



Office of the Sangguniang Bayan

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF BALER, AURORA WHICH WAS HELD ON MAY 16, 2012 AT THE SB SESSION HALL, LEGISLATIVE BUILDING.

Present:

Hon. Nelianto C. Bihasa	Vice Mayor-Presiding Officer
Hon. Danilo M. Ong	SB Member
Hon. Karen G. Angara-Ularan	SB Member- PCL President
Hon. Noel P. Go	SB Member
Hon. Reynaldo E. Mapindan	SB Member
Hon. Gina T. Ritual	SB Member
Hon. Nenita DS. Gonzales	SB Member
Hon. Sonia G. Amatorio	SB Member
Hon. Gina Z. Agapito	SB Member-ABC President
Hon. Aya Rose L. Avellaneda	SB Member-SK Fed. Chairman

Absent:

Hon. Arthur L. Sanchez	SB Member
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ORDINANCE NO. 005-2012

“ORDINANCE ESTABLISHING THE TOURISM CODE OF THE MUNICIPALITY OF BALER AND PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF”

WHEREAS, the Municipality of Baler with its present infrastructure, natural resources/attractions, tradition, culture and historical treasures hold great potential as a tourism center for destination for both local and foreign tourists;

WHEREAS, the tourism industry in Baler once fully harnessed and developed can greatly enhance the economic activity of business establishments in the town, provide more jobs for populace and increase the financial resources not only of the Municipal Government of Baler.

WHEREAS, the minimal progress in the tourism industry of Baler and the failure to enhance and develop the tourism potential of the town as well as the inability to maximize the use of its tourism resources is due to the absence of an organic law that could provide the necessary push and direction to any proposed Tourism Program.

WHEREAS, the present local government administration, having seen the great tourism potentials of Baler and having realized the occurring economic and social benefits of a functioning and developing tourism industry to the Municipality, has adopted a tourism program aimed at developing the tourism potential and resources of Baler and ensuring the security, enjoyment and well-being of tourists, and enhancing the quality of services offered by all tourism-oriented or tourism-related business establishments in town; without compromising the integrity, morality, and the general well being of Balerianos.

Be it enacted by the Sangguniang Bayan of Baler that:

CHAPTER I: GENERAL PROVISIONS

Article 1. TITLE - This Ordinance shall be known as the **MUNICIPAL TOURISM CODE OF BALER, AURORA.**

Article 2. SCOPE – This Ordinance shall govern and regulate tourism development and promotion programs of and within the Municipality, including the licensing, registration and supervision of the operations of tourism oriented\related establishments.

Article 3. APPLICATION – This Ordinance shall apply to all resorts, lodging houses, inns, hotels, travel agencies, tour guides and transports that are tourism oriented\related and other similar establishments and personal services whether their operation is domestic or international in scope.

Article 4. CONSTRUCTION – These implementing rules and regulations shall be liberally construed in order to promote and implement its objectives.

Article 5. DEFINITIONS – For purposes of this Ordinance, the terms and phrases enumerated in this Section shall be construed or interpreted to mean or refer to, as follows:

- 1 **Apartel** – a cottage or unit one or more rooms distinctly different from hotel room in such a way that cooking is allowed inside and that complete facilities for such are provided.
- 2 **Apartment House** – a building containing a number of separate residential suites.
- 3 **Associations** – an organization of persons/entities, duly licensed/accredited by the government having the subject of tourism as a common interest.
- 4 **Bar**– includes beer gardens or places where intoxicating and fermented liquors or malt are sold and served, disposed of, or given away for compensation even without food, where services of hostesses, Guest Relation Officers and/or waitresses are employed, and where customers are entertained by occasional dancing to music not rendered by a regular dance orchestra or musicians hired for the purpose. Otherwise, the place shall be classified as a “dance hall”. A “cocktail lounge” is considered a bar even if there are no hostesses or waitresses to entertain the customers.
- 5 **Barbecue/Roasting Place** – designated site where grills set-up for roasting of fish, meat and other food.
- 6 **Bus Stop** – a common place for the stopover of buses located along the highways or regular route for transport in long travel.

- 7 **Bus Terminal/Bus Station** – a passenger station and a place for the final stopover or a permanent station, office and yard of buses, which may also serve as loading and unloading area for passengers.
- 8 **Camp** – the ground or spot on which tents, caravans/mobile homes, cottages, or other shelters, with sanitary and recreational facilities, are temporarily or permanently constructed and located and commonly arranged in an orderly manner used for vacation and outing.
- 9 **Campfire** – a fire made in a safe manner using untreated wooden materials, especially for the purpose of social gathering during night time.
- 10 **Convention** – any gathering for the purpose of exchanging or disseminating views, technical expertise, experiences, knowledge, skills, information, policies or any other related activity. It does not include corporate meetings or events where participation is limited to company personnel only. The term shall include any of the following:
 - 10.1 **Conference** – usually general sessions and face-to face groups with high participation to plan, get facts, solve organization and member problems.
 - 10.2 **Congress** – more commonly used European designation for convention and mainly international in scope.
 - 10.3 **Seminar** – usually one face-to-face group sharing experiences in a particular field under the guidance of an expert discussion leader. Attendance generally is thirty (30) persons or less.
 - 10.4 **Lecture** – a formal presentation by an expert sometimes followed by question-and-answer period.
 - 10.5 **Symposium** – a panel discussion by experts in a given field before a large audience; some audience participation but appreciably less than a forum.
 - 10.6 **Forum** – a panel discussion taking opposite sides of an issue by experts in a given field with liberal opportunity for audience participation.
 - 10.7 **Workshop** – usually a general session and face-to-face groups of participants training each other to gain new knowledge, skills or insights into problems; attendance generally no more than thirty to thirty-five (30-35) participants.
 - 10.8 **Colloquium** – a program in which the participants determine the matter to be discussed. The leaders would then construct the program around the most frequent problems; usually attended by thirty-five (35) persons or less with equal emphasis on instruction and discussion.
- 11 **Cottage** – type of house forming part of an establishment, constructed for permanent or temporary use.

- 12 **Court** – any competent court of law dealing with legal matters. Its chief function is to decide, at the request of the litigants or the government, whether or not a final decision previously handed down has been in violation of the law or has been a false interpretation of it.
- 13 **Dance** – rhythmic and expressive body movement usually coordinated into a pattern and adapted to musical accompaniments.
- 14 **Dance Hall** – public or privately owned room suitable for dances and offering facilities for dancing. This includes bistros, cabarets, discos, discotheques, pub-house, ballroom dance halls and similar establishments.
- 15 **Disco/Discotheque** – an establishment serving food and drinks equipped with electronic sound and lighting system and similar accessories and providing space for dancing.
- 16 **Dive Boat** – any sea craft transporting divers to and from the various dive sites with special equipment and or facilities /amenities catering to the needs of divers.
- 17 **Dive Instructor / Dive Master**– an individual who is licensed and accredited by PCSSD or any accredited diving institution and the Municipality of Baler and is duly registered with the Tourism Office
- 18 **Dive Shops** – any establishment accredited by the Philippine Commission on Sports Scuba Diving (PCSSD) catering to tourists both local and foreign, providing scuba diving lessons or instructions and packaged diving tours of the wrecks, reefs and other marine attractions and the rental of diving equipment.
- 19 **Domestic Tourists** – local tourists who stay in the site for more than a day.
- 20 **Ecotourism** –usually community based and revolves within the carrying capacity of an area, its natural, cultural/heritage attractions, and protection and management of natural resources and indigenous knowledge and practices. Generally based on the principle of sustainable development, this mode of tourism ensures that the ability of future generations of Balerianos will not be compromised.
- 21 **Entertainer** – include host/hostesses, singers, hospitality girls, male and female escorts, receptionist, guest relation officer (GRO), ago-go dancers, male and female sexy dancers, dance instructor/instructress and models of night/day clubs and similar establishments who entertain patrons or customer by seating and conversing, dancing, singing, eating and drinking with them.
- 22 **Excursionist** – stays at the area for less than a day. They are usually inhabitants of the place from nearby areas or from far areas but are staying at the site for less than a day.

- 23 **Folk House, Karaoke Bar, Videoke Bar or Music Lounge** – an establishment serving food and drinks and where the major form of entertainment is singing or listening to music.
- 24 **Function Room** – a room in a hotel or other similar establishment rented for public or social ceremonies, gatherings, festivities or other forms of entertainment.
- 25 **Guest** – any tourist or traveler who is registered as paying occupant of any apartment-hotel, resort, lodge, inn or accommodation catering to tourists.
- 26 **High-risk sports activities** – any activity such as rock climbing, spelunking, SCUBA diving, paragliding, white water rafting and kayaking that exposes participant/s to high level of risk.
- 27 **Homestay** - a non-commercialized, private residence that accommodates paying guest(s) who enjoy staying in the comfort and security of a family home.
- 28 **Hotel** – a building, edifice or premises or a completely independent part hereof, which is used for the regular reception of transient guests, accommodation or lodging of travelers and tourists, and the provisions of services incidental thereto for a fee.
- 29 **Lifeguard** – an expert swimmer trained on life saving procedures employed at a public bathing place to safeguard bathers and to prevent drowning.
- 30 **Lodging House** – a building where persons are supplied with and charged for sleeping accommodations only. This will include inn, lodge, cabin, cottage, resort, spa, cabaña, club, pension house, hostel and all other similar establishment not classified as hotel by the Department of Tourism.
- 31 **Long-haul Trip** – travel of considerable distance in terms of period of time which shall be measured at a minimum of over four (4) hours from point of embarkation to final destination.
- 32 **Motel** – a roadside hotel consisting of private cabins usually intended for motorists.
- 33 **Museum** – an institutional establishment where a collection of valuables object and artifacts on history and culture, art and sciences are put on exhibition for viewing of the general public.
- 34 **Natural Bathing Places** – include streams, rivers, lakes, beaches, springs, falls, tidal waters and other natural bodies of water.
- 35 **Night/Day Club** – an establishment open during the night or day usually serving liquor and food, providing a show or live entertainment or music and space for dancing.

- 36 **Pension** – A private, or family-operated tourist boarding house, tourist guest house or tourist lodging house, employing non-professional domestic helpers, regularly catering to tourists and/or travelers, containing several independent let table rooms, providing common facilities such as toilets, bathrooms/showers, living and dining room and/or kitchen and where a combination of board and lodging may be provided.
- 37 **Picnic Facility** – space or structure having tables and seats used of picnic gatherings.
- 38 **Picnic Ground** – a place having amenities such as picnic facilities, sanitary facilities, restaurants, sundry shops and recreational facilities.
- 39 **Private Swimming Pool, Bathhouse, Beach or Natural Bathing Area** – a bathing place used only by an individual, his family or house guests for non-commercial purposes.
- 40 **Public Swimming Pool or Bathing Place** – a bathing place intended to be used collectively or publicly by a number of persons for swimming or bathing and other recreational purposes operated by an operator as defined herein, whether he be the owner, lessee, licensee, or concessionaire regardless or whether a fee is charged or not for such use.
- 41 **Re-circulation Swimming Pool** – a pool filled by continuous flow of water, either fresh water from the source of supply or water which has been filtered and re-circulated.
- 42 **Resort** – any place or places with pleasant environment and atmosphere conducive to comfort, healthful relaxation and rest, offering foods, sleeping accommodations, swimming and other recreational facilities open to the public for a remuneration.
- 43 **Rest Area** – a facility located at a strategic point along the national highway or route of the traveling public which is provided with parking space, restaurant or snack bars, other business shops, recreational facilities, service stations, public restroom facilities or waiting sheds for travelers and commuters.
- 44 **Restaurant** – any establishment offering to the public regular and special meals or menu, cooked foods and short orders, beverages and drinks.
- 45 **Sanitary Engineer** – a person duly registered with the Board of Examiners for Sanitary Engineers (Republic Act 1364) and who heads or works with the sanitation division/section/unit of the municipal health office or employed with the Department of Health or its field health offices.
- 46 **SCUBA Diver** – any local or foreign visitor who is duly certified by an international or national dive-training agency or organization and wishes to dive the designated dive sites.

- 47 **Service Station** – commonly known as gasoline station, where service for motor vehicles may be obtained such as fuels, oil, water, air for tires, greasing and repair.
- 48 **Shed** – structure made of wood, bricks or concrete use of temporary shelter.
- 49 **Short-haul Trip** – travel of a considerate distance in terms of period of time which shall be measured at a maximum of four (4) hours from point of embarkation to final destination.
- 50 **Skimmer** – a device for removing floating pollutants in a swimming pool.
- 51 **Special Interest Resort** – refers to resorts located at appropriated seaside, sea borne, river sides and other special interest sites providing facilities and equipment for the conduct of special interest activities such as bird watching, camping, (either motorized or horseback), target shooting and theme parks, such as marine aquarium parks and or forest parks.
- 52 **Sports and Recreational Facilities** – include swimming pools, bowling lanes, tennis courts, pelota or squash courts, golf courses, riding range, shooting range, archery range, aquatic/water sports, fishing, water skiing and similar facilities forming part of the resort.
- 53 **Sundry Shop** – a store selling miscellaneous articles, details or items and other personal products of any size or amount.
- 54 **Swimming Pool or “Pool”** – any concrete or masonry structure, basin, tank, located either indoors or outdoors, used for bathing or swimming, diving or recreational purposes, religious or therapeutic healing purposes, and filled with a controlled water supply and having a depth of 91 centimeters (3 feet) or more at any point, together with appropriate buildings and appurtenance used in connection therewith.
- 55 **Tent** – a portable lodge of skin, canvas, cloth or other similar material usually stretched and sustained by poles used for shelter by campers.
- 56 **Travel Agency** – an entity which may either be a single proprietorship, partnership or corporation regularly engaged in business of extending to individual or groups, such services pertaining to documentation of travel papers, ticketing, sales and/ or accommodation, handling and/ or conduct of tours within or outside the Philippines whether or not for a fee, commission or any form of compensation.
- 57 **Tourist Boat** – any sea craft transporting local and foreign tourist to and from the various spots, beaches and attractions for a fee.
- 58 **Tour Guide** – an individual who is licensed by the MUNICIPALITY OF BALER and registered with Municipal Tourism Office to guide tourists, both foreign and domestic, for a fee, commission or any other form of lawful remuneration.

- 59 **Tour Operator** – an entity which may either be a single proprietorship, partnership or corporation regularly engaged in the business of extending to individuals or groups, such services pertaining to arrangements and bookings for transportation and/or accommodation, handling and/or conduct of inbound tours whether or not for a fee, commission, or any form of compensation.
- 60 **Tourist Inn** – a lodging establishment catering to local and foreign visitor and meeting the minimum requirements of a hotel.
- 61 **Public Land Transport** – any licensed vehicle, carriage or conveyance moving on wheels or runners used on public roads and highways and catering to the general public.
- 62 **Tourism-Oriented establishments** – any establishment, which is registered and licensed by the appropriate offices of the Municipal Government, which caters directly to tourist, whether domestic or foreign.
- 63 **Tourism Related program** – any program, activity or affair that caters to both foreign and local tourists or is aimed to attract tourists.
- 64 **Tourist Transport Operator** – a private person or entity which may either be a single proprietorship, partnership or corporation, regularly engaged in providing for a free or lawful consideration, tourist transport services as herein after defined, either on charter or regular run.
- 65 **Tourist Water and Air Transport Operator** – any water craft or air conveyance catering to tourist.
- 66 **Wading Pool** – any concrete or masonry structure, basin, tank, located either indoors or outdoors used for bathing or swimming, recreational purposes and religious or therapeutic healing purposes and filled with controlled water supply and having a maximum depth of 91 centimeters (3 feet) or below at any point.
- 67 **Waiting Area** – designated place for waiting passengers inside the bus terminal.
- 68 **Waiting Shed** – designated place for commuting passengers located along the highway that can accommodate a minimum of thirty (30) passengers.
- 69 **“Watercraft”** – every description of conveyance, except seaplane, used or being capable of use as a means of transportation on water which shall include passenger ship, ferry, pleasure yacht and other similar conveyances.
- 70 **Wildlife watching / Photography Area** – any established area that caters to activities related to observation and photo-documentation of flora and fauna. This does not include direct inter-action of tourists with the wildlife therewith.

CHAPTER II: INSTITUTIONAL MECHANISM.

Article 1. THE MUNICIPAL TOURISM COUNCIL

Section 1. Creation, Composition, and Term of Office – There is hereby created a Municipal Tourism Council (MTC) with a Chairman who shall be elected by the members composed of the following:

Municipal Tourism Officer
Sangguniang Bayan Member (concurrently the Committee Chairman on Environment and Tourism Affairs)
Sangguniang Bayan Member (concurrently the Committee Chairman on Transportation)
Chairman, Tourist Boat Association
Chairman, Van and Bus Operators and Drivers Association
Chairman, Baler Federation of Tricycle Operators and Drivers Association (BFTODA)
Chairman, Association of Dive Shop Operators
President, Liga ng mga Barangay
Chairman, Market Vendors Association
Chairman, Baler Chamber of Commerce
Representative, Indigenous People/Cultural communities
Representative, Non-Government Organization
Municipal Health Officer
Chief of Police, Municipal Police Station
Municipal Engineering Office/Officer
Municipal Planning Development Office/Officer
Municipal Licensing Office/Officer
Protected Area Office / Protected Area Superintendent
Municipal Local Government Operations Officer
Philippine Coast Guard
Representative from the Academe
Representative from Aurora Hotels, Resorts and Restaurants Owners Association (AHRROA)
Representative from Tour Guides Association
Representative from Travel Agencies
MENRO
Representative from BALER ARTS GROUP (VISUAL ART)
Representative from BALER CONSUMERS ORGANIZATION
Representative from ARCHITECTURAL GROUP
Representative from HOME STAY ASSOCIATION
Representative from SURFER'S ASSOCIATION (ASRAI)

Section 2. POSITION OF OFFICERS OF MUNICIPAL TOURISM COUNCIL

- CHAIRMAN
- VICE CHAIRMAN
- SECRETARY
- ASSISTANT SECRETARY
- TREASURER

- ASSISTANT TREASURER
- AUDITOR

Section 3: Term of Office – the elected officers for the MTC shall have a period of 2-year residency, election of which shall be conducted every Tuesday of the 1st week of December.

Section 4. MTC MEETING - The council shall meet quarterly, Tuesday of the 2nd week, and call for emergency meeting as the need arises.

Section 5. QUORUM - The quorum of every MTC Meeting whether it is en banc or ExeCom body shall be fifty percent plus one (50%+1).

Section 6. DUTIES AND RESPONSIBILITIES – The Tourism council shall have the following duties and responsibilities:

6.1 Ratify all Certificates of Registration issued by Mayor's Office to tourism establishments.

6.2 Exercise appellate jurisdiction on decisions or actions of the Municipal Tourism Office on matters involving the issuance, renewal, revocation or denial of Certificates of Registration and / or License of a Tourism Establishment, and other cases arising from the implementation of this ordinance shall resolve the same, within fifteen (15) days from termination of the hearing.

6.3 When public interest requires and upon recommendation of the Municipal Tourism Office, authorizes special inspection by the Composite Inspection Team or any member thereof of, of tourism establishments.

6.4 Formulate and recommend to the Municipal Mayor, policies and programs aimed at promoting the tourism industry in Baler such as a tourism development plan.

6.5 Perform other duties and responsibilities as maybe required by law or this ordinance.

Section 7. THE EXECUTIVE COMMITTEE – there shall be an Executive Committee composed of the chair of the different working committees that will act in behalf of the Tourism Council on matters requiring immediate decision and action. The Council Chairman and members who are chairpersons of the different working committees created under this code shall head the Executive Committee.

The Executive Committee shall be responsible for the development of the Internal Rules and Regulations of the Council. For purposes of this section, the council shall determine “matters requiring immediate decision and action” on its meeting 30 days after the effectivity of this code.

Section 8. WORKING COMMITTEES – (a) there shall be created the following working committees to be composed of a Chairman, Vice Chairman, and members. Their main function shall be on policy formulation. The working committees shall be as follows:

- 8.a.1 Finance Committee
- 8.a.2 Planning and Development Committee
- 8.a.3 Human Resource Development Committee
- 8.a.4 Environmental Management Committee
- 8.a.5 Marketing and Promotion Committee

(b) The Working Committee shall have the following responsibilities:

- 8.b.1. Finance Committee – in-charge of fund sourcing and fiscal plan of the Tourism Council;
- 8.b.2 Planning and Development Committee – formulate and recommend plans and projects for tourism development;
- 8.b.3 Human Resource Development Committee- technical capability trainings on management and skills enhancement;
- 8.b.4 Environmental Management Committee- – formulate policies for research, monitoring and evaluation, and resource protection;
- 8.b.5 Marketing and Promotion Committee - social marketing, Networking, Information campaign.

Section 9. CREATION OF A COMPOSITE INSPECTION TEAM – There is hereby created one composite inspection team to be headed by the Tourism Operations Officer (from the MTO) and an assistant team leader in the person of the Municipal Licensing Officer. The other members of the team shall be composed of a representative from each of the following offices/departments:

1. Municipal Engineer
2. Municipal Health Officer & Sanitary Officer
3. Fire Marshal
4. Municipal Treasurer
5. Chief of Police
6. Philippine Coast Guard (in case of tourist water transport)
7. Municipal Tourism Officer
8. Municipal Planning Development Officer
9. Municipal Environment and Natural Resources
10. Barangay Chairman or his duly authorized representative (where the establishment is situated.)
11. MTC Representative

9.1. FUNCTIONS OF THE COMPOSITE INSPECTION TEAMS – For all establishments already in operation, the composite inspection team shall have exclusive authority to conduct inspection for purposes of renewal of license. For

new establishment, the normal process of requiring the clearances and recommendation of the different technical departments are required.

9.2. FREQUENCY AND TIME OF REGULAR INSPECTIONS – Inspection shall be made quarterly.

9.3 SPECIAL INSPECTION – When public interest so requires, the Composite Inspection Team, upon recommendation of Municipal Tourism Office, may authorize the composite inspection team or any three (3) members thereof, to conduct special inspection.

9.4 CHECKLIST TO BE ACCOMPLISHED DURING INSPECTION – the Municipal Tourism Office shall provide the necessary checklist to be accomplished by all team/s in carrying out its inspection. All findings and/or observation of the team to be indicated in the checklist should be made in the presence of an authorized representative of the establishments and duly signed/noted by the said authorized representative.

9.5 REPORT OF THE INSPECTION TEAM – the team leader shall submit within 5 working days upon inspection a conformed report of its findings and/or recommendation to the Municipal Tourism Office. The MTC should be furnished a copy of the report.

SECTION 10: The MTC Adjudication Board – there shall be created an MTC Adjudication Board with the following members:

Municipal Tourism Officer
Municipal Chief of Police
Municipal Local Government Operations officer
MTC Chairman

CHAPTER III: RESOURCE MANAGEMENT

Article 1: ENVIRONMENTAL CLEARANCE – hotels, resorts, tourist inns, motels, apartels, pension houses, and other related business shall secure Environmental Compliance Certificate (ECC) from the Department of Environment and Natural Resources (EMB–DENR) prior to construction/establishment of such to comply/ensure environmental soundness of its vicinity and other necessary permit and clearances.

1. Sanitary permit
2. Zoning clearance (MPDC)
3. Mayor certification
4. Building permit
5. Barangay clearance

Article 2: PLAN – A Resource Management Plan shall be created for every area identified as tourist destination in the Municipality of Baler, the development of which shall be community-based. Its framework shall be governed by policies related to environmental conservation and community development. It shall also be in consonance

with existing national and local laws and ordinances. It should incorporate, but not limited to, the following:

- Environmental Protection
- Information Campaign
- Communities Capacity Building
- Fiscal Development
- Research and Monitoring

Section 1. Duration and Procedure – A minimum of three (3) year-management plan should be established prior to the full-operation of any tourism-related project in an area. Upon approval of the barangay council to which the jurisdiction of an area falls, the same body endorses the plan to the Sangguniang Bayan for adoption and implementation.

Section 2. Lead Agency – the barangay LGU has the major responsibility in pursuing the development of a resource management plan for their area. This shall be done through community consultation with the Municipal Tourism Office as main facilitator. Support agencies are the Municipal Agriculture Office, Municipal Health and Sanitation Office, Municipal Environment Office and /or DENR (whichever applicable), the Municipal Planning Development Office (MPDO), and Municipal Police Station. Once the plan has been endorsed to the Sangguniang Bayan, the SB member representing the Liga ng mga Barangay as well as the SB member with Chairmanship on Tourism shall be the main editor/sponsor for the adoption of the plan.

Section 3. Plan Effectivity – the plan may be amended after the initial three years of its implementation or if results of research and monitoring showed the need to alter any strategies being implemented.

Article 3: THE BALER ENVIRONMENTAL RESOURCE MANAGEMENT –all environmental resolutions, ordinances, plans and policies which were prepared before the enactment of this code is hereby adopted. Its publication in a separate document that does not affect its effectivity in relation to this code.

1. Trekking / Mountaineering
2. Mangrove tour / kayaking
3. Bird Watching
4. Wildlife Photography
5. Educational Field Trips
6. Scuba Diving /Snorkeling
7. Whale Shark / Dolphin watching
8. Surfing
9. Boating
10. Zipline\Rappelling
11. Biking
12. Off Road Driving\Motocross

Regulations concerning the abovementioned activities shall be referred to existing policies issued by, but not limited to, the following:

1. CITES – Conference on Internationally Threatened and Endangered Species
2. IUCN – International Union for Conservation of Nature
3. Philippine Red data List
4. PAWB – DENR – Protected Area and Wildlife Bureau
5. BFAR – Bureau of Fisheries and Aquatic Resources
6. DOT – Department of Tourism
7. LGU – Local Government Unit of Baler
8. Barangay LGUs within the Protected Area
9. Philippine Divers Assn.

CHAPTER IV: GUIDELINES

Article 1: CLASSIFICATION OF TOURISM-ORIENTED ESTABLISHMENTS

Section 1: For purposes of registration and licensing, hotels and resorts are hereby classified into the following categories namely:

Resorts

Class “AAA”

Class “AA”

Class “A”

Special Interest Resorts

Hotels

De Luxe Class

First Class

Standard Class

Economy Class

Section 2: Minimum Requirements – There is hereby established minimum requirements for each tourism-oriented establishment presented herein;

2.1. Requirements for “AAA” Class Resort - The following are the minimum requirements for the operation and maintenance of an “AAA” Class resort:

- (a) **Location and Environment.** - The resort shall be located in a suitable area, free of noise, atmospheric and marine pollution.
- (b) **Parking.** - An adequate parking space with parking security shall be provided free to guests.
- (c) **Facilities and Room Accommodation.** – The resort shall have its rooms, facilities and amenities equivalent to those of a First Class Hotel.

- (d) **Public Washroom.** – There shall be a first class and adequate public toilet and bathroom for male and female, provided with sufficient hot and cold running water, toilet paper, soap, hand towel and/or hand drier.
- (e) **Sports and Recreational Facilities.**- The resort shall have at least four (4) recreational facilities.
- (f) **Conference Convention Facilities.** – Conference convention facilities with attached toilets shall be provided.
- (g) **Employees Facilities.** – Uniforms of employees shall be provided by the management of the resort. The front line employees should wear uniforms and IDs. Adequate and well- maintained locker rooms and bathrooms for male and female employees, including cafeteria, shall be provided.

2.2 Minimum Requirements for “AA” Class Resort.- The following are the minimum requirements for the operation maintenance of “AA” Class Resort:

- (a) **Parking.** – An adequate parking space with parking security shall be provided free to guests.
- (b) **Facilities and Accommodation.** - The resort shall have its rooms, facilities and amenities equivalent to those of a Standard Sized Hotel.
- (c) **Public Washrooms.** – There shall be a clean and adequate public toilets and bathrooms for male and female, provided with sufficient running water, toilet paper, soap, hand towel and/or drier.
- (d) **Sports and Recreational Facilities.** - The resort shall offer at least (3) sports and recreational facilities.
- (e) **Conference/Convention Facilities.** – Conference/convention facilities shall be provided.
- (f) **Employees Facilities.** – Uniforms of employees shall be provided by the management of the resort. The front line employees should wear uniforms and IDs. .

2.3. Minimum Requirements for “A” Class Resort. – The following are the minimum requirements for the operation and maintenance of “A” Class Resort:

- (a) **Parking** – An adequate parking space with parking security shall be provided free to guests.
- (b) **Facilities and Room Accommodation.**- The resort shall have its rooms, facilities and amenities equivalent of an Economy Hotel.

- (c) **Public Washroom.**- There shall be a clean and adequate public toilet and bathroom for male and female, provided with sufficient running water, toilet paper and soap.
- (d) **Sports and Recreational Facilities.**- The resort shall offer at least two (2) sports and recreational facilities.
- (e) **Food and Beverage Outlets.**- The resort shall have one (1) food and beverage outlet.

2.4. MINIMUM REQUIREMENTS FOR A SPECIAL INTEREST RESORT. -

For purposes of registration and licensing, the following are the basic requirements for the establishments, operation and maintenance of a special interest resort:

- (a) **Location** - the camp and ground sites shall be well-drained and should not be subject to flooding. It shall be distant from any source of nuisance and shall not endanger sources of any water supply and other natural resources.
- (b) **Lounge and Reception Counter**- There shall be a reception counter and reasonably furnished lounge commensurate with the size of the resort.
- (c) **Room Accommodation.**- There shall be at least five (5) bedrooms for permanent site operations. The bedroom shall be reasonably spacious and is provided with comfortable bed(s), as well as sufficient and fresh supply of clean linen and mirror. For movable operation, a minimum of sixteen (16) guests plus the staff shall be accommodated in tents, lean-tos and the like. Where permanent tents are used, flooring shall be at least four (4) inches above the ground. Tents shall be provided with adequate bedding suitable for tropical use. Theme parks may be exempted from these requirements.
- (d) **Toilets and Bathroom.** – There shall be separate clean toilet and bathroom facilities for male and female guests which shall be provided with sufficient supply of running water and situated in appropriate and accessible areas. The same shall be supplied with soap and toilet paper. Adequate portable chemical toilets shall be provided at the camp site for mobile groups. In the absence of chemical toilets, temporary sanitary latrines shall be provided based on acceptable Philippine standards.
- (e) **Lighting, Furnishing and Ventilation.** – Lighting arrangements and furnishing in all rooms shall be either good or standard, and in areas where there is no electrical power each room shall be provided with non-hazardous portable light. Adequate means of ventilation shall be provided.
- (f) **Staff and Service.** – An adequate number of trained, experienced, courteous, and efficient staff shall be employed. They shall wear clean

uniforms at all times. The front-line staff shall have a good speaking knowledge of English.

Section 3. MAINTENANCE AND HOUSEKEEPING. – Maintenance of all sections of the resort shall be of acceptable standard, and shall be on continuing basis, taking into consideration the quality of materials used as well as its upkeep. Housekeeping shall be of such a standard ensuring well-kept, clean and pollution-free premises. A pest's control program shall be regularly maintained in all areas of the resort.

Regular and hygienic garbage disposal system shall be maintained. Sanitation measures shall be adopted in accordance with the standards prescribed under presidential Decree No. 856, the Sanitation Code of the Philippines.

Section 4. LIFEGUARD AND SECURITY. – All resort shall provide the service of a sufficient number of well- trained lifeguards duly accredited by the either the Philippine National Red Cross, the Water life Saving Associations of the Philippines or any recognized organization training or promoting safety objectives and adequate security wherever there are guests.

Section 5. MEDICAL SERVICE. – All resort shall provide the service of physicians, either on-call or on full-time basis, depending on its volume of operation and accessibility to hospital or medical centers. In addition, resort shall employ adequate first-aiders who have complete a course in first aid dully certified by the National Red Cross or any other organization accredited by the same. Adequate first aid medicines and necessary life-saving equipment shall be provided within the premises.

Section 6. FIRE-FIGHTING FACILITIES. – Fire-Fighting shall be provided in accordance with the Fire code of the Philippines.

Section 7. SIGNBOARDS. – Appropriate signboards shall be conspicuously displayed outside the establishment showing clearly the name qualification of the resort as determined by the Tourism and Promotions Department.

Section 8. PRECAUTIONARY MEASURE. –

- (a) Night Swimming at the pools shall be allowed only if there are adequate lifeguards on duty and when the pool premises are sufficiently lighted.
- (b) Management shall post sufficient and visible sign in stage tic areas in the swimming pools, to warn guest/customers of the presence of artificial or natural hazards, danger area or occurrences thereat.
- (c) Resort keepers, managers or operators shall likewise prohibit gambling of any form, drunkenness or disorderly conduct of any kind or allow any activity using prohibited drugs in the resort and immediate premises.

Article 2. HOTELS

Section 1. CLASSIFICATION OF HOTELS- For purposes of accreditation, hotels are hereby classified into the following categories, namely:

- (a) De Luxe Class
- (b) First Class
- (c) Standard Class; and
- (d) Economy Class

Section 2 . REQUIREMENTS FOR A DE LUXE CLASS HOTEL. – The following are the minimum requirements for the establishment, operation and maintenance of a De Luxe Class Hotel.

(a) Location. – The locality and environs including approaches shall be suitable for a luxury hotel of international standard. The facade, architectural features and general construction of the building shall have the distinctive qualities of a luxury hotel.

(b) Bedroom Facilities and Furnishings. –

Size – All single and double rooms shall have a floor area of not less than twenty five (25) square meters, inclusive of bathrooms.

Suite – There shall be one (1) suite per thirty (30) guest rooms.

Bathrooms – All rooms shall have bathrooms which shall be equipped with fittings of the highest quality befitting a luxury hotel with twenty-four (24) hour service of hot and cold running water. Bathrooms shall be provided with bathtubs and showers.

Floors and walls shall be covered with impervious material of elegant design and high quality workmanship.

Telephones – There shall be a telephone in each guest room and an extension line in each guest room.

Radio/Television – There shall be a radio, a television and relayed or piped-in music in each guest room.

Cold Drinking Water – There shall be cold drinking water and glasses in each bedroom.

Refrigerator/Mini Bar – There shall be a small refrigerator and a well-stocked bar in each guest room.

Room Service – There shall be a twenty-four (24) hour room service (including provision for snacks and light refreshments).

Furnishings and Lighting – All guest rooms shall have adequate furniture of the highest standard and elegant design; floors shall have superior quality wall-to-wall carpeting; walls shall be well

furnished with well-tailored draperies of rich materials. Lighting arrangements and fixtures in the rooms and bathrooms shall be so designed as to ensure aesthetic as well as functional excellence.

Information Materials – Room tariffs shall be prominently displayed in each bedroom including notices for services offered by the hotel, fire exit guidelines, house rules for guests, including food and beverage outlets and hours of operation.

(c) Front Office/Reception. – There shall be a reception, information counter and guest relations office providing a twenty-four (24) hour service and attended by highly qualified, trained and experienced staff.

Lounge – There shall be a well-appointed lounge with seating facilities, the size of which is commensurate with the size of the hotel.

Porter Service – There shall be a twenty-four (24) hour porter service.

Foreign Exchange Counter – There shall be a duly licensed and authorized foreign exchange counter.

Mailing Facilities – Mailing facilities including sale of stamps, envelopes or internet access for e-mail, shall be available in the premises.

Long Distance/Overseas Call – Long distance and overseas telephone calls shall be made available in the establishment.

Telex Facilities – There shall be telex-transceiver facilities in the establishment.

Reception Amenities – There shall be a left luggage room and safety deposit boxes in the establishment.

(d) Housekeeping. – shall be of the highest possible standard.

Linens – There shall be plentiful supply of all linens, blanket, and towels, etc. which shall be of the highest quality and shall be spotlessly clean. These shall be changed everyday.

Laundry/Dry Cleaning – Laundry and dry cleaning services shall be available in the establishment.

Carpeting – All public and private rooms shall have superior quality carpeting which shall be well-kept at all times.

(e) Food and Beverage. –

Dining Room – There shall be a coffee shop and at least one specialty dining room which are well-equipped, well-furnished and well-maintained, serving high quality cuisine and providing entertainment.

Bar – Wherever permissible by law, there shall be an elegant and well-stocked bar with an atmosphere of comfort and luxury.

Kitchen – The kitchen, pantry and cold storage shall be professionally designed to ensure efficiency of operation and shall be well-equipped, well-maintained, clean and hygienic. The kitchen shall have an adequate floor area with non-slip flooring and tiled walls and adequate light and ventilation.

Crockery – The crockery shall be of elegant design and superior quality. There shall be ample supply of it. No piece of crockery in use shall be chipped, cracked or grazed. The silverware shall be kept well-plated and polished at all times.

(f) Recreational Facilities. –

Swimming Pool – There shall be a well-designed and properly equipped swimming pool.

Tennis/Golf/Squash/Gym Facilities – There shall be at least one recreational facility to tie-up with one within the vicinity of the hotel.

(g) Entertainment. – Live entertainment shall be provided.

(h) Engineering and Maintenance. –

Maintenance – Maintenance of all sections of the hotel (i.e., building, furniture, fixture, etc.) shall be of superior standard.

Airconditioning – There shall be centralized air-conditioning for the entire building (except in areas which are at a minimum of 3,000 feet above sea level)

Ventilation – There shall be technologically advanced, efficient and adequate ventilation in all areas of the hotel.

Lighting – There shall be adequate lighting in all public and private rooms.

Emergency Power – There shall be a high-powered generator capable of providing sufficient lighting for all guest rooms, hallways, public areas/rooms, operating elevators, food refrigeration and water services.

Fire Prevention Facilities – The fire prevention facilities shall conform with the requirements of the Fire Code of the Philippines.

(i) General Facilities. –

Outdoor Area – The hotel premises shall have a common outdoor area for guests (example: a roof garden or a spacious common terrace).

Parking/Valet – There shall be an adequate parking space and valet service.

Function/Conference Facilities – There shall be one or more of each of the following: conference rooms, banquet halls (with a capacity of not less than 200 people seated) and private dining rooms.

Shops – There shall be a barber shop, recognized travel agency/tour counter, beauty parlor and sundries shop.

Security – Adequate security on a 24-hour basis shall be provided in all entrances and exits of the hotel premises.

Medical Service – A medical clinic to service guests and employees shall have a registered nurse on a 24-hour basis and a doctor on-call.

(j) Service and Staff. – Professionally qualified, highly trained, experienced, efficient and courteous staff shall be employed. The staff shall be in smart and clean uniforms.

(k) Special Facilities. – Business Center, limousine service and airport transfers shall be provided.

(l) Insurance Coverage. – There shall be an adequate insurance against accident for all guests.

Section 3. REQUIREMENTS FOR A FIRST CLASS HOTEL. The following are the minimum requirements for the establishment, operation and maintenance of a first class hotel:

(a) Location. – The location and environs including approaches shall be suitable for a first class hotel of international standard. The facade, architectural features and general construction of the building shall have the distinctive qualities of a first class hotel.

(b) Bedroom Facilities and Furnishing. –

Size – All single and double rooms shall have a floor area of not less than twenty-five (25) square meters, inclusive of bathrooms.

Suite – There shall be one (1) suite per forty (40) guest rooms.

Bathrooms – All rooms shall have bathrooms which shall be equipped with fittings of the highest quality befitting a first class hotel with a 24-hour service of hot and cold- running water. Bathrooms shall be provided with showers and/or bathtubs. Floors and walls shall be covered with impervious material of aesthetic design and high quality workmanship.

Telephone – There shall be a telephone in each guest room.

Radio/Television – There shall be a radio, television and relayed or piped-in music in each guest room.

Cold Drinking Water – There shall be cold drinking water and glasses in each bedroom.

Room Service – There shall be a 24-hour room service including provision for snacks and light refreshment.

Furnishing and Lighting – All guest rooms shall have adequate furniture of very high standard and very good design; floors shall have wall-to-wall carpeting; or if the flooring is of high quality (marble, mosaic,. etc.), carpets shall be provided and shall be of size proportionate to the size of the rooms; walls shall be well-furnished with well-tailored draperies of very high quality material. Lighting arrangements and fixtures in the rooms and bathrooms shall be so designed as to ensure functional excellence.

Information Materials – Room tariffs shall be prominently displayed in each bedroom plus prominent notice for services offered by the hotel including food and beverage outlets and hour of operation, fire exit guidelines and house rules for guests.

(c) Front Office/Reception. – There shall be a reception and information counter providing a 24-hour service and staffed by trained and experienced personnel.

Lounge – There shall be a lobby and well-appointed lounge with seating facilities, the size of which is commensurate with the size of the hotel.

Porter Service – There shall be a 24-hour porter service.

Foreign Exchange Counter – There shall be a licensed and authorized foreign exchange counter.

Mailing Facilities – Mailing facilities including sale of stamps, envelopes or internet access for e-mail, shall be available in the premises.

Long Distance/Overseas Call – Long distance and overseas telephone calls shall be made available in the establishment.

Telex and Facsimile – There shall be telex-transceiver and facsimile facilities in the establishment.

Reception Amenities – There shall be a left luggage room and safety deposit boxes in the establishment.

(d) Housekeeping. – Housekeeping shall be of high standards.

Linen – There shall be a good supply of all linen, blanket, towel, etc. which shall be of high quality and shall be spotlessly clean. These shall be changed daily.

Laundry/ Dry Cleaning Services – Laundry and dry cleaning services shall be available in the establishment.

Carpeting – All public and private rooms shall have high quality carpeting which shall be well-kept at all times.

(e) Food and Beverage. –

Dining Room – There shall be a coffee shop and at least one specialty dining room which are well-equipped, well-furnished, and well-maintained, serving good quality cuisine and providing entertainment.

Bar – Wherever permissible by law, there shall be an elegant and well-stocked bar with an atmosphere of comfort.

Kitchen – The kitchen, pantry and cold storage shall be professionally designed to ensure efficiency of operation and shall be well-equipped, well-maintained, clean and hygienic. The kitchen shall have an adequate floor area with non-slip flooring and tiled walls and adequate light and ventilation.

Crockery – The crockery shall be of best quality. There shall be adequate supply for it. No piece of crockery in use shall be chipped, cracked or grazed. The silverware shall be kept well-plated and polished at all times.

(f) Recreational Facilities. –

Swimming Pool – There shall be a well-designed and properly equipped swimming pool.

Tennis/Golf/Squash/Gym/Facilities – There shall be at least one recreational facility or a tie-up with one within the vicinity of the hotel.

(g) Entertainment. – Live entertainment shall be provided.

(h) Engineering and Maintenance. –

Maintenance – Maintenance of all sections of the hotel (i.e. building, furniture, fixtures, etc.) shall be of very high quality.

Air-conditioning – There shall be centralized air-conditioning for the entire building (except in areas which are at a minimum of 3,000 feet above sea level)

Ventilation – There shall be technologically advanced, efficient and adequate ventilation in all areas at the hotel.

Lighting – There shall be adequate lighting in all public and private rooms.

Emergency Power – There shall be high-powered generator capable of providing sufficient lighting for all guest rooms, hallways, public area/rooms, operating elevators, food refrigeration and water services.

Fire Prevention Facilities – The fire prevention facilities shall conform to the requirements of the Fire Code of the Philippines.

(i) General Facilities. –

Parking/Valet – There shall be an adequate parking space and valet service.

Function/Conference Facilities - There shall be special rooms for conference/banquet purposes.

Shops - There shall be a recognized travel agency/tour counter, barber shop, beauty parlor and sundries shop.

Security - Adequate security on a 24-hour basis shall be provided on all entrances and exits of the hotel premises.

Medical Service – A medical clinic to service guests and employees with a registered nurse on a 24-hour basis and a doctor on-call shall be provided.

(j) Service and Staff. – Highly qualified, trained, experienced, efficient and courteous staff shall be hired. The staff shall be in smart and clean uniforms.

(k) Special Facilities. – Facilities for airport transfers shall be provided.

(l) Insurance Coverage. – There shall be an adequate insurance against accident for all guests.

Section 4. REQUIREMENTS FOR A STANDARD CLASS HOTEL. The following are the minimum requirements for the establishment, operation and maintenance of a standard class hotel:

(a) Location. – The locality and environs including approaches shall be suitable for a very good hotel. The architectural features and general construction of the building shall be of very good standard.

(b) Bedroom Facilities and Furnishings. –

Size – All single and double rooms shall have a floor area of not less than 18 square meters inclusive of bathroom.

Bathrooms – All rooms shall have bathrooms which shall be equipped with showers and fittings of good standard with cold running water on a 24-hour basis and hot running water at selected hours.

Telephone – There shall be a telephone in each guest room.

Cold Drinking Water – There shall be cold drinking water and glasses in each bedroom.

Room Service – Room service shall be provided at selected hours.

Furnishings and lighting – All guest rooms shall have furniture of very good standard and design; floors shall have good quality carpet; walls shall be well furnished and drapes shall be well-tailored and of good material. Lighting arrangement and fixtures in the rooms and bathrooms shall be well-designed ensuring complete satisfaction functionally.

Information materials – Room tariffs shall be prominently displayed in each bedroom plus notices for services offered by the hotel including food and beverage outlets and hours of operation, fire exit guidelines, and house rules for guests.

(c) Front Office/Reception. – There shall be a reception/information counter providing a 24-hour service and attended by qualified and experienced staff.

Lounge – There shall be a well-appointed lounge the size of which shall be commensurate with the size of the hotel.

Porter Service – Porter service shall be provided upon request.

Foreign Exchange Counter – There shall be a duly licensed and authorized foreign exchange counter.

Mailing Facilities – Mailing facilities including sale of stamps, envelopes and internet service for e-mail shall be available in the premises.

Long Distance/Overseas Calls – Long distance/overseas calls shall be made available upon request.

Reception Amenities – There shall be left-luggage rooms and safety deposit boxes.

Telex Facilities – Telex facilities shall be optional.

(d) Housekeeping. – Shall be of good standard.

Linen – There shall be adequate supply of linen, blanket, towels, etc. of good quality, which shall be kept clean. These shall be changed daily.

Laundry – Laundry and dry cleaning services shall be available by arrangement.

Carpeting - There shall be carpets in all bedrooms and the floors of public rooms shall be properly covered unless the flooring is of very high standard.

(e) Food and Beverage. -

Dining Room – There shall be at least one (1) dining room facility which is well equipped and well-maintained and serving good quality cuisine and providing entertainment.

Bar – Wherever permissible by law, there shall be a bar.

Kitchen – The kitchen, pantry and cold storage shall be professionally designed to ensure efficiency of operation and shall be well-equipped,

well-maintained, clean and hygienic. The kitchen shall have an adequate area with flooring and tiled walls and adequate light and ventilation.

Crockery – Shall be of good quality. No piece of crockery in-use shall be chipped cracked or grazed. The silverware shall be kept well-placed and polished at all times.

(f) Engineering and Maintenance. –

Maintenance – Maintenance of hotel in all sections (i.e. building, furniture, fixtures, etc.) shall be of good standard.

Ventilation – There shall be efficient and adequate ventilation in all rooms.

Lighting – There shall be adequate lighting in all public and private rooms.

Emergency power – There shall be a high-powered generator capable of providing sufficient lighting for all guest rooms, hallways, public areas operating elevators, food refrigeration and water services.

Fire Prevention Facilities – The fire prevention facilities shall conform with the requirements at the Fire Code of the Philippines.

(g) General Facilities. –

Parking – There shall be adequate parking space.

Shops - There shall be sundry shop.

Security – Adequate security on a 24-hour basis shall be provided on all entrances and exits of the hotel premises.

Medical services – There shall be a registered nurse on a 24-hour duty and a doctor on call.

(h) Service and Staff. – Only qualified, trained, experienced, efficient and courteous staff shall be employed. The staff shall be in clean uniform.

(i) Special Facilities. – Facilities for airport transfer shall be provided.

(j) Insurance Coverage. – There shall be an adequate insurance against accident for all guests.

Section 5. REQUIREMENTS FOR AN ALL CLASS ECONOMY HOTEL. - The following are the minimum requirements for the establishment, operation and maintenance of an economy class hotel:

(a) Location. – The locality and environs including approaches shall be such as are suitable for a good hotel. The building shall be well-constructed and in the case of new building, they shall be designed by a competent architect.

(b) Bedroom Facilities and Furnishings. –

Size – All single and double rooms shall have a floor area of not less than 18 square meters inclusive of bathroom.

Bathroom – All rooms shall have bathrooms which shall be equipped with showers and basic fittings of modern sanitation with cold running water on a 24-hour basis and hot running water at selected hours.

Telephone – There shall be a call bell in each guest room.

Room Service – Shall be provided at selected hours.

Furnishing and Lighting – All guest rooms shall have the basic furniture of good design; floors shall be well-finished. Lighting arrangements and fixtures in all rooms and bathrooms shall be of good standard.

Information materials – Room tariffs shall be prominently displayed in each bedroom plus prominent notices for services offered by the hotel including food and beverage outlets and hours of operation, fire exit guidelines and house rules for guests.

(c) Front Office/Reception. – There shall be a reception and information counter providing a 24-hour service equipped with telephone.

Lounge – There shall be reasonably furnished lounge commensurate with the size of the hotel.

Porter service – Shall be made available upon request.

Mailing Facilities – There shall be mailing facilities.

Long distance/Overseas calls – Shall be made available upon request.

Reception amenities – There shall be left-luggage and safe deposit boxes.

Telex Facilities – Shall be optional.

(d) Housekeeping. – Premises shall be kept clean and tidy.

Linen - Clean, good quality linen/blankets/towels etc. shall be supplied and changed daily.

Laundry and Dry Cleaning Services – Shall be available by arrangement.

(e) Food and Beverage. -

Dining Room – There shall be at least one (1) equipped and maintaining dining room/ restaurant serving good, clean and wholesome food.

Kitchen – There shall be a clean, hygienic and well-equipped and maintained kitchen and pantry. The kitchen shall have an adequate floor area with non-slip flooring and tiled walls and adequate light and ventilation.

Crockery – Shall be of good quality.

(f) Engineering and Maintenance. -

Maintenance – Maintenance of the hotel in all sections shall be of good standard.

Ventilation – There shall be a spare generator for ventilation in all rooms.

Lighting – There shall be adequate lighting in all public and private rooms.

Emergency Power – There shall be a spare generator available to provide light and power in emergency cases.

Fire Prevention – Shall conform with the requirements of the Fire Code of the Philippines.

(g) General Facilities. -

Shops – There shall be a sundry shop counter.

Security – Adequate security on a 24-hour basis shall be provided on all entrances and exits on the hotel.

Medical Service – The service of a doctor shall be available when needed.

(h) Service Staff. – The staff shall be well-trained, experienced, courteous and efficient.

(i) Special Facilities – Airport transfers shall be provided upon request.

(j) Insurance Coverage – There shall be an adequate insurance against accidents for all guests.

ARTICLE 3: APARTELLES

Section 1. REQUIREMENTS FOR APARTELLES. - For purposes of accreditation, the following are the basic requirements for the establishment, operation and maintenance of an apartel:

(a) Number of Units. – The apartelles shall have at least a minimum of 25 lettable apartments.

- (b) Apartment.** – Each apartment of the apartelle shall be provided with living and dining areas, kitchen and bedroom with attached toilet and bath.
- (c) Living Area.** – The living area shall be provided with essential and reasonably comfortable furniture.
- (d) Kitchen.** – The kitchen shall be spacious, clean, hygienic and adequately equipped with cooking utensils. It shall also be provided with facilities for storage and refrigeration of foods, for disposal of garbage and for cleaning of dishes and cooking utensils.
- (e) Dining Area.** – Shall be spacious and provided with dining table and chairs, including all essential dining facilities such as, but not limited to plates, spoons and forks, drinking glasses, etc.
- (f) Toilet and Bathroom.** – Shall always be clean and have adequate sanitation and running water.
- (g) Bedroom.** – Shall be spacious and provided with comfortable bed. These shall also be provided closet and a mirror.
- (h) Linen.** – The apartelle shall have sufficient number of good and clean linen.
- (i) Ventilation.** – The apartment shall be sufficiently ventilated.
- (j) Lighting.** – Lighting arrangements and fixtures in all rooms shall be adequate.
- (k) Telephone.** – There shall be a telephone or a call bell button.
- (l) Elevator.** – An elevator shall be provided for a building of more than three (3) storeys whenever possible.
- (m) Staff and Services.** – Shall be trained, experienced, courteous and efficient. They shall be provided with smart and clean uniforms.
- (n) Medical Facilities.** – A first aid clinic stocked with appropriate medicines and drugs to service employees and guests shall be provided. Apartelles with more than 100 apartments shall hire the services of a physician.
- (o) Fire-Fighting Facilities.** – Shall be in accordance with the Fire Code of the Philippines.
- (p) Lounge and Reception Center.** – There shall be a reasonably furnished lounge commensurate with the size of the apartelle. The reception counter shall be attended by trained and experienced staff and shall also be provided with telephone.

- (q) **Security.** – Adequate security on a 24-hour basis on all entrances and exits of the apartelle premises.

Section 2. HOUSE RULES AND REGULATIONS. - The apartelle shall prescribe reasonable house rules and regulations to govern the use of apartment and other facilities of the apartelle.

ARTICLE 4: TOURISTS INNS

Section 1. REQUIREMENTS FOR TOURIST INNS. - For purposes of accreditation, the following are the basic requirements for the establishment, operation and maintenance of a tourist inn:

- (a) **Location.** – The tourist inn, except those already existing and licensed by the DOT, shall be located along the principal roads and highways or transportation routes and open to business on a 24-hour basis.
- (b) **Bedroom Facilities and Furnishings.** – All bedrooms shall have attached toilet and bath equipped with 24-hour service of running water. They shall have adequate natural as well as artificial light and ventilation and shall be furnished with comfortable beds and quality furniture (mirror, writing table, chair, closet dresser per room). Wall shall be painted, wall papered or architecturally designed, clean and pleasing to the eyes. Windows shall be furnished with clean and appropriate draperies. Floors shall be of good flooring materials. All single bedrooms shall have a floor area of not less than nine (9) square meters and all twin rooms or double rooms shall have a floor area of not less than 16 square meters. There shall be vacuum jugs or thermoplast with drinking water with glasses in each bedroom. There shall be adequate supply of good clean linen, blankets and towels that shall be changed regularly in each occupied room.
- (c) **Facilities.** – There shall be adequate parking space proportionate to the number of lettable rooms and other public facilities of the inn. There shall be a reception and information counter attended by qualified, trained and experienced staff. There shall be a lobby and well-appointed lounge. There shall be adequate telephone facilities. Services for long distance or overseas telephone calls shall be made available to guests. There shall be provisions for radio and/or television for the use of guests upon request. There shall be well-equipped, well-furnished and well maintained dining room restaurant for its guests as well as the public in general. A kitchen, pantry and cold storage shall be designed and organized to ensure efficiency of operation and shall be well-maintained, clean and hygienic.

Washing of cooking utensils, crockery, cutlery, glass wares, etc. shall be sanitarily done. Adequate security shall be provided to all guests and their belongings. Inns with more than 50 lettable rooms shall have

emergency power facilities to light the common areas and emergency exits in case of power failure. Adequate firefighting facilities shall be available as required by the Fire Code of the Philippines.

ARTICLE 5: MOTELS

Section 1. REQUIREMENTS FOR MOTELS. - For purposes of accreditation, the following are the minimum requirements for the establishment, operation, and maintenance of motels:

- (a) Location.** – The motel, except those already existing, shall be located along or close to the highways or major transportation routes. It shall have at least ten (10) units.
- (b) Garage.** – The motel shall have an individual garage or a common parking space for the vehicle of its guest.
- (c) Bedroom.** - Each unit shall be provided with a fully air-conditioned bedroom, or at least, an electric fan, and shall be furnished with comfortable bed/s, clean pillows, linen and bed sheets.
- (d) Toilet and Bathroom.** – The unit shall be provided with attached toilet and bathroom with cold and hot water, clean towels, tissue paper and soap.
- (e) Telephone.** – There shall be a telephone or call-bell in each unit.
- (f) Staff and Service.** – The motel staff shall be trained, experienced, courteous and efficient. They shall wear clean uniforms while on duty.
- (g) Medical Services.**- Medical services on an emergency basis shall be made available.
- (h) Fire-fighting Facilities.**- Adequate fire-fighting facilities shall be provided for each separate unit/building, in accordance with the Fire Code of the Philippines.
- (i) Lighting.**- Lighting arrangement and fixtures in all units shall be adequate.
- (j) Housekeeping.**- Efficient housekeeping shall be maintained.
- (k) Maintenance.**- Efficient maintenance of the motel in all its sections (i.e. building, ground, furniture, fixtures public rooms, air-conditioning, etc.) shall be provided on a continuing basis.
- (l) Other Facilities.** – The motel may, at its option, serve food and drinks exclusively to its guests, and install such other special facilities necessary for their business.

(m) Signboard.- All motels shall keep and display in a conspicuous place outside the establishment a signboard showing clearly the name of the motel.

Section 2. MINORS TO BE ACCOMPANIED BY PARENT OR GUARDIAN. - No motel shall accept for lodging or accommodation any person below 18 years of age unless accompanied by a parent or guardian.

Section 3. DEPARTURE OF GUESTS. - On the departure of guests, the motel clerk shall record in the Registry Book the date and hour of their departure.

Section 4. ROOM RATES. - In addition to daily rates, motels may likewise impose wash – up rates. No guest who desires to be accommodated on a daily rate basis shall be refused. The rental rates shall be posted prominently at the reception counter and/or at the door of each room.

ARTICLE 6: HOMESTAY SITES

Section 1. MINIMUM REQUIREMENTS. – For purposes of accreditation, the following are the minimum requirements for the operation and maintenance of homestay sites in accordance with the Department's National Homestay Program:

(a) HOMESTAY SITES

- (a.1)** There is prevailing peace and order situation in the area.
- (a.2)** There are existing natural and man-made attractions in the community.
- (a.3)** Site is easily accessible to tourists and with existing transportation services, good road condition and other basic community infrastructures.
- (a.4)** The host community is willing to join the National Homestay Program.
- (a.5)** There is a dearth of commercial accommodation facilities in the area to service tourists.

(b) HOME FACILITIES

- (b.1)** Structures are of durable building materials and are in good, presentable condition.
- (b.2)** The surroundings are pleasant and helpful.

(b.3) There shall be at least one (1) adequately furnished guestroom to accommodate paying visitors.

(b.4) The following shall be available:

- extra bed/s
- adequate lighting system
- running water or if not available, adequate supply of water
- clean and well maintained toilet and bathroom facilities
- meals at reasonable rates
- electric fan or other means of ventilation

(c) TRAINING

Family members shall have completed the Department's training workshop on Homestay Program.

ARTICLE 7: PENSION HOUSE

Section 1. PENSION HOUSES REQUIREMENTS. – For purposes of accreditation, the following are the basic requirements for the establishment, operation and maintenance of pension houses:

(a) Number of Rooms. – A pension shall have at least five (5) lettable rooms.

(b) Bedrooms. – The bedrooms shall be provided with sufficient number of comfortable beds commensurate with the size of the rooms. Each room shall have adequate natural as well as artificial light and ventilation. It shall be provided with at least a writing table, closet, and a water jug with glasses proportionate to the number of beds in the room. Rooms shall be clean and presentable and reasonably furnished to depict the true atmosphere of a Filipino home.

(c) Common Toilet and Bathroom. – The establishment shall provide a toilet and bathroom to be used in common by the guests. There shall be at least one (1) bathroom/shower for every five occupants in all lettable rooms.

(d) Linen. – There shall be adequate supply of clean linen and towels. Soap and tissue paper shall be provided at all times.

(e) Living Room. – There shall be a reasonably furnished lounge or living room area commensurate to the size of the pension where guests may receive visitors, watch television or read.

(a) Dining Room. – The pension shall have a dining room which shall be available for use of its guests.

CHAPTER V

REGISTRATION AND LICENSING

ARTICLE 1. REGISTRATION AND LICENSING OF TOURISM ORIENTED BUSINESSES – No person, natural or judicial, shall keep, manage or operate any transport, building, edifice or premises or a completely independent part thereof, for the purpose of engaging in the tourism oriented business without having secured from the Municipal Tourism Office (MTO) a certificate of registration of the establishment and valid license from the Office of the Municipal Mayor.

Section 1. APPLICATION FOR REGISTRATION AND LICENSE – Any person, partnership, corporation or other entity desiring to establish, maintain and/or operate a tourism oriented establishment shall accomplish in duplicate and file with Municipal Tourism Office (MTO) the application for registration and license prescribed for such purposes.

Tour Guides – Only Filipino citizen and must be a resident of Aurora Province may qualify as tour guides;

Travel Agency – In the case of travel agency with business address in the Municipality, the following may apply for registration and license:

- (a)** A Filipino citizen;
- (b)** Partnership organized under the laws of the Philippines, at least fifty one percent (51%) of the capital which is owned by Filipino citizens;
- (c)** Corporation organized under the law of the Philippines at least fifty one percent (51%) of the capital of which is owned by Filipino citizens;
- (d)** Such other establishment not covered by the preceding paragraphs of this section may apply for the same privilege, provided in this Ordinance and existing laws.

Other Establishment – Only Filipino citizens are qualified to apply for registration/accreditation and license and that they should be capable of complying with all requirements and rules and regulations provided therein.

Section 2. Who Are Authorized To Sign Application – In the filing of application for registration and license, the following shall be considered authorized to sign as follows:

- (a) In the case of sole proprietorship – the owner thereof or his duly authorized representative.
- (b) In the case of partnership – one of the partners designated in a sworn certification by all the partners to sign the application;
- (c) In the case of corporation – the person named in a board resolution as authorized to sign the application or person designated in its by-laws.

Section 3. Documents Required To Support Application For Registration And License – For newly established tourism business, unless otherwise indicated in the form, the application shall be composed of four (4) copies of the following documents:

(a) Resort and Hotels

(a.1) Mayor's Permit

(a.2) In the case of corporation or partnership, a certified true copy of the Articles of Incorporation, its bylaws, or Articles of Partnership and Amendments thereof, duly registered with the Securities and Exchange Commission and Business name Certificate;

In the case of single proprietorship, Business Name Certificate and amendments thereof, if any;

(a.3) List of the names of all officials and employees and their respective designation, nationality, home address, for alien personnel, valid visa from Commission of Immigration and Deportation and the proper permit from the department of labor and employment shall be submitted.

(a.4) A resolution of the Board of Directors of the Corporation, association, or any other entity, authorizing the filing of the application and designation of its representative authorized to act for and its behalf.

(a.5) Annual general liability insurance for guest in the minimum amount of twenty thousand (P20, 000.00) and a maximum of one hundred thousand (P100, 000.00);

(a.6) List of proprietors, principal owners, major partners, major stockholders, controlling members, their nationalities, capital contributions, stock of participation; in the case of

corporation, such list must indicate the quantity, per value and type (whether voting or non-voting) of the stock, with an indication of the absolute total value of the outstanding voting stocks and its ratio to their total value of the outstanding non-voting stock; and in all cases, the list shall be accompanied by proof of their financial capacity such as sworn statement of assets and liabilities, and income tax return;

(a.7) Sworn Certificate or list containing the names of the resort keeper/manager, assistant resort keeper/manager and other members of the resort staff and their respective designations, nationalities, home address and accompanied by a passport size photo of each of them;

(a.8) Joint venture and/or technological assistance agreements, if any, existing or proposed and about to be entered into with foreign nationals.

(a.9) Schedule of current room rates, food and beverage prices

(a.10) Monthly tourist arrival statistics report

(b) Tourist Inn and Lodging House

(b.1) Mayors Permit to Operate

In the case of corporation or partnership, a certified true copy of the articles of incorporation, its bylaws or articles of partnership and amendments thereof, duly registered with the Securities and Exchange Commission and business name certificate.

(b.2) A list of the names of all officials and employees and their respective designations, nationalities and their home address; and for alien personnel valid visa from Commission on Immigration and Deportation and the proper permit from the Department of Labor and Employment.

(b.3) Annual General Liability Insurance for guests in the inn/lodging house of not less than P10, 000.00.

(b.4) Barangay Clearance

(c) Travel Agency

(c.1) Copy of certificate of registration with the Securities and Exchange Commission;

- (c.2) Copy of the registration of their business name if sole proprietorship;
- (c.3) Surety bond in the amount of five hundred thousand pesos (P500, 000) issued by a duly accredited in favor of the municipality and conditioned to answer for any all liabilities resulting from or incurred in the course of travel and tour operator, which shall be valid for one (1) year from the date of issuance of the license;
- (c.4) The list of personnel together with one (1) 1x1 photo of each notarized certification of the general manager.
- (c.5) NBI Clearance
- (c.6) Police Clearance.
- (c.7) Barangay Clearance
- (c.8) Mayors Permit to Operate

For Inbound – In the case of the manager, proof that he has at least three (3) years of experience in tour operations or has earned a degree relevant to tourism.

Section 4. Documents to be submitted in support of an application to establish branch.

- a. Resolution signed by all members of the Board of Directors, approving its establishment (authorizing its continuation, if renewal) and designating the person authorized to sign the application;
- b. Affidavit executed by the General Manager of the main office acknowledging of said office, assuming full responsibility of its operations, and certifying that it is not managed or operated by persons/entities other than the duly accredited employees or officer of the office;
- c. List of Personnel and their respective designation, citizenship, home address and one (1) 1x1 photo of each, together with notarized certification of the general manager.
- d. NBI Clearance.
- e. Surety bond in the amount of five hundred thousand pesos (P500,000) issued by a duly accredited in favor of the municipality and conditioned to answer for any all liabilities resulting from or incurred in the course of travel and tour operator, which shall be valid for (1) year from the date of issuance of the license.
- f. Mayors permit to operate

Section 5. Documents Required to support Application For Registration for Tour Guide/Dive Instructor/Dive Master/other Tourism Personnel

- (a) Proof that the applicant has passed the seminar for tour guides duly conducted by the Department of Tourism or other government

agencies duly authorized by the department conducted the seminar, and in the case of SCUBA diving instructors/guides and other tourism service personnel, must be trained and duly accredited by the national or international training organization.

- (b) Certification of good health issued by any duly accredited government physician.
- (c) Clearance from National Bureau of Investigation and/or the Philippines National Police.
- (d) In the case of alien applicants, proof of employment with duly licensed agency, permit to work or registration certificate from Department of Labor and Employment, and the properly authenticated certification by the proper official of the locality to the Filipino citizens to engage in the provision of tourism services particularly those covered by this section.
- (e) Latest income tax return.

Section 6. For Tourist Transport Operator

- (a) Business name certificate and all amendments thereof, if any, in the case of a corporation, its bylaws, or articles of Partnership and Amendments thereof, duly registered with the Securities and Exchange Commission.
- (b) Proof of ownership or lease over an area adequate to serve as maintenance depot and garage for all its units;
- (c) List of names of all officials and employees and their respective designation, nationalities, home address, certified correct under oath by the secretary of the firm or the proprietor himself.
- (d) Surety bond in the amount of twenty five thousand pesos (Php 25,000.00) or proof of payment issued by a duly licensed insurance or bonding company of good standing in favor of the Baler municipal government from or incurred in the course of the tourist transport; and;
- (e) Such other papers or documents as maybe required from time to time by the municipal Tourism Office, pursuant to exist laws, ordinance and other legal issuance.

Section 7. Documents Required to Support Application for Registration of Vehicle as Tourist Transport (Van, Bus, All four, tri and two wheeled vehicle)

- (a) LTO registration
- (b) A copy of the LTFRB (formerly the Board of Transportation certification of Public Conveyance franchise or authorization;
- (c) A copy of the transportation rates as approved by the LTFRB;
- (d) A compulsory motor vehicle liability of insurance in the amount of less than the following:
 - d.1 Third party liability – P 50,000.00
 - d.2 Passenger accident – P 25,000.00

- (e) Picture of the vehicles showing the side, back and front view thereof, with the company's name and logo imprinted at its rear and side, respectively; and
- (f) Certificate of inspection by Municipal Tourism Office;
- (g) Such other papers and documents as may be required from time to time by municipal Tourism Office, pursuant to existing laws, ordinance and other legal issuances.

Section 8. Documents Required to Support Application for Registration of Tourism Related Establishment.

- (a) In the case of corporation or partnership, a certified true copy of the Articles of Incorporation, its bylaws, or Articles of Partnership and Amendments thereof, duly registered with the Securities and Exchange Commission and Business name Certificate , in case of single proprietorship, business name certificate and amendments thereof, if ant;
- (b) List of the names of all officials and employees and their respective designation, nationalities and their home address; and for alien personnel valid visa from Commission on Immigration and Deportation and the proper permit from the department of labor and employment.
- (c) Established catering exclusively to international tourist with offices in the municipality shall also be required to registered with Municipal Tourism Office. However, they need not apply for accreditation/reaccreditation.

Section 9. Registration - An annual registration fee shall be imposed on all tourism establishments, whether operating as principal, branch or extension office at the municipality payable as follows and without prejudice to the collection of taxes, fees and surcharges imposed under existing laws, ordinances, regulation and other local issuances. Annual registration shall be imposed on all:

(a) Resort: Class "AAA"	P 3,000.00
Class "AA"	P 2,000.00
Class "A"	P 1,000.00
Special Interest Resort	P 1,000.00
 (b) Hotels: De Luxe Class	P 5,000.00
First Class	P 3,000.00
Standard Class	P 2,000.00
Economy Class	P 1,000.00
 (c) Restaurant: Micro	P 300.00
Small	P 500.00
Medium	P 1,000.00
Large	P 2,000.00

(d)	Videoke bars	P 1,000.00
(e)	Tourist Inn & Pension/Lodging Houses	P 1,000.00
(f)	Travel Agency	P 1,000.00
(g)	Souvenir shops	P 500.00
(h)	Dive Shops	P 1,000.00
(i)	Airlines	P 2,000.00
(j)	Shipping Lines	P 2,000.00
(k)	Money changer	P 1,500.00
(l)	Tourist Land Transport Rental Services	P 1,500.00
(m)	Tourist/Dive boats (3.1 gt and above)	P 1,000.00
(n)	Tourist Shuttle Service	
	Bus	P 1,200.00
	Van	P 1,000.00
	Tricycle	P 300.00
(o)	Tour / Dive Boats (3 gt and below)	P 15.00 / hp
(p)	Tourist Land Transport Driver	P 300.00
(q)	Assistant Tourist Land Transport Driver	P 300.00
(r)	Tour Guides	P 300.00
(s)	Boat Captains	P 300.00
(t)	Boat Assistant	P 150.00
(u)	Dive Masters	P 300.00
(v)	Dive instructors	P 500.00
(w)	Cave Guide	P 400.00
(x)	Trek & Mountaineering Guide	P 500.00
(y)	Surfing Instructors	P 300.00
(z)	Other tourism related business occupation (Spa, Therapist, Reflexology, etc.)	P 300.00

Section 10. Issuance of Certificate of Registration/License and Sticker – After having determined that all requirements set for in the preceding sections have been satisfied and/or complete by the applicant, the municipal mayor through the MTO shall issue the corresponding certificate of registration, license and sticker within seven (7) working days after the receipt of certification.

Section 11. Objection to Application for Registration and Licenses – Any person may file a written objection to the office of the Mayor through the Municipal Tourism Office for the issuance or renewal of certificate of registration, license and/or sticker to the applicant. The objection shall state the facts upon which it is based and shall be sworn to before a person authorized to administer oath. Upon receipt of subject of objection, the Municipal Tourism Office shall within three (3) working days furnish the applicant with the copy of objection and require them the answer within five (5) working days from receipt thereof. Within seven (7) working days from the receipt of the answer of the applicant, the Municipal Tourism Office shall then conduct a summary administrative adjudication with parties duly notified present. The Municipal Tourism Council through the MTC Adjudication Board shall render a decision on the objection within seven (7) working days from the start of the hearing. The decision of the MTO

shall be appealable to the Sangguniang Bayan within 15 days. The law assumes that failure to do so, without valid reasons, by the proponent means he is no longer interested to pursue the case. The SB will then declare the case unappealable.

On cases requiring technical advisories, the Board upon recommendation of the MTO shall seek the assistance of agencies concerned. This may include, but not limited to, the following:

- (a) Municipal Development Planning Committee
- (b) Municipal Environment and Natural Resources
- (c) National Commission on Indigenous People
- (d) NGO Representative from MDC ExeCom.
- (e) Civil Society Groups (NGO / PO)

Section 12. Validity of Certificate of Registration and License – The Certificate of registration and license of tourism oriented and tourism related establishments should be valid until revoked or cancelled for all valid cause, while the license shall be renewable on an annual basis. If the tourism oriented and/or tourism related establishments concerned have ceased operation for at least six (6) months, it shall apply for registration.

Section 13. Documents/Requirements to be Submitted for the Renewal of Registration and License – Application for the renewal of license shall be supported by the following documents:

- (a) Copy of the amended Articles of Incorporation or Article of Partnership and bylaws, if any;
- (b) List and information sheets of additional personnel if any, or any change in manpower compliments;
- (c) Latest Income Tax Return and audited financial statements covering the preceding year's operation, provided that if this requirement is not available at the timed renewal, the named shall be submitted not later than April 30 of the current year;
- (d) Resolution of the Board of Director's authorizing the continuation of the business;
- (e) Proof of the renewal of general Liability Insurance (additional requirements for resort and tourist/inn/lodge);
- (f) Renewal of surety bond;
- (g) Barangay clearance;
- (h) Monthly report of tourist arrivals.
- (i) NBI for Travel Agency.

CHAPTER VI. REGULATORY MEASURES AND PENALTIES

Section 1. Grounds for the Closure of Tourism Establishments, Imposition of Bond Suspension, Cancellation and/or Non-Renewal of License.

- a. Failure to comply with or contravene any of the condition set forth in license;

- b. Failure to meet the standard and requirements for the operation of tourism establishment, as prescribed in this rule;
- c. Serious physical injury/ies or loss of life of any guest due to the fault or negligence of its official or employee (for resort/hotel/tourist inn/lodging other tourism related establishments);
- d. Allowing or permitting the tourism establishment including any of its facilities, to be used for or to engaged in illegal, immoral, illicit activities; such as gambling, prostitution, illegal / addictive drugs, etc. (for resort/hotel/tourist inn/lodging videoke bars other tourism related establishments);
- e. Managers and/or operators shall exert all possible efforts not to permit a persons engaging in indiscreet or vulgar acts to occupy any room or to frequent the premises. To accomplish this end, they shall immediately report to the nearest police station the presence in the premises of any such person.
- f. Violation of any of the conditions of the LFTRB franchise (for tourist transport operation);
- g. Tolerance of gross misconduct, discourtesy, dishonesty, or misrepresentation and /or fraudulent solicitation of business committed by any of the officers or employees against their clients to the detriment of the tourism industry;
- h. Willful violation of agreements and/or contracts entered into by the tourism establishment and its clients;
- i. Failure to replace or renew the surety bond within fifteen (15) days from the date when said bond is ordered, forfeited or confiscated in accordance with these rules or cancelled and/or revoked for whatever cause (in case of travel agency);
- j. Failure to pay fines, as well as fees, dues and contributions imposed under existing laws;
- k. Failure to submit a notice of any change in its personnel within thirty (30) working days of such change;
- l. Employment/hiring employees (national tour guides) who are not holders of license issued by the department of tourism and non-Filipino employees, whether contractual or permanent, without valid working visa and work permits;
- m. Opening of any branch without prior approval of Municipal Tourism Office;
- n. Non-settlement of account and/or non-remittance of collections due to carrier of their co-agencies, or any agency of the government or any individual within the period prescribed by laws;
- o. Any other acts or omission against the interest of the tourism industry.

- p. In case of tour guides and dive masters/instructors, the following are grounds for cancellation and suspension of license:
- i. Cancellation of license
 1. Conviction of a crime involving moral turpitude and
 2. Conviction of more than one of any of the acts enumerated in No. 2
 - ii. Suspension of license
 1. Any overt act of dishonesty, misrepresentation or misconduct committed against a member of his/her tour group or against her employer or co-employees; gross negligence resulting to serious illness or injuries,
 2. Forced tipping or solicitation of contribution/donation from tourists;
 3. Failure to comply with the requirements as to the compulsory wearing of ID; and
 4. Violation of any of the provisions of these rules and regulations.
 - iii. Revocation of license
 1. Negligence resulting to death or permanent injury shall mean automatic revocation of all permits and licenses issued by the municipality to the person responsible.

Section 2. Transfer of Certificate of Registration/License – The certificate of registration and license is a matter of privilege and may be issued only to qualified applicants accordingly, no owner and/or operator shall transfer or alienate in any manner the said certificate and license.

The certificate of registration and license shall be displayed in a conspicuous area in their place of business. Sticker shall be posted in entrances/gates of such establishment for easy identification.

Section 3. Registration of Guests/Tenants – All tourism establishments with accommodations shall require their guests or tenants to fill up a registry form in duplicate that will be provided by the Municipal Tourism Office.

- a. The said registry form will be accomplished in duplicate and all copies will be submitted to the Municipal Tourism Office within the first five (5) working days of each month, purposely for the monthly tourist arrival statistic report of the municipality as per requirement of the Provincial Tourism Office.
- b. The registry form provided by the Municipal Tourism Office shall contain the following:
 - i. Guest's full name
 - ii. Particulars of any identity card, passport or other travel documents issued to him/her
 - iii. Place of origin and permanent, regular or known address;
 - iv. Probable duration of stay and intended destination;

- v. Occupation and place of employment;
- vi. Nationality;
- vii. Time and date of arrival.

Section 4. Time of Entry of Particulars – Before the guest/visitors are allowed to occupy certain room of resort/hotel/tourist inn/pension house/lodge and/or its respective premises, the particulars described in the preceding sections shall be entered forth within the register of book or card, or if he/she is not able to write, by the keepers/managers/clerks. In either case the guest shall sign the entry or if she/he is unable to write it should be authenticated by his or her right thumbprint.

Section 5. Visitors Invited by Guests Required to Register – Any visitor invited by guests to stay in his/her room shall register in a separate book for visitors in which shall be entered the name, address, and other particulars of the visitor/s.

Section 6. False Entry in Registry Book of Card- No manager/operator shall enter or cause to be entered in the Registry Book or Card any information or particular, which he knows or could by the exercise of reasonable diligence, have been ascertained to be false.

Section 7. Registry of Property Left by Guest – A book in which shall be entered without delay the particulars of any property left in any resort/hotel/tourist inn/pension house/motorist hotel/lodge by any guest shall be kept in a manner which the Municipal Tourism Office may require.

Section 8. Guest Suffering from Dangerous, Contagious and/or Infectious Disease- The keeper/manager/operator shall immediately report to the Municipal Health Officer any guest, tenant or member of any tourism establishment concerned who is found to be suffering from a dangerous, contagious and/or infectious disease for necessary directions/instruction to prevent the spread of the disease or to require the transfer of the patient to the hospital.

Section 9. Death in the Tourism Establishment – The keeper/manager/operator shall immediately report to the Police Station the death of any person or one dying in a certain tourism establishment. Copy of the report shall be transmitted forthwith to Municipal Tourism Office.

Section 10. Employment of Foreign Nationals – In the employment of foreign nationals, valid visa permit to work issued by the Bureau of Immigration and the Department of Labor and Employment, respectively, shall be submitted.

Section 11. Training of Filipino Understudies – Tourism establishment employing foreign nationals with supervisory, technical or advisory functions shall include in the contract of employment of such foreign nationals a provision of at least two (2) Filipino understudies to whom each foreign national will impart his specialized skill.

11.1. Submission of Program – The management shall submit to Municipal Tourism Office within five (5) working days from assumption of duties by the

foreign nationals the program for training Filipinos in discharging the functions of foreign nationals.

11.2. Submission of Annual Reports – Tourism establishments shall submit to Municipal Tourism Office an annual report on progress of its training program of Filipino understudies by foreign nationals.

Section 12. Request for MTO's Identification Card – Municipal Tourism Office' identification cards shall be issued to employees of tourism establishments upon the request provided that the said employees are included in the list of personnel of the tourism establishment concerned.

Section 13. Surrender of ID Cards – The keeper/manager/operator of a tourist establishment shall require its officers/employees thereof who ceased to be such, to surrender to the Municipal Tourism Office their ID within three (3) working days from separation.

Section 14. Periodic Inspection – The composite inspection team shall conduct periodic inspection of tourism establishments.

1. The inspection shall be conducted at a reasonable time of the day with due regard and respect accorded to privacy of the guest.
2. All inspection shall be covered by mission orders issued by the Municipal Tourism Office with the approval of the municipal mayor stating therein the purpose of authority and such other matters necessary for the purpose.

Section 15. Access of Composite Inspection Team to Records and Premises – The inspection team shall have access to the registry book or card of the tourist establishment and all parts and facilities thereof, and the right to interview any employee and investigate any fact, condition or matter, which may be necessary to determine any violation or aid in arriving at a just and correct conclusion.

Section 16. Defects and Deficiencies Found During the Inspection – Where certain defects or deficiencies have been found in the course of inspection, the Municipal Tourism Office shall give directions to the keeper/manager/operator of the tourism establishments concerned to rectify/remedy the defects or deficiencies within a period of fifteen (15) working days from the notice thereof.

Section 17. Extension of the Period – The Municipal Tourism Office may, for good cause, extend the period within which to remedy the defects or deficiencies noted, but in no case shall the period of extension granted exceed two (2) months.

Section 18. Penalty for Failure to Remedy the Defects- If the management of any tourism-oriented and tourism-related establishment fail to remedy the defects or deficiencies noted, the Municipal Tourism Office shall impose the following:

- i. Resort – fine of one hundred fifty pesos (150.00) for every day of delay in complying with directions, but in no case shall the fine exceed the sum of three thousand pesos (3,000.00).
- ii. Hotel – fine of one hundred fifty pesos (150.00) for every day of delay in complying with directions, but in no case shall the fine exceed the sum of three thousand pesos (3,000.00).
- iii. Lodging house/tourist inn – fine of one hundred pesos (100.00) for every day of delay in complying with directions, but in no case shall the fine exceed the sum of two thousand five hundred pesos (2,500.00).
- iv. Others - fine of one hundred pesos (100.00) for every day of delay in complying with directions, but in no case shall the fine exceed the sum of two thousand five hundred pesos (2,500.00).

Provided that where the maximum fine imposable under this section has been reached and the tourism establishment concerned has continuously failed to rectify the defects or completed the deficiencies noted, the Municipal Tourism Office shall suspend the certificate of registration and license for six (6) months.

Permits / licenses shall not be renewed unless after the proponent has complied to and settled all his previous responsibilities to the government.

Section 17. Liability of Keepers/Managers/Operators for Acts or Commission of Tourism Oriented and Tourism Related Establishments Employees – Without prejudice to the provision of existing laws, keepers/managers/operators and assistants of the tourist establishments shall be administratively liable for the acts or commissions of any of its members against any guest/visitor. They may however be exempt for the liability if they could establish that they have exercised the diligence of a good father of the family in the supervision of the erring employees, or where the acts or commissions complained of are beyond the control of the keeper/manager/operator or their assistants due to fortuitous event or force majeure.

Section 18. Commission of Acts Inimical to the Tourism Industry – Commission by the manager/operator or any member of the establishment, inimical to the interest of the tourism industry shall be sufficient ground for disciplinary action, administrative and/or legal action against him. An act shall be considered inimical to the tourism industry when such act will prejudice the promotion of tourism in the municipality.

Section 19. Training Program for Staff – All tourism establishments shall undertake to provide a staff training program designed to acquaint each member of the staff of his duties and responsibilities to the end of that such member will know of what is expected of him or her.

Section 20. Code of Ethics and/or Conduct – Tourism establishments owners/keepers/managers and or associations, if any act shall draft, with the assistance

of Municipal Tourism Office their dealings with one another and the conduct to be observed by the staff or employees towards each other and/or the guests or tenants of the establishment.

Such code of ethics and/or conduct shall include the administrative penalties that maybe imposed for their violation, such as fine, suspension or dismissal from the service.

The code of ethics and/or conduct, once approved by the Municipal Tourism Office shall become part of these rules, provided, that in case of conflict between any provisions of these rules and said code of ethics and/or conduct, the former shall prevail.

Section 21. Promotion to Higher Class- Any hotel which has upgraded its facilities and services to, among others, comply with the requirements of a higher class hotel may apply with Department of Tourism through Municipal Tourism Office for promotion for such higher class.

Section 22. Demotion to Lower Class- Where after due investigation by the Municipal Tourism Office, it has been established that a hotel is not being kept or managed in a manner comfortable to the established standards, the Department of Tourism shall give notice to the hotel keeper/manager or operator through the Municipal Tourism Office for such fact granting the hotel a period of time stated in the notice within which to comply with the standards set. If the hotel fails to comply within the period granted in the notice, the Municipal Tourism Office shall remove the registration of the hotel from the class and place it in a lower class.

Section 23. Filing of Schedule of Charges-Tourism establishments shall file with the Municipal Tourism Office and shall readily make available imprinted or mimeographed form schedule of charges on all services and related fees. Any change in the charges shall be communicated to the Municipal Tourism Office within seven (7) working days from the affectivity of such charges.

Section 24. Administrative Penalties – Without prejudice to the application of the above penal sanctions, the Municipal Tourism Office may impose an administrative fine of not less than one thousand (1,000.00) pesos nor more than two thousand five hundred (2,500.00) pesos against any person, natural or juridical, who shall violate or cause another to violate any provision of this ordinance, or suspend or revoke the license of such person.

- a. In case of violations which includes but not limited to damage to person, properties, and the environment, the LGU reserves the right to file a case against the offender/s in court in consonance with existing laws (whichever may apply).
- b. Penalty imposed upon officers or juridical persons – if the offender of the provisions in the next preceding paragraph hereof is a corporation, partnership, firm or associations, the penalty provided therefore shall be

imposed upon the officer or officers responsible for the violation, and if such officer is an alien, he shall, in addition be subject to deportation.

CHAPTER VII: MISCELLANEOUS PROVISIONS

Article 1: INCENTIVES

Section 1. Registration of Tourism Oriented and Tourism Related Establishments- Tourism oriented and tourism related establishments which are duly registered and licensed by the municipality shall be entitled to the following incentives:

- a. "One stop shop" processing of registration and license at Municipal Tourism Office, which should be completed within a period of not exceeding fifteen (15) days.
- b. Exemption from the liquor ban to comply with the provisions as provided for under Section 17 of the Municipal Ordinance No. 05-2009 otherwise known as Children's Code of Baler, Aurora.
- c. Inspection by composite inspection team of the Municipality to be made only once every quarter, except on special cases as public interest may require whenever authorized by the Municipal Tourism Office upon recommendation of the Municipal Tourism Council.

In addition to the privileges mentioned in the preceding section, the MTO may, upon the recommendation of the MTC, grant tax exemptions and incentives to tourism establishments of international standards through the endorsement of the national government. Such establishments may include, but not limited to, the following;

- i. De Luxe hotel
- ii. International convention center
- iii. Manmade resorts or recreational parks of international standard similar to Disneyland or Ocean Park
- iv. International film center/movie studio with high-tech modern equipment and realistic film location sets of international standards similar to Universal Studio.
- v. Such similar establishments as maybe determined by the tourism council.

The establishment referred to in this Section may also apply for the utilization of municipal government-owned lands through lease agreement or joint venture with the LGU under terms and conditions the municipal council may deem proper to impose. Base on local investment code.

Section 2. Confidential Character of Certain Data – Information and documents by or filed with the Municipal Tourism Office in pursuance with the requirements of this ordinance shall be treated as confidential and shall not be divulged to any private party without the consent of the party concerned when the public interest so requires.

Any official or employee of the Municipal Tourism Office including those that are temporarily assigned therewith who shall violate the provision of the Section shall be guilty of an offense of this ordinance.

Section 3. Enlistment of Aid, Assistance and Support of Other Government Agencies – In the implementation of the provisions of this ordinance, Municipal Tourism Office may enlist the aid, assistance and support of any and all government agencies, whether local or national.

Section 4. Registration and License Form – The Municipal Tourism Office as the case maybe, shall make available all application for registration and/or license forms that applicants shall accomplish and all other forms that may be deemed necessary.

Section 5. Posting of LGU Standard rates for tourism related activities / establishments – it is hereby mandated by this Ordinance that all tourism related establishments and businesses shall post for the general public to see, the standard rates being implemented by the LGU. It shall cover, but not limited to, the following:

- 5.1 Transport fare
- 5.2 Room rates
- 5.3 Basic services
- 5.4 Complimentary services

CHAPTER VIII – FINAL PROVISIONS

Section 1. Implementation Of Rules – The municipal Mayor may from time to time, issue regulations as he may deem fit and necessary for the effective implementation of this ordinance.

Section 2. Funding – The funds necessary for the implementation of this ordinance shall be taken from the general funds of the municipality and funding requirements for the succeeding years shall be provided in the annual/supplemental budget of the municipality. Specifically, 75% of tax revenue from tourism related businesses shall be aligned to the implementation of this Ordinance.

Further, based on the general provisions of all resource management plans, the community/stakeholders together with the LGU reserves the right to impose environmental fees to visitors for purposes of maintaining/rehabilitating the natural resources of this municipality.

Section 3. Applicability Clause - All other matters concerning fees and activities not specifically mentioned in this article shall be governed by the pertinent provisions of the Revenue Code of Baler, Aurora.

Section 4. Separability Clause – The provisions of this ordinance are separable, and in the event that any or more of such provisions are declared invalid, the validity of all the other provisions shall not be affected thereby.

Section 5. Repealing Clause – Any ordinance, executive order, local issuance or rules and regulations, or parts, thereof, which are inconsistent with this ordinance are hereby repealed and/or modified accordingly.

Section 6. Effectivity- This ordinance shall take effect after ten (10) days from the date a copy hereof is posted in a bulletin board at the entrance of the Municipal Building of Baler, Aurora and in at least two (2) conspicuous places in the municipality.

ENACTED: 16 May, 2012

AUTHOR: **HON. KAREN G. ANGARA-ULARAN**
Chairperson- SB Committee on Tourism

I hereby certify to the correctness of the foregoing ordinance.

GLORIOSO A. VILAFRANCA
Secretary to the Sangguniang Bayan

Attested:

NELIANTO C. BIHASA
Vice Mayor- Presiding Officer

Approved:

ARTURO J. ANGARA, DMD.
Municipal Mayor

Date_____

