



Republic of the Philippines  
MUNICIPALITY OF ASINGAN  
Province of Pangasinan

**OFFICE OF THE SECRETARY TO THE SANGGUNIANG BAYAN**

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF ASINGAN, PANGASINAN HELD ON AUGUST 22, 2022 AT THE ASINGAN GOVERNMENT CENTER SESSION HALL

PRESENT:

1. Hon. Heidee L. Ganigan-Chua	Municipal Vice Mayor Presiding Officer
2. Hon. Athena Ira G. Chua	Municipal Councilor
3. Hon. Marivic S. Robeniol	"
4. Hon. Johnny Mar A. Carig	"
5. Hon. Joselito V. Viray	"
6. Hon. Mel F. Lopez	"
7. Hon. Melchor J. Cardinez, Sr.	"
8. Hon. Virgilio I. Amistad	"
9. Hon. Julio P. Dayag	"
10. Hon. Leticia R. Dollente	" ( Liga President)
11. Hon. Fiel Xymond R. Cardinez	"(PPSK President)

ABSENT: None

**Sponsored by: SB Member Fiel Xymond R. Cardinez**

**EXPLANATORY NOTE**

WHEREAS, Republic Act No. 9593, otherwise known as "The Tourism Act of 2009", states that tourism is an indispensable element of the National Economy and an Industry of National Interest and Importance, thereby promote a tourism industry that is ecologically sustainable, responsible, participative, culturally sensitive, economically viable, and ethically and socially equitable for local communities;

WHEREAS, the Tourism Industry is encouraged to promote the Philippines domestically and internationally as a major global tourism destination, highlighting the uniqueness and assisting the development of its own products and services, with the end view of increasing tourist arrivals and tourism investment;

WHEREAS, the Municipality of Asingan is tourist destination because of its member of resorts with beautiful swimming pools and long stretch of rivers and its tributaries;

WHEREAS, drowning incidents in Asingan had occurred in the public swimming pools and rivers;

WHEREAS, information reveals that drowning usually occurs in children when there is no trained lifeguard to watch and rescue if necessary;

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Republic of the Philippines  
MUNICIPALITY OF ASINGAN  
Province of Pangasinan

**OFFICE OF THE SECRETARY TO THE SANGGUNIANG BAYAN**

---

Page 2  
Ord. No. 5

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WHEREAS, in order to prevent swimming accidents, ensure the safety of pools or river going public and to maintain the states of readiness of swimming or bathing area, particularly in times of emergencies, the provisions of duly trained lifeguard and lifeguarding equipment by the owners of operator are indispensable;


WHEREAS, Section 16 of the Local Government Code of 1991, Empowers Local Government Units (LGU) to promote the General Welfare of its constituents, hence this Ordinance.

NOW THEREFORE, on motion of Councilor Fiel Xymond R. Cardinez, duly seconded by Councilors Leticia R. Dollente, Marivic S. Robeniol, Johnny Mar A. Carig, Virgilio I. Amistad, Julio P. Dayag and Joselito V. Viray, it was,

RESOLVED, as it is hereby resolved, to approve the following Ordinance, to wit:

**ORDINANCE NO. 5  
SERIES 2022**

**AN ORDINANCE PRESCRIBING GUIDELINES FOR THE OPERATION OF PUBLIC SWIMMING POOLS, AND OTHER SIMILAR STRUCTURES AND ACCOMMODATIONS WITH BATHING AND/OR RECREATIONAL FACILITIES TO PROVIDE DULY CERTIFIED LIFEGUARDS AND LIFEGUARDING EQUIPMENT NECESSARY FOR THEIR OPERATION, PROVIDING PENALTY FOR VIOLATION THEREOF AND FOR OTHER PURPOSES**

 Be it enacted by the Sangguniang Bayan of Asingan, Pangasinan, in session assembled that:

Section 1. Short Title – this ordinance shall be known as "Swimmers Protection and Safety Ordinance";

Section 2. Objective – this guidelines and procedures are set for the safety and security requirements of swimming pools, resorts and other swimming facilities, including qualifications and requirements of lifeguards and for the promotion of security, water safety, water rescue, life-saving and lifeguarding of the swimming public;

Section 3. Scope of Application. This ordinance shall be applicable on the following:

- a. Owners and operators of public swimming pools, and all other similar structures and accommodations providing bathing and recreational facilities other than private residential swimming pools.

-over-



Republic of the Philippines  
MUNICIPALITY OF ASINGAN  
Province of Pangasinan

**OFFICE OF THE SECRETARY TO THE SANGGUNIANG BAYAN**

Page 3

Ord. No. 5

Section 4. Business Permit. No business permit shall be issued/renewed to the public swimming pools, resorts and other similar structures and accommodations without presenting a certificate of employment of duly trained and certified lifeguard(s);

All public swimming pools, resorts and other similar structures and accommodations shall display a red signage at the entrances of the establishment the following records:

**THE ESTABLISHMENT HAS TRAINED AND ACCREDITED LIFEGUARD ON DUTY**

Section 5. Definition of Terms. When used in this ordinance the following terms shall mean as follows:

- a. Basic Life Support – Cardiopulmonary Resuscitation (BLS-CPR) Course – refers to a training course conducted by the Philippine Red Cross (PRC) Philippine Life Savings (PLS) or any government accredited organization which aims to provide knowledge on emergency procedures in order to sustain life that include cardiopulmonary resuscitation control of bleeding, treatment of shock stabilization of injuries and wounds and first aid.
- b. River – Going Public – refers to person or group of persons going to the river for swimming and relaxation.
- c. Certified Lifeguard – refers to an experienced swimmer trained in water safety, rescue and life-saving techniques, the PRC or thru a training certified by the PCG.
- d. Children – refers to those pool/resort/river goers below 11 years old.
- e. Buoy – refers to a floating device used to identify the safe area for swimming.
- f. Facilities – refers to business establishments such as but not limited to the public swimming pools, resorts and other similar structures and accommodations with bathing and/or recreational facilities.
- g. First Aid Course – refers to a training course conducted by the PRC, PLS or any other government accredited organization which aims to equip participants with knowledge, skills and confidence in providing care for a person who has been injured or suddenly become ill. The trainings include lecture and actual demonstration on bandaging technique emergency transfer and common emergencies.
- h. Liability Insurance – refers to any type of insurance policy that protect the lifeguard or business from risk of being sued and held legally liable for malpractice, injury or negligence. Liability insurance policies cover both legal cost and identify to the victim and/or his/her family.
- i. Lifeguard – refers to a person who supervises the safety and rescue of swimmers. They shall be qualified and should have fulfilled the requirements for certification from accredited training institutions.
- j. Owners or Operators – refers to person responsible for the operation of the public swimming pools, resorts and all other similar structure and accommodations providing bathing and recreational facilities.

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Republic of the Philippines  
MUNICIPALITY OF ASINGAN  
Province of Pangasinan


**OFFICE OF THE SECRETARY TO THE SANGGUNIANG BAYAN**

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Page 4  
Ord. No. 5

---

- k. Lifeguard Certificate – refers to certificate issued by the accredited training institutions to a person or individual after completing the required training for lifeguards.
- l. PLS – refers to Philippine Life Saving – a non-government organization engaged in drowning prevention, water safety, water rescue, life-saving, life guarding and life-saving sport in the Philippines.
- m. PRC – Philippine Red Cross.
- n. Public Swimming Pool – refers to any swimming pool, plunge pool, spa pool, tank or similar structure with the primary purpose of holding a person or persons and includes school, subdivision clubhouse pools and commercial operated pools including but not limited to hotels and other places of accommodations.
- o. Resort – refer to a place frequented by people for relaxation/recreation attracting visitors for vacation and/or tourism.
- p. Water Safety Course (Swimming Aquatic Life-saving and Life Guarding) refers to a training course conducted by PRC or any accredited institution which aim to teach survival and life-saving techniques. The training includes lecture and actual demonstrations on the fundamentals of survival techniques such as threading and disrobing and saving a drowning person.

 Section 6. Safety and Security Requirements – owners and operators of public swimming pools, and all other similar structures and accommodations providing bathing and recreational facilities are hereby required to provide the following:

- a. Services of a lifeguards duly trained and certified by PRC, PLS, or other accredited life-saving training institutions. There shall be at least one lifeguard for every swimming pool. The lifeguard shall be clothed in a manner that is readily identifiable whose sole and exclusive responsibility is to watch and rescue over their area of responsibility.
- b. Provision of adequate first-aid medicine and supplies and necessary life-saving equipment put in place in an easily accessible area.
- c. Designate a portion of the facility for rescue vehicle during extrication of drowning or accident victims.
- d. Post sufficient and visible danger signages and markers in strategic location bear the pool to warn guest/customer of the presence of artificial or natural hazards, danger areas or occurrence threat.
- e. Establish pool regulations and rules which is clearly visible and understandable to guest/customers.

Section 7. Exemption. Wading or kiddie pool, with an area of not more than 4m x 4m and not more than 3 feet in depth are hereby exempted from the foregoing requirements, provided that:

- a. The wading or kiddie pool are not attached to the pools.

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Republic of the Philippines  
MUNICIPALITY OF ASINGAN  
Province of Pangasinan

**OFFICE OF THE SECRETARY TO THE SANGGUNIANG BAYAN**

---


Page 5  
Ord. No. 5

---

Section 8. Qualification and Requirements of Lifeguards – the lifeguard shall possess the following qualifications:

- a. Physically fit and mentally healthy, strong swimmer and must be able to use the safety equipment comfortably and confidently.
- b. Successfully completed the following training courses:
  1. First aid course
  2. Basic Life Support – Cardiopulmonary Resuscitation Course
  3. Water Safety Course
- c. Undergo various water tests and practical exam prior certification and issuance of lifeguard certificate to qualified lifeguard.
- d. Undertake refresher training course every two (2) years to revalidate lifeguarding skills and renewal of lifeguard certificate.

Section 9. Responsibilities.

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- a. Pool and resort owners or operators shall:
    1. Ensure sufficient number of lifeguards to cover their area of responsibility.
    2. Ensure that all lifeguard are certified and qualified based on the requirement of this ordinance.
    3. Submit to the Municipal Disaster Risk Reduction and Management Office the list of all their lifeguards to include their corresponding certificates and training records.
    4. Comply all the requirements as stipulated in Section 6, (a) of this ordinance.
    5. Report immediately to the office of the MDRRMO/BFP on any drowning incident in the vicinity.
    6. Ensure proper waste disposal and cleanliness of the pools or bathing facilities and perimeter for the protection of ecology and environment.
    7. Establish an individual rules and regulations concerning safety and security requirements which will be used as guidelines of the personnel particularly lifeguards.
  - b. Lifeguard shall:
    1. Undertake required training courses and shall maintain individual records.
    2. Apply for certification with the PRC or any accredited training institutions.
    3. Enforce rules and regulations of the pool they are employed at to ensure safety swimmers.
    4. Carry out rescues and initiate other emergency actions as necessary.
    5. Render reports of any unusual incident pertaining to the use of pools and recreational facilities.
    6. Ensure safety of pools and bathing facilities by getting rid of dangerous objects, encouraging safe play in the water and watch out weaker swimmer.

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Republic of the Philippines  
MUNICIPALITY OF ASINGAN  
Province of Pangasinan

**OFFICE OF THE SECRETARY TO THE SANGGUNIANG BAYAN**

---

Page 6  
Ord. No. 5


---

Section 10. Punishable Acts – Any violations of the safety provisions of this ordinance is a punishable act.

- a. Swimming or bathing facilities shall not allow children (below 11 years old) without adult companion/s.
- b. Night swimming shall not be allowed beyond 10:00 o'clock in the evening unless certified lifeguard on duty is present and lightings are adequately provided.
- c. No warning signage and markers are placed on the hazard area or danger zone.

Section 11. Compliance Monitoring Team –There shall be created a compliance monitoring team who shall conduct at any given time an inspection of all public swimming facilities in the municipality to ensure compliance to the provisions of this ordinance.

Team Leader:           The MDRRMO or his Representative  
Members:               SB Committee on Public Order and Safety  
                              Municipal Tourism Officer  
                              Business Permit and Licensing Officer

 Section 12 – The owner or operator of business establishment or any person violating any provisions of this ordinance shall be penalized:

First Offense - A fine of One Thousand Five Hundred Pesos (Php1,500.00) or one month imprisonment or both at the discretion of the court.

Second Offense - A fine of Two Thousand Pesos (Php2,000.00) or two (2) months imprisonment or both at the discretion of the court.

Third Offense – A fine of Two Thousand Five Hundred Pesos (Php2,500.00) or three (3) months imprisonment or both at the discretion of the court.

Section 13. Repealing Clause – This repeals all other previous ordinances or executive orders, memoranda or part or parts thereof, inconsistent with the provisions of this ordinance.

Section 14. Separability Clause – If for any reason any part or provision of this ordinance shall be held unconstitutional or invalid, other parts or provision thereof of which are not affected thereby shall continues to be in full force and effect.

Section 15. Effectivity – This ordinance shall take effect after proper posting and publication in a newspaper of general circulation.

“APPROVED Unanimously”.

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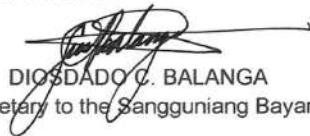
Republic of the Philippines  
MUNICIPALITY OF ASINGAN  
Province of Pangasinan

OFFICE OF THE SECRETARY TO THE SANGGUNIANG BAYAN


Page 7  
Ord. No. 5

Date Approved: August 22, 2022

I HEREBY CERTIFY to the correctness of the above-quoted ordinance.

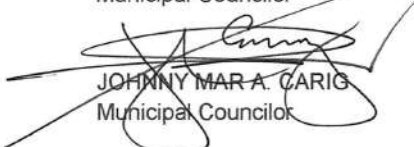
  
DIOSDADO C. BALANGA  
Secretary to the Sangguniang Bayan

ATTESTED:

  
HEIDEE L. SANIGAN-CHUA  
Municipal Vice Mayor  
Presiding Officer

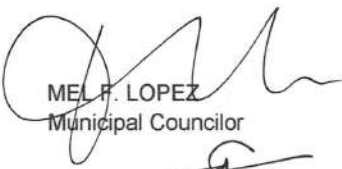
  
ATHENA IBA G. CHUA  
Municipal Councilor

  
MARIVIC S. ROBENIOL, RN  
Municipal Councilor


  
JOHNNY MAR A. CARIG  
Municipal Councilor


  
JOSELITO V. VIRAY  
Municipal Councilor


  
LETICIA R. DOLLENTE  
Municipal Councilor/LnB President

  
MEL F. LOPEZ  
Municipal Councilor

  
MELCHOR J. CARDINEZ, SR.  
Municipal Councilor

  
VIRGILIO I. AMISTAD  
Municipal Councilor

  
JULIO P. DAYAG  
Municipal Councilor

  
FIEL XYMOND R. CARDINEZ  
Municipal Councilor/PPSK President

APPROVED:

  
ENGR. CARLOS F. LOPEZ, JR.  
Municipal Mayor