at the discretion of the Court and cancellation of business permits.

If violator is a single proprietor, the owner shall be liable for fines/penalty. If violator is a juridical entity, such as in the case of Partnership, the Managing Partner shall jointly and solidarily liable for fine/penalty;

In the case of Corporation, the President and the members of the Board and its Chairman shall be jointly and solidarily liable to fines/penalty;


SECTION 11. CREATION OF THE PROVINCIAL MONITORING COMMITTEE ON THE "RESORT SAFETY AND LIFE SAVING ORDINANCE OF THE PROVINCE OF BATAAN" - The Governor shall by Executive Order, create the Provincial Monitoring Committee on the Resort Safety and Life Saving Ordinance of the Province of Bataan and provide therein its composition, functions and other pertinent provisions;

SECTION 12. REPEALING CLAUSE – All previous ordinances, rules and regulations, or parts thereof which are inconsistent with the foregoing are hereby modified, amended, or repealed accordingly;

SECTION 13. SEPARABILITY CLAUSE – If any PROVISION OF THIS ORDINANCE is held invalid, provisions which are not affected shall remain in force and effect;

SECTION 14. EFFECTIVITY CLAUSE – This Ordinance shall take effect after fifteen (15) days after publication in the newspapers of local circulation.

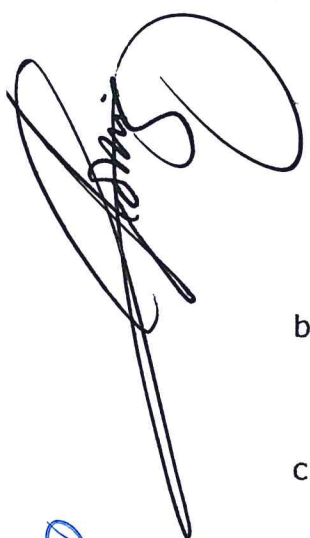
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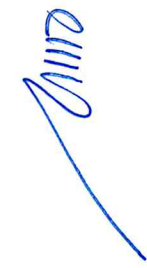

SEVERINO P. SALAZAR
Secretary to the SP


BENJAMIN C. SERRANO, JR.
Board Member


ARISTOTLE J. GAZA
Board Member


ALBERT S. GARCIA
Provincial Governor



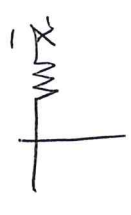


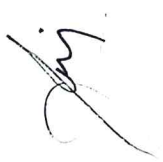










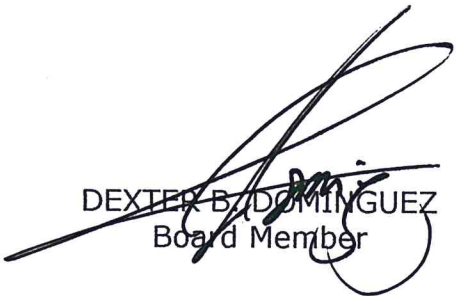








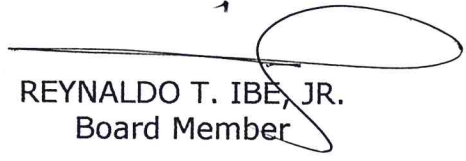
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DEXTER B. DOMINGUEZ
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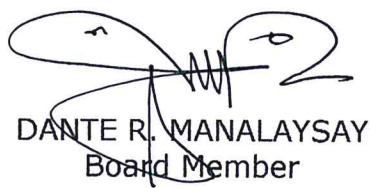
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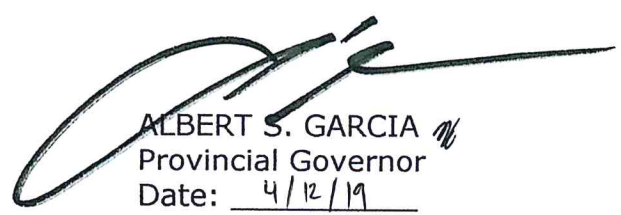
PRECIOUS D. MANUEL
Board Member
(SKF President)

ATTESTED:



MA. CRISTINA M. GARCIA
Vice Governor
(Presiding Officer)

APPROVED:



ALBERT S. GARCIA
Provincial Governor
Date: 4/12/19