
SANGGUNIANG PANLUNGSOD

6TH CITY COUNCIL

EXCERPT FROM THE MINUTES OF THE 59TH REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD OF THE ISLAND GARDEN CITY OF SAMAL, DAVAO DEL NORTE HELD ON SEPTEMBER 2, 2014 AT THE SP SESSION HALL.

PRESENT:

Hon. Al David T. Uy	City Vice Mayor, Presiding Officer
Hon. Richard A. Guindolman	SP Member
Hon. Dan P. Gervacio	SP Member
Hon. Napoleon Roberto C. Villarica	SP Member
Hon. Michael D. Robledo, Sr.	SP Member
Hon. Ruel H. Bantillo	SP Member
Hon. Abelardo D. Colmenares	SP Member
Hon. Teresita B. Antalan	SP Member
Hon. Glenn C. Colmenares	SP Member
Hon. Nieljun C. Esdrelon	SP Member
Hon. Alberto C. Ortiz	SP Member
Hon. Samuel C. Rosario	SP Member
Hon. Godofredo M. Mara	SP Member
Hon. Alfonso V. San Juan, Sr.	IP Representative
Hon. Luduig Von P. Gervacio Sr.	Liga Representative

ABSENT: None

Sponsors: Hon. Teresita B. Antalan
Hon. Nieljun C. Esdrelon
Hon. Richard A. Guindolman

Co-Sponsors:

Hon. Dan P. Gervacio	Hon. Ruel H. Bantillo	Hon. Alberto C. Ortiz
Hon. Michael D. Robledo, Sr.	Hon. Abelardo D. Colmenares	Hon. Samuel C. Rosario
Hon. Godofredo M. Mara	Hon. Glenn C. Colmenares	Hon. Alfonso V. San Juan, Sr.
Hon. Napoleon Roberto C. Villarica	Hon. Luduig Von P. Gervacio Sr.	

ORDINANCE NO. 2014-235

AN ORDINANCE ENACTING

THE TOURISM CODE OF THE ISLAND GARDEN CITY OF SAMAL

BE IT ORDAINED by the Sangguniang Panlungsod of Island Garden City of Samal in its session assembled, **THAT:**

TITLE I GENERAL PROVISIONS

SECTION 1. TITLE. - This ordinance shall be known as the **Tourism Code of the Island Garden City of Samal.**

SECTION 2. DECLARATION OF POLICY. - It is the declared policy of the Island Garden City of Samal (IGACOS) to promote tourism, maintain ecological integrity by strengthening eco-tourism endeavors, protect its cultural heritage through promotion of community-based sustainable tourism projects, and strengthen partnership with tourism stakeholders, other agencies and the City Government of Island Garden City of Samal.

Towards this end, the City shall seek to:

- A. Inculcate and embrace a "culture of tourism" among all sectors/stakeholders in the Island Garden City of Samal. All sectors shall be orchestrated to work out and contribute to the green urban landscaping and beautification of the respective areas.
- B. Purposively embark on an intensified comprehensive program for tourism investment promotion and tourism marketing
- C. Include the identification of tourism investment priority areas and the corresponding applicable incentives, governed by the IGACOS Investment Priority Areas (IPA), the IGACOS Investment Code in Tourism Investment Promotion, and the Comprehensive Land Use Plan (CLUP),
- D. Develop responsible tourism as a strategy for environmentally sound and community-based participatory tourism programs, enlisting the participation of local communities, including indigenous people, in conserving bio-physical and cultural diversity, promoting environmental understanding and education, providing assistance in the determination of ecotourism sites, and ensuring full enjoyment of the benefits of tourism by the concerned communities.
- E. Promote tourism as a strategy for employment generation.

Continuously embark on a comprehensive tourism promotion and marketing strategies, to include the following:

- A. The City shall work on the development of a corporate image or Samal Branding that would establish the Island Garden City of Samal as world-class tourism destination.
- B. For purposes of consistency, all sectors shall be prodded to include at least two of the following images of **IGaCoS icons** in LGU collaterals: The IGaCoS Logo, Geoffrey rosettes fruit bats, Samal Mango, Samal Mongo, Samal Coconut, Sama geometric designs ("Inunto"), and/or other icons that may eventually emerge as appropriate for inclusion in the Samal Branding.
- C. To ensure the instilling of the Samal Branding among the visitors, **Pasalubong Centers** shall be established in all key areas.
- D. The City shall comprehensively promote the various opportunities which the Island Garden City of Samal could offer, specifically:
 - 1. Cultural Tourism;
 - 2. Coastal Tourism;
 - 3. Community-based Eco-Tourism;
 - 4. Agricultural tourism;
 - 5. Adventure and outdoor sports tourism;
 - 6. Health, wellness, medical tourism;
 - 7. Culinary tourism;
 - 8. Religious/Pilgrimage tourism;
 - 9. Educational tourism, among others.
- E. The City shall continually reinvent its tourism promotions/marketing efforts, to include, but not limited to the following:
 - 1. Participation in travel marts, exhibits;
 - 2. Familiarization tours for travel writers, producers of travel programs, tour operators;
 - 3. Pro-active tourism promotion tours and selling missions;
 - 4. Upscaling the exposure and promotions through multi-media platforms

(e.g., World wide web, TV, radio, print, etc.);

5. Forging of inter-LGU partnerships and International relations;
 6. Benchmarking undertakings;
 7. Networking (e.g., tourism enterprise partnerships); Conduct of regular trainings/accreditation/licensing of frontliners, to ensure quality service, thru emphasis of the following:
 - a) Good grooming;
 - b) Code of ethics/proper decorum;
 - c) Uniforms and identification numbers;
 - d) Periodic skills/capacity-building for special sectoral organizations.
- F. All tours to all destinations in the Island Garden City of Samal shall be required to hire licensed local guides.
- G. The City shall establish a system for the granting of incentives and awards to tourism establishments for the compliance of standards and good sustainable tourism services innovations (e.g. "Green Stars"; "Blue Banners", etc.).
- H. Co-Management of Critical Resources. The City shall closely work with the Department of Environment and Natural Resources (DENR), Department of Tourism (DOT), and/or other appropriate key agencies for the management/co-management of key critically-sensitive resources in the Island Garden City of Samal, to include among others the following:
1. Caves;
 2. Rivers and springs;
 3. Waterfalls (Hagimit, Tagbaobo, Tambang, among others);
 4. Forestal areas (e.g. San Antonio-Tagpopongan-Anggas area, Mangrove areas, among others);
 5. Foreshores not covered with Foreshore Lease Agreements (FLAs);
 6. Critical ridges and land formations (e.g. Puting Bato, Bito Depression, Bagsak Lake, among others)
- I. The City shall adopt Public-Private Partnership, as part of its tourism promotion strategy, the forging of creative joint ventures and/or appropriate engagements with private partners, together with DENR and/or DOT, in the management (protection, promotion,...) of the following specially critical resources and sensitive eco-systems:
1. Caves (especially Bat Caves);
 2. Bito Depression;

3. Hagimit Falls;
 4. Tagbaobo Falls;
 5. Tambang Falls;
 6. Puting Bato;
 7. Small islets.
 8. Other tourism attraction.
- J. The City shall promote festivals to promote its Samal Branding, to include the following:
1. Foundation Day: IGaCoS Festival;
 2. Indigenous: Pangapog Festival;
 3. A single unified signature festival of Island Garden City of Samal during Visit Samal;

SECTION 3. DEFINITION OF TERMS. - For purposes of this Ordinance, the following terms shall mean:

A. PRIMARY ENTERPRISES

1. **APARTMENT HOTEL (Apartel)** - Any building or edifice containing independent and furnished or semi-furnished apartments regularly leased to tourists and travellers for occupancy, on a long-term basis and offering cooking facilities to its tenants.
2. **CITY** - Refers to the Island Garden City of Samal (IGaCoS).
3. **DEPARTMENT-** Refers to the Department of Tourism (DOT).
4. **ESTABLISHMENT** - Refers to any legitimate commercial entity that is engaged in the business of tourism.
5. **HOMESTAY ("Ambit-Balay")** - Accredited home dwellings or residences that provide travellers with comfortable accommodations with Filipino families in areas near tourist attractions.
6. **HOTEL** - Means building, edifice or premises or a completely independent part thereof, which is used for the regular reception, accommodation or lodging of travellers and tourists and the provision of services incidental thereto for a fee.
7. **INBOUND TOUR** - Means a tour to the Philippines or to any place within the Philippines.
8. **INUNTO** - a geometric design which signifies the *sama* tribe;

9. **LICENSE** - Shall mean the privilege or the authority granted by the Office of the City Mayor to own, operate and maintain a tourist-related establishment and/ or facility covered by this Ordinance.
10. **LOCAL TOUR GUIDES** - an individual who is a resident of the Island Garden City of Samal who is licensed and registered with the City Government to lead and provide assistance and information to tourists both foreign and domestic for a fee, commission or any other form of lawful remuneration.
11. **MOTORIST HOTEL (Motel)** - Any structure with several separate units, primarily located along the highway with individual or common parking spaces, where motorists may obtain lodging and, in some instances, meals.
12. **OFFICE** - Refers to the City Investment and Tourism Office (CITO).
13. **OUTBOUND TOUR** - Means a tour to or any other place outside of the Philippines.
14. **PENSION** - A private or family-operated tourist establishment regularly catering tourists and/ or travelers, containing not more than twelve (12) independent lettable rooms where meals are provided for guests.
15. **RESORT** - Any place situated and anchored on a natural setting such as rivers, lakes, mountains, beaches, hillside, or bayside offering food, accommodation, and nature-based activities and recreational facilities for a fee.
16. **SEXY PAGEANT/BODY BEAUTIFUL/BIKINI OPEN** - an entertainment activity that showcases several women competing based on an ideal body structure, subject to the limits provided for by law.
17. **SPECIAL INTEREST RESORT** - refers to resorts located at appropriate seaside, sea borne, mountain, forest, lake or river sites providing facilities and equipment for the conduct of special interest activities, wildlife observation and bird watching, cave exploration, backpacking, hiking, camping, trail riding (either motorized or horse back), tribal visit or salaries, target shooting and hunting, theme parks and marine aquarium parks
18. **TRAVEL AGENCY** - A licensed commercial enterprise where a traveller can secure information and expertise, get partial or impartial counselling, and make arrangements to travel by air, sea or land to any point in the world.
19. **TRAVEL AND TOUR AGENCY** - A licensed commercial entity extending services pertaining to tours and its various components, and travel

arrangements to any point in the world.

20. **TOUR AGENCY** A commercial entity licensed by the City to extend services pertaining to packaging, organizing, handling and conduct of tours, arrangements of booking for transportation, accommodation, tour guides, and other related services incidental to the conduct of said tours.
21. **TOUR GUIDE** - An individual duly trained and accredited by the DOT and licensed by the City to guide tourists for a fee.
22. **TOURIST INN** - A lodging establishment catering to transients which does not meet the minimum requirements of an economy hotel.
23. **TOURIST TRANSPORT OPERATOR** - An entity that may either be a single proprietorship, partnership, or corporation extending to individuals or groups such services pertaining to tourist transportation.

B. SECONDARY ENTERPRISES

1. **DAY SPA** - A spa offering a variety of professionally administered spa services to clients on a day use basis.
2. **DESTINATION SPA** - A spa which has for its sole purpose to provide clients with lifestyle improvement and health enhancement through professionally administered spa services, physical fitness, education programming and on-site accommodations where spa cuisine or healthy food is offered.
3. **RESTAURANT** - Any commercial establishment offering meals, beverages, and drinks to the public.
4. **RESORT /HOTEL SPA** - A spa owned by and located within a resort or hotel providing professionally administered spa services, fitness, and wellness components.
5. **SHOP** - A retail establishment offering specific lines of goods and services.
6. **SPORTS AND RECREATIONAL FACILITIES** - These include swimming pools, bowling lanes, tennis courts, pelota or squash courts, golf courses, riding range, aquatic/water sports facilities, fishing, water skiing, and similar facilities forming part of a property.
7. **SOUVENIR SHOP** - Any licensed commercial establishment which can either be a single proprietorship, partnership or corporation offering to sell souvenir items, handicrafts, and/or delicacies and other local products.

8. **SPA** - A facility that exudes a tranquil environment offering various amenities and services intended to relieve stress, pamper the body, and make one feel relaxed and rejuvenated to promote a healthier way of life.

C. OTHER TOURISM BUSINESS RELATED ENTERPRISES

1. **AGRI-TOURISM/ FARM SITE-** A farm which produces and/or showcases raw and/or processed products.
2. **AGRI-TOURISM/FARM TOURISM** - A form of tourism activity conducted in a rural area which may include tending to farm animals, planting, harvesting and processing of farm products. It covers attractions, activities, services and amenities, as well as, other resources of the area to promote an appreciation of the local culture, heritage and traditions through personal contact with the local people.
3. **CONVENTION** - Any gathering for the purpose of exchanging or disseminating views, technical expertise, experiences, knowledge, skills, information, policies or any other related activity.
4. **DAY FARMS** - Farms ideal for day tours/visits.
5. **DEPARTMENT STORE** - A store that sells or carries several lines of merchandise and that is organized into separate sections for the purpose of promotion, service, accounting and control.
6. **FARM PRODUCT/S** - Refers to fresh and processed products of the farm.
7. **FARM RESORTS** - Farms that offer accommodation and dining services, for the purpose of participating in or enjoying interactive on-farm activities and other attractions offered to enrich the tourist's farm life experience.
8. **FARM TOUR** - Refers to the activity of visiting an agri-tourism/farm site on a day tour, overnight stay or longer period of time for the purpose of participating in or enjoying farm activities and other attractions offered.
9. **MUSEUM** - An institutional establishment where a collection of valuable objects and artifacts on history and culture, arts and sciences are put on exhibition for the general public.
10. **PROFESSIONAL CONGRESS/EXHIBITION/SPECIAL EVENTS ORGANIZER** - Shall mean an entity which may either be a sole proprietorship, partnership or corporation, extending to individuals or groups

such services pertaining to the management, organization and/or conduct of conventions, congresses, seminars, symposia, exhibitions and other special events and/ or activities.

D. PARTNER AGENCIES-COUNCILS

1. **ASSOCIATION** - An organization of persons/entities having the subject and promotion of tourism as a common interest duly registered with Securities and Exchange Commission (SEC) or Cooperative Development Authority (CDA) or any government agency authorized by law.
2. **DOT** - Department of Tourism
3. **DTI** - Department of Trade and Industry
4. **BFP** - Bureau of Fire Protection
5. **IGCSTB** - Island Garden City of Samal Tourism Board
6. **ITC/IGACOS TOURISM COUNCIL/COUNCIL** - Refers to the Island Garden City of Samal Tourism Council, a federated SEC registered association composed of the different organizations in the tourism industry.
7. **LTFRB** - Land Transportation Franchising and Regulatory Board
8. **LTO** - Land Transportation Office
9. **MARINA** - Maritime Industry Authority
10. **PNP** - Philippine National Police - IGACOS

E. MISCELLANEOUS TERMINOLOGIES

1. **Culinary/Food Tourism** - is defined as the pursuit of unique and memorable eating and drinking experiences
2. **CBST** - Community Based Sustainable Tourism
3. **PCO** - Professional Convention Organizer

SECTION 4. GENERAL ADMINISTRATIVE PROVISIONS. - The City Investment and Tourism Office (CITO) shall process and recommend to the City Mayor, for approval, the

application of any person, partnership, or corporation or other entity to maintain, operate, or engage in the business of, or related to, tourism within the territorial limits of the Island Garden City of Samal. The objectives of this provision are:

- A. To ensure the proper development of the tourism and hospitality industries bearing in mind the interest of the environment, community, and the economic implications of such;
- B. To strengthen the City Tourism Office as the body to administer and carry out the formal requirements of the Ordinance and be responsible to the City Government to monitor and make policy adjustments to meet the ongoing needs of the public and the industry;
- C. To provide a flexible system with as little formality or legal technicality as may be practicable for the administration of this Ordinance;
- D. To provide a legislative framework that will develop and improve tourism services and facilities and minimize the abuse of this Ordinance.

SECTION 5. REGISTRATION AND MAYOR'S PERMIT. - No person, natural or juridical, shall keep, manage or operate any building, edifice or premises or a completely independent part thereof, for the purpose of engaging in the business of, or related to, tourism without first having issued a Certificate of Registration by the Office, and a Mayor's Permit to operate as such, by the City Mayor. Such application for registration and Mayor's Permit shall be processed in accordance with the procedures provided in the Revenue Code and in this Ordinance. In this connection, all tourism activities in Island Garden City of Samal or any entity violating this provision shall be subjected to the penalties herein provided.

SECTION 6. POWER TO RESOLVE COMPLAINTS. - Any complaints filed to the Office by guests/clients involving primary and secondary enterprises for violation of any of the provisions of this Ordinance or circulars issued by the Office shall be endorsed to the City Mayor's Office for appropriate action and proper disposition and resolution of the case, in accordance with its rules and procedures governing complaints.

SECTION 7. SUBMISSION OF REPORTS AND OTHER DOCUMENTS. - Every company, firm, and/or establishment categorized as Primary Enterprise, CBST Projects and other enterprises are mandated to submit four (4) copies of the following documents:

- A. Articles of Incorporation and Constitution and By-laws, Articles of Partnership or any amendments thereof, as the case may be, within five (5) days from the date of the original registration and/or amendment with the appropriate government agency;
- B. Replacement of any director or other principal officers of a corporation, partnership or association, with the indication of nationality of each new officer, and accompanied by a copy of his certificate of citizenship, if a naturalized

Filipino, within five (5) days after replacement;

- C. Replacement/resignation/separation of the manager, the assistant manager, or any other member of the staff within three (3) days after the change;
- D. Any change in the personnel complement stating the respective designation, salaries (including other compensation), nationalities, home addresses, within five (5) days from such changes;
- E. Any change in the dimension of office measurement, office extensions, office expansions or transfer of business address;
- F. Monthly report of actual number of arrivals, guests/clients serviced and other data as may be required by the Office shall be submitted on or before the fifth (5th) day of the month.

SECTION 8. CODE OF ETHICS. - All primary and secondary enterprises, owners/keepers/managers and/or their sectoral associations/councils, if any, shall formulate a Code of Ethics within sixty (60) days from the date of approval of this Code which shall govern the conduct of their respective members in dealing with one another and the conduct to be observed by their staff or employees toward each other and their clients. A copy thereof shall be submitted to the Office within thirty (30) days from the adoption of such Code of Ethics.

SECTION 9. ENLISTMENT OF AID, ASSISTANCE, AND SUPPORT OF OTHER GOVERNMENT AGENCIES, CIVIL SOCIETY ORGANIZATIONS, AND DONOR AGENCIES/INSTITUTIONS. - For the proper implementation of this Ordinance, the Office may enlist the aid, request assistance and support from any or all government agencies, whether civil or military, Civil Society Organizations (CSOs), and donor agencies/institutions, subject to terms and conditions as defined in a Memorandum of Agreement (MOA) and/or any appropriate instrument that will govern the engagement.

TITLE II ACCOMMODATION ESTABLISHMENTS

CHAPTER 1 - REGISTRATION

SECTION 10. APPLICATION FOR REGISTRATION. - Any person, partnership, corporation or other entity desiring to keep, manage or operate any building, edifice, premise or an independent part thereof for the purpose of engaging in a tourism-related business shall accomplish an application form in quadruplicate and file the same to the Office.

SECTION 11. APPLICATION EXECUTED UNDER OATH. - Where the application is made by a corporate body, partnership, association or other entity, it shall be signed by the

person duly authorized to act for and in behalf of the applicant. The Authorized signatory shall be required to present and file an original copy of a Special Power of Attorney (SPA) and/or a Board Resolution specifying his authority to represent the applicant.

SECTION 12. DEFECTIVE APPLICATIONS. - Failure of the applicant to properly accomplish the application form shall be a sufficient ground for the non-acceptance of the application. Further infirmities and/or fraudulent documents found in the course of the evaluation shall also be grounds for its disapproval.

SECTION 13. SUPPORTING DOCUMENTS TO BE SUBMITTED WITH THE APPLICATION. - Unless otherwise indicated in the form, the application shall be accompanied by the following documents in four (4) copies:

- A. In case of a corporation, partnership, single proprietorship, a certified copy of their Article of Incorporation and By-laws, Articles of Partnership or Association duly registered with the Securities and Exchange Commission or other government registering agency, as the case may be.
- B. Resolution of the Board of Directors of the corporation, association or other entity authorizing the filing of application and designating its representative authorized to act for and in its behalf.
- C. In case of a corporation, association or other entity, its roster of Board of Directors and other principal officers and their respective nationalities. If a Director or officer is a naturalized Filipino citizen, such fact should be stated, accompanied by a copy of his certificate of naturalization or citizenship.
- D. Names of the Proprietors, principal owners, major partners, major stockholders, or controlling members, their nationalities and capital contribution; 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 non-voting stocks. In all cases, the list shall be accompanied by proof of their financial capacity such as sworn statements of assets and liabilities and income tax returns.
- E. Audited financial statements of the applicant, viz. profit and loss statement and balance sheets for the two preceding years, if applicant has been in operation for such period, otherwise, only such financial statement during its period of operation.
- F. Applicant's income tax returns for the last three (3) preceding years of its operation, if the applicant has been operating for more than three (3) years; otherwise, only such financial statements during the period it has been operating.

- G. Sworn certificate of list containing the names of the manager, assistant manager and other members of the staff, and their respective designations, nationalities, home addresses, and accompanied by a passport size photo of each of them.
- H. Joint ventures and/or technical assistance agreements, if any, existing or proposed and about to be entered into with foreign nationals.
- I. Such other papers or documents as may be required by pertinent laws, rules and regulations, and circulars.

SECTION 14. APPLICATION ENTRY BOOK. - The Office shall provide itself with a well-bound application entry book in which shall be entered, in chronological order, the names of applicants applying for registration and the corresponding filing date and hour of application and DOT Accreditation Number.

SECTION 15. PUBLIC NOTICE ON THE APPLICATION. - The Office shall post Public Notices regarding the pending application for registration of the establishment for a period of not less than ten (10) calendar days in conspicuous places, in barangay halls and in the *puroks* where the proposed business/project is located.

SECTION 16. OBJECTION TO APPLICATION FOR REGISTRATION. - Any person may file a written objection to the issuance of a Certificate of Registration to an applicant not later than seven (7) calendar days after the 10-day posting period of the Public Notice. The objection shall state the facts upon which it is based and shall be sworn to before a person authorized to administer oaths.

SECTION 17. OBJECTION REFERRED TO APPLICANT FOR COMMENT. - Upon receipt of the objection to the issuance of a Certificate of Registration to an applicant, the Office shall forthwith send a copy to the applicant for comment. The applicant shall be given seven (7) calendar days from receipt of the copy of objection within which to submit the comment. Failure on the part of the applicant to submit comment within the prescribed period shall be deemed a waiver and the Office shall forthwith render decision on the objection based on the available documents.

SECTION 18. OCULAR INSPECTION. - Within five (5) working days from receipt of the Application, the Office shall deploy Inspectorate Team to conduct an ocular inspection of the property and its immediate premises for the purpose of determining the class or category of the tourism-related business and its compliance to the provisions of this Ordinance.

SECTION 19. CHECKLIST OF REQUIREMENTS. - The Office shall, in coordination with the DOT and other sectoral associations, design and prescribe a form for a checklist of requirements for each class/category which shall be in triplicate.

SECTION 20. CHECKLIST TO BE ACCOMPLISHED DURING OCULAR INSPECTION. - The team shall provide itself with a set of the checklist which shall be accomplished during ocular inspection. All the deficiencies found and the requirements complied

with shall immediately be noted in the checklist.

SECTION 21. OBSERVATIONS TO BE ENTERED IN THE CHECKLIST. - Any observation of the applicant or his duly authorized representative present at the time of the inspection, or any adverse finding of the team, shall also be entered in the checklist.

SECTION 22. TRIPLICATE COPY OF ACCOMPLISHED CHECKLIST TO BE GIVEN TO THE APPLICANT. - At the closing of the inspection, the team and the applicant or his duly authorized representative present at the time of the inspection, shall sign all copies of the checklist. Thereafter, the team shall deliver to the applicant or his duly authorized representative a copy of the checklist.

SECTION 23. REPORT OF THE INSPECTORATE TEAM. - Within five (5) days from the date of the inspection of the building, edifice and its immediate premises, the committee or team shall render a report of its findings and/ or recommendations to the Office concerned. The applicant shall be furnished with a copy of the report of the inspectorate team. Within three (3) working days from the receipt of the copy of the said report, the applicant may submit a comment thereon, specifying in detail the portion/ s of the report where there are objections. The comment of the applicant shall be coursed through the Office.

SECTION 24. DECISION OF THE OFFICE. - The Office shall decide the case within thirty (30) days from receipt of the recommendations in such manner that the applicant may know the various issues involved and the reasons for the decision rendered.

SECTION 25. CONDITION TO BE SATISFIED TO MERIT ISSUANCE OF CERTIFICATE OF REGISTRATION AND MAYOR'S PERMIT. - No Certificate of Registration and Mayor's Permit as a tourism-related business shall be issued unless the applicant has passed all the conditions and requirements provided in this Ordinance, other city ordinances, the Fire and the Building Codes, and those other requirements set forth in Republic Act 9593 for DOT Accreditation.

SECTION 26. RECOMMENDATION BY THE OFFICE. - If in the opinion of the Office that the applicant has satisfactorily complied with the requirements prescribed for the business for which registration and Mayor's Permit are applied for, the Office shall recommend to the City Mayor the issuance of the Certificate of Registration and Mayor's Permit to operate as a tourism-related business upon payment of the registration fees prescribed in this Ordinance and its Implementing Rules and Regulations.

SECTION 27. MAYOR'S PERMIT SUBJECT TO CONDITION. - The Mayor's Permit shall contain conditions it may impose on the applicant, i.e., requirements apart from what are prescribed under this Ordinance as to other requirements required by law on Business Permits and Licenses.

SECTION 28. VALIDITY OF CERTIFICATE OF REGISTRATION. - The Certificate of Registration shall be applied with the Office at the start of operation of the business. If the business has ceased its operations for at least six (6) months or if the Mayor's

Permit has been revoked for some reason, the owner/proprietor/operator shall reapply and shall pay the registration fee for its re-application.

SECTION 29. ONE TIME MANDATORY REGISTRATION FEE FOR ACCOMMODATION PROPERTIES. - Except for DOT accredited establishments, the applicants who have complied all the requirements shall pay the registration fees herein provided:

- A. Deluxe Class P10,000.00
- B. First Class P 8,000.00
- C. Standard Class P 5,000.00
- D. Economy Class P 3,000.00

SECTION 30. ANNUAL REGULATORY/PROMOTIONAL FEE FOR ACCOMMODATION PROPERTIES. - Accommodation properties are subject to the following regulatory/promotional fees:

- A. Deluxe Class P 1,800.00
- B. First Class P 1,600.00
- C. Standard Class P 1,400.00
- D. Economy Class P 1,200.00

CHAPTER 2 - REGULATION, CONTROL AND SUPERVISION OF THE OPERATION OF ACCOMMODATION ESTABLISHMENTS

SECTION 31. DISPLAY OF DOT ACCREDITATION STICKER, CERTIFICATE OF REGISTRATION AND MAYOR'S PERMIT. - The Certificate of Registration, Mayor's Permit and DOT Accreditation Sticker shall be displayed in a conspicuous place within the business establishment and should be visible for public.

SECTION 32. SIGNBOARD. - All tourism-related businesses shall keep a signboard displayed in a conspicuous place outside the business establishment showing the name and nature of the business.

SECTION 33. GUEST REGISTRATION. - No person shall occupy or be permitted to occupy a room in an accommodation establishment, unless the personal circumstances and other particulars of the guest have been entered in the property registry book or card.

SECTION 34. ENTRY OF PARTICULARS. - Managers, operators, or their assistants shall require every guest seeking accommodation in the property to furnish in the register book or card the following minimum particulars:

- A. Full name, age, gender, status
- B. Particulars of number, date and place of issue of Residence Certificate, Class "A" or driver's license, or any identity card, passport or other travel documents
- C. The place of origin and permanent regular or known address
- D. The probable duration of stay and intended destination
- E. Occupation and place of employment
- F. Nationality, and
- G. The hour and date of arrival.

The Office, from time to time, or as the need arises, may require other particulars to be entered in the register or card.

SECTION 35. TIME OF ENTRY OF PARTICULARS. - Before the guest is allowed to occupy the room, the particulars prescribed in the preceding section shall be entered forthwith in the register book or card by such guests, or if he is not able to write, by the property keeper, manager or clerk, and in either case, the entry shall be signed by the guest or, should he be unable to write, authenticated by his right thumb print. Provided, that in the case of group tours, the leader may accomplish such duty by attaching the list of the participants. Provided, further, that in the case of families, only the head of the family shall be registered.

SECTION 36. REGISTRATION OF VISITORS INVITED BY PROPERTY GUESTS. - Any visitor invited by a guest to stay in his room shall register in a separate book for visitors, in which shall be entered the name, address, and other particulars of the visitor.

SECTION 37. MINORS TO BE ACCOMPANIED BY PARENT OR GUARDIAN. - No business establishment shall accept for lodging or accommodation any person below 18 years of age unless accompanied by a parent or guardian.

SECTION 38. ENTRY OF DATE AND TIME OF DEPARTURE. - The Front Desk Officer/property keeper/manager/operator or assistant shall, upon departure of his guest to any destination, while checked in, shall record his destination, time, and date of departure.

SECTION 39. FALSE ENTRY IN PROPERTY REGISTRY BOOK OR CARD. - No manager shall enter or cause to be entered in the register book or card any information or particulars which he knows or could, by the exercise of reasonable diligence, have ascertained to be falsified, fake or erroneous.

SECTION 40. GUEST SUFFERING FROM DANGEROUS AND/ OR CONTAGIOUS DISEASE. - The property keeper, manager or operator shall immediately report to the City Health Office of any guest, tenant, or member of the staff who is found/ suspected to be suffering from a dangerous and/ or infectious disease. Thereupon, he shall carry out all precautions and directions given by the City Health Office to prevent the spread of the disease.

SECTION 41. DEATH IN THE PROPERTY. - The property keeper, manager or operator shall immediately report to the nearest police station the death of any person in the property. A copy of the report shall be transmitted forthwith to the Office. The property keeper, manager, or operator shall also report to the nearest police station the unannounced disappearance of any person booked in the accommodation establishment.

SECTION 42. PERIODIC INSPECTION OF THE PROPERTIES. - Whenever necessary and upon valid reason, the Office shall make an inspection of properties and immediate premises of the tourism related establishment for the purpose of finding out whether they are being kept and/or managed in a manner compatible with the standard set forth under this Ordinance and according to the class which it has been registered and licensed, or whether it is kept in an unclean and unsanitary conditions. The inspection shall be conducted at a reasonable time of day and in such manner so as to interfere the privacy of the guests. The Office may conduct such inspection unannounced as the case may warrant or through a written notice specifying the date of inspection.

SECTION 43. ACCESS OF INSPECTION TEAM TO RECORDS AND PREMISES. - The inspection team shall have the right to access to the registry book or cards, the property building and all parts thereof, the facilities for cooking, and the right to interview any employees of the property and investigate any fact, conditions or matter which may be necessary to determine any violation or aid in arriving at a just and correct conclusion.

SECTION 44. DEFECTS AND DEFICIENCIES FOUND DURING THE INSPECTION. - Where certain defects or deficiencies have been found in the course of the inspection, the Office shall notify the property keeper, manager or operator to allow them to rectify the defects or deficiencies within a period of one (1) week from the date of notice, otherwise, necessary sanctions/penalties shall be imposed as provided for in this Ordinance.

SECTION 45. EXTENSION OF THE PERIOD. - The 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 be exceed one (1) month.

SECTION 46. PENALTY FOR FAILURE TO REMEDY THE DEFECTS. - If the management fails to remedy the defects or deficiencies noted, the Office shall recommend to the City Mayor the imposition of an administrative fine of One Thousand Pesos (P 1,000.00), but in no case shall the fine exceed the sum of Five Thousand Pesos (P5,000.00). Provided, that where the maximum fine imposable under this section has been reached and the property management has continued to fail to rectify the defects or the deficiencies noted within the period of time and

extension granted, the City Mayor shall suspend the Certificate of Registration and Mayor's Permit of the property as may be recommended by the Office through the Licensing Division.

SECTION 47. GAMBLING AND DISORDERLY CONDUCT. - Property keepers, managers, or operators shall exert all efforts not to allow prohibited games or gambling of any form, drunkenness, or disorderly conduct of any kind, in the property and its immediate premises. Littering shall be strictly prohibited. Accommodation establishment owners shall keep their premises clean and shall adopt their own anti-littering measures.

SECTION 48. PROSTITUTION AND OTHER IMMORAL/ILLEGAL ACTIVITIES. - Property keepers, managers, or operators shall exert all efforts not to allow any person whom they know or have reason to believe to be either a prostitute, a pedophile or of bad character to occupy a room in the property, or to frequent the premises. They shall immediately report to the nearest police station the presence in the premises of any such undesirable person to protect the interest of the greater good.

SECTION 49. PROMOTION OR DEMOTION OF ESTABLISHMENT. - An establishment may be promoted or demoted from one class to another as the facts may warrant upon recommendation of the Office based on facts gathered during inspection.

SECTION 50. PROMOTION OF AN ESTABLISHMENT TO A HIGHER CLASS. - Any establishment that upgraded its facilities and services to, among others, complied with the requirements of a higher class, may apply for promotion to such higher class. The Office shall receive said application and conduct necessary inspection to validate its compliance.

SECTION 51. DEMOTION OF A ESTABLISHMENT TO A LOWER CLASS. - Where, after due investigation by the same inspection committee, it has been established that an establishment is not being kept or managed in a manner compatible with the standard set by the Office for a property of the class in which it is registered and granted license, the Office shall give notice to the property keeper, manager or operator of such property, granting a period of time to comply within the period granted in the notice. If left un-acted, the Office shall remove the registration of the property from that classification and place it in a lower class.

SECTION 52. APPEAL AND STAY OF ORDER OF THE OFFICE. - The property aggrieved by the demotion order may appeal to the City Mayor within five (5) working days from receipt of notice of the order. A perfected appeal shall stay the order appealed from. The appellant, if he so desires, may submit his objection together with the supporting documents within five (5) working days from the perfection of his appeal in support thereof.

SECTION 53. DECISION OF THE MAYOR. - The City Mayor may order for revalidation and re-evaluation and, after review of the records, may revoke, modify or affirm the recommendation of the Office.

SECTION 54. LIABILITY OF PROPERTY KEEPERS/ MANAGERS FOR ACTS

OR OMISSIONS OF EMPLOYEES. - Without prejudice to the provision of existing laws, property keepers/ managers and their assistants shall be administratively liable for the acts or omission of any member of the staff committed against the guests clients of the property. They may, however be exempt from liability if it can be established that they exercised the diligence of a good father of a family in the supervision of the erring employee.

SECTION 55. TRAINING PROGRAM FOR PROPERTY STAFF. - All establishments shall undertake to provide a staff training program designed to acquaint the staff about their respective duties and know what is expected of such employee.

CHAPTER 3 - OPERATIONS AND MANAGEMENT OF ACCOMMODATION ESTABLISHMENTS

SECTION 56. MAINTENANCE AND HOUSEKEEPING. - Maintenance of all sections of the accommodation establishment shall be of acceptable standard and shall be on a 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 vermin control program shall be regularly maintained in all areas of the accommodation property. Regular and hygienic garbage disposal system shall be maintained. Sanitation measures shall be adopted in accordance with the standards prescribed on sanitation, and the regulations of the City Health Office.

SECTION 57. MEDICAL SERVICES. - As provided for in this Ordinance, hotel and accommodation facilities depending on their classification shall provide the services of a registered nurse or and on -call physician, to ensure the safety and protection of its clients/ guest, including its staff. In addition, resorts shall employ adequate first -aid, personnel who have completed a course in first aid duly certified by the Philippine National Red Cross or any recognized organization training or promoting safety objectives.

SECTION 58. LIFEGUARD AND SECURITY. - All accommodation properties with swimming pools and beach areas shall provide the services of a sufficient number of well-trained lifeguards duly accredited by either the Philippine National Red Cross, the Water Life Saving Association of the Philippines, or any recognized organization training or promoting safety objectives, and adequate security wherever there are guests, as determined and recommended by the City Investment and Tourism Office (CITO). Sworn Statement as to compliance with foregoing requirements shall be required in the renewal of application of business permit. All establishments shall provide CCTV.

SECTION 59. FIRE FIGHTING FACILITIES. - Fire-fighting facilities shall be provided in accordance with the Fire Code of the Philippines.

SECTION 60. DESIGNATED AREA. - The owner of the accommodation establishment or his duly authorized representative shall designate a portion of the premises to be used exclusively for loading and unloading of guests, unless otherwise designated elsewhere by

rules and regulations specific to the area.

CHAPTER 4 - RESORTS

SECTION 62. KINDS OF RESORTS. - Resorts may be categorized as beach resort (located along the seashore), inland resort (located within the city) island resort (located in natural or man-made land within the internal waters of the Municipal Waters of the Island Garden City of Samal), lakeside or riverside resort (located along or near the lake or river), and mountain resort (located at or near a mountain or hill).

SECTION 63. CLASSIFICATION OF RESORTS. - For purposes of registration and licensing, resorts shall be classified as follows:

- A. Department of Tourism (DOT) REGISTERED/ ACCREDITED RESORTS:
 - 1. Class "AAA"
 - 2. Class "AA"
 - 3. Class "A "
 - 4. Special Interest Resort
- B. Non-registered with Department of Tourism (DOT) but registered in the City Investment and Tourism Office (CITO).
- C.

SECTION 64. STANDARD REQUIREMENTS FOR "AAA" CLASS RESORT. - The following are the standard requirements for the operation and maintenance of an "AAA" Class Resort:

- A. Location and Environment. - The resort shall be located in a suitable location, free of noise and atmospheric and marine pollution, and in consonance with the zoning regulation of the city and other regulations of the national government.
- B. Parking. - An adequate parking space with parking security shall be provided free to guest. Car Park Ticket shall be issued to hotel guest for security, convenience, and identification purposes.
- C. Facilities and Room Accommodation. - The resort shall have its rooms, facilities and amenities equivalent to those of a First Class Hotel.
- D. Public Washrooms. - There shall be a clean public toilet and bathroom for male and female guests, provided with sufficient hot and cold running water, toilet paper, soap, hand towel and/or hand dryer.
- E. Sports and Recreational Facilities. - The resort shall offer at least four (4) sports and recreational facilities.
- F. Conference/convention facilities. - Conference/convention facilities with attached

toilets shall be provided.

- G. Employees Facilities. - The management of the resort shall provide uniform, adequate and well-maintained locker rooms and bathrooms for male and female employees, including cafeteria.

SECTION 65. STANDARD REQUIREMENTS FOR "AA" CLASS RESORT. - The following are the standard requirements for the operation and maintenance of "AA" Class Resort:

- A. Parking. - An adequate parking space with parking security shall be provided free to guests.
- B. Facilities and Accommodations. - The resort shall have its rooms, facilities and amenities equivalent to those of a Standard Class Hotel.
- C. Public Washrooms. - There shall be a clean and adequate public toilet and bathroom 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 three (3) sports and recreational facilities.
- E. Conference/Convention Facilities. - Conference/convention facilities shall be provided.
- F. Employees Facilities. - The management of the resort shall provide uniforms of employees. Adequate and well-maintained locker rooms and bathrooms for male and female employees shall be provided.

SECTION 66. STANDARD REQUIREMENTS FOR CLASS "A" RESORT. - The following are the standard 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 to those of an Economy Hotel.
- C. Public Washrooms. - 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.

SECTION 67. STANDARD REQUIREMENTS FOR A SPECIAL INTEREST RESORT. - For purposes of registration and licensing, the following are the standard requirements for the establishment, operation, and maintenance of special interest resort:

- A. Location. - The camp and ground sites shall be well drained and not 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 a reasonably furnished lounge commensurate with the size of the resort.
- C. Room Accommodation. - There shall be at least five (5) lettable bedrooms for permanent site operations. The bedroom shall be reasonably spacious and provided with comfortable bed(s), as well as sufficient and fresh supply of clean linen and mirror and electric fan except in places where electricity is not available.

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 this requirement.

- 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 campsite 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 of good standard, 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. - Adequate number of trained, experienced, courteous, and efficient staff shall be employed. They shall wear clean uniforms with name plates at all times. The front-line staff shall have a good speaking knowledge of English.

SECTION 68. 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 vermin 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 69. LIFEGUARD AND SECURITY. - All resorts shall provide the services of a sufficient number of well-trained lifeguards duly accredited by either the Philippine National Red Cross, the Water Life Saving Association of the Philippines or any recognized organization training or prompting safety objectives and adequate security whenever there are guests. All resorts shall provide CCTV.

SECTION 70. MEDICAL SERVICES. - All resorts shall provide the services of a physician, either on-call or on full-time basis, depending on its volume of operation and accessibility to hospital or medical centers. In addition, resorts shall employ adequate first-aiders who have completed a course in First aid duly 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 71. FIRE-FIGHTING FACILITIES. - Fire-fighting facilities shall be provided in accordance with the Fire Code of the Philippines.

SECTION 72. SIGNBOARDS. - Appropriate signboards shall be conspicuously displayed outside the establishment showing clearly the name and qualification of the resort as determined by the City Tourism Office.

SECTION 73. PRECAUTIONARY MEASURES. - appropriate precautionary measures shall be in placed and implemented for the safety of the guests.

- 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 signs in strategic areas in the swimming pools, to warn guests/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 activities using prohibited drugs in the resort and immediate premises.
- D. Resort owners/managers/keepers shall inspect the personal belongings of the customer prior to its admission. Refusal of such, shall be the ground of non-admission.

CHAPTER 5 - HOTELS

SECTION 74. CLASSIFICATION OF HOTELS. - For purposes of registration and licensing, hotels are hereby classified into the following categories, namely:

- A. De Luxe Class;
- B. First Class;
- C. Standard Class; and
- D. Economy Class.

SECTION 75. MINIMUM REQUIREMENTS FOR 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 should 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. -
 1. Size- All single and double rooms shall have a floor area of not less than twenty-five (25) square meters, inclusive of bathrooms.
 2. Suite - There shall be three (3) suites per thirty (30) guest rooms.
 3. Bathrooms - All rooms must have bathrooms which shall be equipped with fittings of the highest quality befitting a luxury hotel with 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.
 4. Air-conditioned rooms - All rooms shall be equipped with air conditioning units.
 5. Telephones - There shall be a telephone in each guest room and an extension line in each guest room.
 6. Broadband/Wi-Fi Internet Access - Lounges and all rooms shall be equipped with broadband and internet access.
 7. Telephone Directory - There shall be a local telephone directory and in house directory in each guest room.

8. Cable/ Satellite Television - There shall be a Cable/ Satellite Television in each guest room.
 9. Cable / Satellite Directory - There shall be cable / satellite directory in each guest room.
 10. Mineral/Distilled/Purified Water- There shall be two (2) mineral/distilled/purified at least 250ml for free and glasses in each bedroom.
 11. Cold Drinking Water - There shall be cold drinking water and glasses in each bedroom or available upon request.
 12. Electric kettle - There shall be electric kettle in each guest room.
 13. Coffee/Creamer/ Brown or white sugar- There shall be two (2) coffee, two(2) creamers two (2) brown sugar or two (2) white sugar in sachets available for free in each guest room.
 14. Refrigerator/Mini Bar - There shall be a small refrigerator and a well-stocked bar in each guest room.
 15. Room Service - There shall be a twenty-four (24) hour room service (including provision for snacks and light refreshments).
 16. Furnishings and Lighting
 - a) All guest room 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;
 - b) Lighting arrangements and fixtures in the rooms and bathrooms shall be so designed as to ensure aesthetic as well as functional excellence.
 17. Information Materials - Room tariffs shall be prominently displayed in each bedroom plus prominent notices for services offered by the hotel, fire exit guidelines, and 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 relation's office providing a twenty-four (24) hour porter service and attended by highly qualified, trained and experienced staff.
1. Lounge - There shall be a well-appointed lounge with seating facilities the size of which is commensurate with the size of the hotel.
 2. Porter Service - There shall be a twenty-four (24) hour porter service.

3. Foreign Exchange Counter - There shall be a licensed and authorized foreign exchange counter.
4. Mailing Facilities - Mailing facilities including sale of stamps and envelopes shall be available in the premises.
5. Long Distance/Overseas Call - Long distance and overseas call telephone shall be available in the establishment.
6. Facsimile machine - There shall be facsimile machine in the establishment.
7. IGaCoS Information and Assistance Center - maintains IGACOS tourism space sufficient to display tourism materials and willing to train staff to give / offer tourism info such as front desk personnel.

D. Housekeeping. - Shall be of the highest possible standard.

1. Linen - There shall be plentiful supply of all linen/blanket/towels, etc which shall be of the highest quality available and shall be spotlessly clean. The linen and towels shall be changed everyday.
2. Laundry/Dry Cleaning - Laundry and dry cleaning services shall be available in the establishment.
3. Carpeting - All public and private rooms shall have superior quality carpeting which shall be well-kept at all times.

E. Food and Beverage. -

1. Dining Room - There shall be a coffee shop and at least one special dining room which are well-equipped, well-furnished and well-maintained serving high quality cuisine and providing entertainment.
2. Bar - Wherever permissible by law, there shall be an elegant and well-stocked bar with an atmosphere of comfort and luxury.
3. 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 area tiled walls and adequate light and ventilation.
4. 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. -

1. Swimming Pool - There shall be a well-designed and properly equipped swimming pool.
2. Tennis/Golf/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. -

1. Maintenance - Maintenance of all sections of the hotel (i.e., building, furniture, fixture, (etc.) shall be of superior standard.
2. Ventilation - There shall be technologically advanced, efficient and adequate ventilation in all areas of the hotel.
3. Lighting - There shall be adequate lighting in all public and private rooms.
4. 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.
5. Fire Prevention Facilities - The fire prevention facilities shall conform to the requirements of the Fire Code of the Philippines.

I. General Facilities. -

1. Elevator. - an elevator shall be provided for a building of more than three (3)-storey whenever possible, in conformity with the City Comprehensive Development Plan..
2. Outdoor Area - The hotel premises shall have a common outdoor area for guests (example: a roof garden or a spacious common terrace).
3. Parking/Valet - there shall be an adequate parking space and valet service.
4. Function/Conference Facilities - There shall be one or more of each of the following:
 - a. Conference rooms, banquet halls (with a capacity of not less than 200 people seated) and private dining rooms.
 - b. Shops - There shall be a salon, recognized travel agency/tour counter and

sundries shop.

- c. Security - Adequate security on a 24-hour basis shall be provided in all entrances and exits of the hotel premises.
 - d. 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. Staff shall be in clean and proper uniform with name plates.
- K. Special Facilities. - Business Center, limousine service, airport transfer and transport services shall be provided.
- L. Insurance Coverage. - There shall be an adequate insurance against accident for all guests.

SECTION 76. MINIMUM REQUIREMENTS FOR 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 such as can be considered suitable for a first class hotel of international standard. The façade architectural features and general construction of the building shall have the distinctive qualities of a first class hotel.
- B. Bedroom Facilities and Furnishing. -
- 1. Size - All single and double rooms shall have a floor area of not less than twenty-five (25) square meters, inclusive of bathrooms.
 - 2. Suite - There shall be two (2) suites per forty (40) guest rooms.
 - 3. Bathrooms - All rooms shall have bathrooms which shall be equipped with fittings of 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 bathtubs. Towels, hand towel, toilet paper, shampoo with conditioner, lotion, soap, and/or blower shall be provided. Floors and walls shall be covered with impervious material of aesthetic design and high quality workmanship

4. Air-conditioned rooms - All rooms shall be equipped with air conditioning units.
5. Telephone - There shall be a telephone in each guest room.
6. Telephone Directory - There shall be a local telephone directory and in house directory in each guest room.
7. Cable / Satellite Directory - There shall be cable / satellite directory in each guest room.
8. Mineral/Distilled/Purified Water- There shall be two (2) free mineral/distilled/purified water at least 250ml and glasses in each bedroom.
9. Cold Drinking Water - There shall be cold drinking water and glasses in each bedroom available upon request.
10. Electric kettle - There shall be electric kettle in each guest room.
11. Coffee/Creamer/ Brown or white sugar- There shall be two (2) coffee, two(2) creamer two (2) brown or two (2) white sugar in sachets available for free in each guest room.
12. Room Service - There shall be a 24-hour room service including provision for snacks and light refreshment.
13. 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 a very high quality material.
14. Information Materials - Room tariffs shall be prominently displayed in each bedroom plus prominent notice for services offered by the hotels.

C. Front Office/Reception.

1. Front Office/Reception. - There shall be a reception and information counter providing a 24-hour service and staffed by trained and experienced personnel.
2. Lounge - There shall be a lobby and well-appointed lounge with seating facilities and size of which is commensurate with the size of the hotel.
3. Porter Service - There shall be a 24-hour porter service.

4. Foreign Exchange Counter - There shall be a licensed and authorized foreign exchange counter.
5. Mailing Facilities - Mailing facilities including sale of stamps and envelopes shall be available in the establishment

D. Housekeeping. -

1. Linen -There shall be a good supply of all linen/blanket/towel, etc. which shall be of high quality and shall be spotlessly clean. Bed linen and towels shall be changed daily.
2. Laundry/Dry Cleaning Services - Laundry and dry cleaning services shall be available in the establishment.
3. Carpeting - All public and private rooms shall have high quality carpeting which shall be kept clean at all times.

E. Food and Beverages. -

1. Dining Room - There shall be a coffee shop, at least one specialty dining room which is well-equipped, well-furnished, and well-maintained, serving good quality cuisine and providing entertainment.
2. Bar - Wherever permissible by law, there shall be an elegant and well-stocked bar with an atmosphere of comfort.
3. 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.
4. Crockery - 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-equipped swimming pool.

G. Entertainment. - Live entertainment shall be provided

H. Engineering and Maintenance. -

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

2. Ventilation - There shall be technologically advanced, efficient and adequate ventilation in all areas at the hotel.
 3. Lighting - There shall be adequate lighting in all public and private rooms
 4. 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.
 5. Fire Prevention Facilities - The fire prevention facilities shall conform to the requirements of the Fire Code of the Philippines.
- I. General Facilities. -
1. Elevator - an elevator shall be provided for a building of more than three (3)-storey whenever possible, in conformity with the City Comprehensive Development Plan..
 2. Parking/Valet - There shall be an adequate parking space and valet service.
 3. Function/Conference Facilities - There shall be special rooms for conference/banquet purposes.
 4. Shops - There shall be a recognized travel agency/tour counter, barber shop, beauty parlor and sundries shop
 5. Security - Adequate security on a 24-hour basis shall be provided on all entrances and exits of the hotel premises.
 6. 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 uniform.
- 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 77. MINIMUM REQUIREMENTS FOR 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 such as can be

considered 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.

1. Size - All single and double rooms shall have a floor area of not less than 18 square meters inclusive of bathroom.
2. 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.
3. Telephone - There shall be a telephone in each guest room.
4. Telephone Directory - There shall be a local telephone directory and in house directory in each guest room.
5. Cold Drinking Water - There shall be cold drinking water and glasses in each bedroom available upon request.
6. Room Service - Room service shall be provided at selected hours.
7. Furnishings and lighting - All guest rooms shall have furniture of very good standard and design; floors shall have a quality carpet; walls shall be well finished 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.
8. Information materials - Room tariffs shall be prominently displayed in each bedroom plus prominent 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 providing a 24-hour service and attended by qualified and experienced staff.

1. Lounge - There shall be a well-appointed lounge the size of which shall be commensurate with the size of the hotel.
2. Porter Service - Porter service shall be upon request.
3. Foreign Exchange Counter - There shall be a duly licensed and authorized foreign exchange counter.
4. Mailing Facilities - Mailing facilities including sale of stamps and envelopes shall be available in the premises.

5. Long Distance/Overseas Calls - Long distance/overseas calls shall be made available upon request.
6. Reception Amenities - There shall be left-luggage rooms and safely deposit boxes.
7. Facsimile - shall be optional.

D. Housekeeping. - Shall be of good standard.

1. Linen - There shall be adequate supply of linen/blankets/towels etc. of good quality which shall be kept clean. Linen and towels shall be changed daily.
2. Laundry - Laundry and dry cleaning services shall be available by arrangement.
3. 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. -

1. 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.
2. Bar - Wherever permissible by law, there shall be a bar.
3. 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.
4. Crockery - shall be of good quality. 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. Engineering and Maintenance. -

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

2. Ventilation - there shall be efficient and adequate ventilation in all rooms
 3. Lighting - there shall be adequate lighting in all public and private rooms.
 4. 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.
 5. Fire Prevention Facilities - The fire prevention facilities shall conform to the requirements of the Fire Code of the Philippines.
- G. General Facilities. -
1. Parking - there shall be adequate parking space.
 2. Shops - there shall be sundry shop.
 3. Security - adequate security on a 24-hour basis shall be provided on all entrances and exits of the hotel premises.
 4. 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 with name plates.
- 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 78. MINIMUM REQUIREMENTS FOR ECONOMY CLASS 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, it shall be designed by a competent architect.
- B. Bedroom Facilities and Furnishings. -

1. Size - all single and double rooms shall have a floor area of not less than 18 square meters inclusive of bathroom.
 2. 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.
 3. Electric fan- All rooms shall be provided with electric fan.
 4. Room Service - shall be provided at selected hours.
 5. 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.
 6. Information materials - room tariffs shall be prominently displayed in each bedroom plus prominent notices for services offered by the hotel, fire exit guidelines, house rules for guests, including food.
- C. Front Office/Reception - there shall be a reception and information counter providing a 24-hour service equipped with telephone.
1. Lounge - there shall be reasonably furnished lounge commensurate with the size of the hotel.
 2. Porter service - shall be upon request.
 3. Mailing Facilities - there shall be mailing facilities
 4. Long distance/overseas calls - shall be made available upon request
 5. Reception amenities - there shall be left-luggage room and safe deposit boxes.
 6. Facsimile - shall be optional.
- D. Housekeeping - premises shall be kept clean and tidy.
1. Linen - clean, good quality linen/blankets/towels etc. shall be supplied and changed daily.
 2. Laundry and Dry Cleaning Services - shall be available by arrangement
- E. Food and Beverage. -
1. Dining Room - there shall be at least one (1) equipped and maintained dining room/restaurant serving good, clean and wholesome food.

2. Kitchen - there shall be 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.
 3. Crockery - shall be of good quality.
- F. Engineering and Maintenance. -
1. Maintenance - maintenance of the hotel in all sections shall be of good standard
 2. Ventilation - there shall be a spare generator for ventilation in all rooms
 3. Lighting - there shall be adequate lighting in all public and private rooms.
 4. Emergency Power - there shall be a spare generator available to provide light and power in emergency cases.
 5. Fire Prevention - shall conform to the requirements of the Fire Code of the Philippines.
- G. General Facilities. -
1. Shops - there shall be a sundry shop counter.
 2. Security - adequate security on a 24-hour basis shall be provided on all entrances and exits of the hotel.
 3. 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. Staff shall be in clean proper uniform with name plates.
- I. Special Facilities - airport transfers shall be provided upon request
- J. Insurance Coverage - there shall be an adequate insurance against accidents for all guests.

CHAPTER 6 - APARTMENT-HOTELS (APARTEL)

SECTION 79. STANDARD REQUIREMENTS FOR APARTELS. - For purposes of registration and licensing, the following are the standard requirements for the establishment, operation and maintenance of apartels:

- A. Number of Units. - The apartel shall have at least a minimum of 25 lettable Apartments.
- B. Apartment. - Each apartment of the apartel 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. There shall also be provided closet and a mirror
- H. Linen. - The apartel shall have sufficient supply of clean linen shall be changed regularly.
- I. Ventilation - The apartment shall be sufficiently ventilated and, if possible, each bedroom shall be air-conditioned or provided with an electric fan. This requirement shall not be applicable in high altitude areas.
- J. Lighting. - lighting arrangements and fixtures in all rooms shall be adequate.
- K. Telephone. - there shall be a telephone or a call bell button in each room
- L. Elevator. - an elevator shall be provided for a building of more than three (3)-storey whenever possible, in conformity with the City Comprehensive Development Plan.
- M. Staff and Services. - shall be trained, experienced, courteous and efficient. They shall be provided with smart and clean uniforms with name plates.
- N. Medical Facilities. - a first-aid clinic stocked with appropriate medicines and drugs to service employees and guests shall be provided. Apartels 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 apartel. 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 shall be provided in all entrances and exits of the apartel premises. The apartel shall see to it that the tenants shall have a good, peaceful and comfortable lodging during their stay in the apartel.

SECTION 80. HOUSE RULES AND REGULATIONS. - The apartel shall prescribe reasonable house rules and regulations to govern the use of apartment and other facilities of the Apartel.

CHAPTER 7 - TOURIST INNS

SECTION 81. BASIC REQUIREMENTS FOR TOURIST INNS. - For purposes of accreditation, the following are the minimum requirements for the establishment, operation and maintenance of a tourist inn:

- A. Location - The tourist inn, except those already existing all the time of the promulgation of these Rules, shall be located along the principal highways or the transportation routes and shall open to business on a twenty-four (24) hour basis.
- B. Parking - There shall be adequate parking space for vehicles proportionate to the number of lettable rooms and other public facilities of the inn.
- C. Reception - There shall be a reception and information counter attended by qualified, trained and experienced staff. There shall be a lobby and a well appointed lounge for sitting and/or reading purposes.
- D. 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 thermoplastic 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.

- E. Telephone - There shall be adequate telephone facilities for the use of all guests in all public areas. Services for long distance telephone calls or overseas shall be made available to guests.
- F. Radio/Television - There shall be provisions for radios and/or television sets for the use of guests upon request.
- G. Dining Room - 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.
- H. Security - Adequate security shall be provided to all guests and their belongings.
- I. Emergency Power Facilities- Inns with more than fifty (50) lettable rooms shall have emergency power facilities to light the common areas and emergency exits in case of power failure.
- J. Fire Fighting Facilities - Adequate fire fighting facilities shall be available as required and specified by the Bureau of Fire Protection-Island Garden City of Samal Station and/or the Fire Code of the Philippines.

CHAPTER 8 - PENSION HOUSES

SECTION 82. BASIC REQUIREMENTS FOR PENSION HOUSES. - For purposes of licensing and registration, 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, 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 (5) 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 or watch television or read.
- F. Dining Room. - The pension shall have a dining room which shall be available for use of its guests.

CHAPTER 9 - HOMESTAY SITES

SECTION 83. BASIC REQUIREMENTS FOR HOMESTAY SITES. - The minimum requirements for the operation and maintenance of homestay sites in accordance with the Department's National Homestay Program:

A. HOMESTAY SITES

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

B. HOME FACILITIES

1. Structures are of durable building materials and are in good, presentable condition
2. The surroundings are pleasant and healthful
3. There shall be at least one (1) adequately furnished guest room to accommodate paying visitors
4. The following shall be available:
 - a. Extra bed/s
 - b. Adequate lighting system
 - c. Running water or if not available, adequate supply of water

- d. Clean and well-maintained toilet and bathroom facilities
 - e. Meals at reasonable rates
 - f. Electric fan or other means of ventilation
- C. **TRAINING** - Family members shall have completed the Department's Training workshop on Homestay Program.

CHAPTER 10 - MOTELS

SECTION 84. BASIC 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 guests.
- 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/clean pillows, linen and bed sheets.
- D. Toilet and Bathroom - The units 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 uniform 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, fixtures, furniture, 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 guest, 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 85. REGISTRY. - All motels shall keep a Motel Registry Book. All guest seeking accommodation in the establishment shall be required to register the particulars in the Registry Book:

- A. Full name, age, gender, status
- B. Address;
- C. Number, date and place of Issue of Residence Certificate Class A or Driver's License, or Passport

The motel management is required to maintain a separate logbook of the plate number of the vehicles or cars used to its customers or guests coming into or leaving the motels.

SECTION 86. ENTRY IN THE MOTEL REGISTRATION BOOK. - The date prescribed in the preceding section shall be entered forthwith by the guests, or if unable to write, by the keeper or motel clerk.

SECTION 87. MINORS TO BE ACCOMPANIED BY PARENTS 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 88. DEPARTURE OF GUESTS. - On the departure of the guests, the motel clerk shall record in the Registry Book the date and hour of their departure.

SECTION 89. 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 rate shall be posted prominently at the reception counter and/ or at the door of each room.

TITLE III
TRAVEL AND TOUR AGENCIES

SECTION 90. WHO MAY APPLY FOR A MAYOR'S PERMIT. - The following may apply for a Mayor's Permit as a travel and tour agency:

- A. A resident Filipino citizen.
- B. Partnership organized under the laws of the Philippines, with at least 60% of the capital owned by Filipino citizens, and
- C. Corporation organized under the laws of the Philippines, with at least 60% of its subscribed common or voting shares of stocks owned by Filipino citizens and the composition of its Board of Directors is at least 60% Filipino.

SECTION 91. SUPPORTING DOCUMENTS TO BE SUBMITTED WITH THE APPLICATION. - Travel and tour agency shall attached in their application the following documents:

- A. Application to operate as a travel and tour agency shall be supported by documents to be submitted as follows:
- B. In case of partnership or corporation, a copy of the Certificate of Registration with the Securities and Exchange Commission.
- C. Must be a registered Business Entity with the City Investment and Tourism Office (CITO).
- D. If a sole proprietorship, a copy of the registration of the business name with the Department of Trade and Industry (DTI) together with the owner's statement of assets and liabilities.
- E. Two-year projected financial statements to reflect among other things, a minimum working capital of P500,000.00
- F. Surety bond in the amount of at least P200,000.00 for inbound tour operation and P500,000.00 for inbound and outbound operation, issued by a duly accredited bonding company in favor of the Island Garden City of Samal and the conditioned to answer for any and all liabilities resulting from or incurred in the course of travel and tour operation in accordance with the findings and resolution of the Office which shall be valid for a period of one (1) year from the date of the issuance of license.
- G. Complete list of personnel, including tour guides and travel representatives, if any, together with one (1) "1 x 1" photo of each, their corresponding Personal

Information Sheet.

- H. For alien personnel, valid visa from the Bureau of Immigration and the proper permit from the Department of Labor and Employment.
- I. Contract of lease of the office space intended for the use of the agency, which office space shall be at least sixteen (16) square meters in area.
- J. Board of Director's resolution/Secretary's Certificate/Special Power of Attorney (SPA) in cases of sole proprietorship designating the person authorized to sign and transact business with the City Investment and Tourism Office (CITO) in behalf of the applicant.

SECTION 92. FOR INBOUND OPERATIONS. - A travel and tour agency with inbound operations shall submit the following requirements:

- A. A sworn statement executed by the owner or by the Secretary of the Board that the manager is a resident of the Philippines without any pending case in any court, administrative or quasi-judicial body, with admissible proof of at least two (2) years experience in tour/travel agency operations or has earned baccalaureate degree in Tourism or has satisfactorily completed a course in Tourism Agency Management.
- B. A sworn statement that at least two (2) of the permanent staff have at least completed two (2) years experience in tour operation.
- C. With at least two (2) licensed and/or accredited tour guides from the Island Garden City of Samal.
- D. Tie-up through a memorandum of agreement with a licensed and accredited transport operator.

SECTION 93. FOR OUTBOUND OPERATIONS. - A travel and tour agency with outbound operations shall submit the following requirements:

- A. A sworn statement executed by the owner or by the Secretary of the Board that the manager is a resident of the Philippines without any pending case in any court, administrative or quasi-judicial body, with admissible proof of at least two (2) years experience in tour/travel agency operations or has earned baccalaureate degree in Tourism or has satisfactorily completed a course in Tourism Agency Management.
- B. A sworn statement that at least two (2) of the permanent staff have satisfactorily completed a ticketing and reservation course and have at least one (1) year work experience.

SECTION 94. VALIDITY OF THE MAYOR'S PERMIT. - Any mayor's permit duly issued within the year shall be valid until the 31st day of December of the said year.

SECTION 95. SUPPORTING DOCUMENTS TO BE SUBMITTED FOR THE ANNUAL RENEWAL OF THE MAYOR'S PERMIT. - Travel and tour agencies shall be required to submit the following documents upon renewal:

- A. Copy of the amended Articles of Incorporation or Articles of Partnership and By-Laws, if applicable.
- B. The list and information sheet of additional personnel, if any, or change in the manpower complement of the agency.
- C. Proof of renewal of surety bond, valid for one year from the date of issuance of the Mayor's Permit.
- D. Certification of good standing from the Association where the travel agency is a member.

SECTION 96. MINIMUM OFFICE REQUIREMENTS. - A travel and tour agency shall comply the following office requirements:

- A. It shall be located in a commercial district and independent of any residence.
- B. It shall be used exclusively for the travel agency business purposes.
- C. It shall occupy an office space of not less than 16 square meters

SECTION 97. ESTABLISHMENT OF A BRANCH. - Before the establishment of a branch within the city, the travel agency shall give formal notice to the City Investment and Tourism Office (CITO). The island Garden City of Samal City Investment and Tourism Office (CITO) shall forthwith conduct an ocular inspection on the proposed branch.

SECTION 98. APPLICATION TO ESTABLISH AND OPERATE A BRANCH. - The documents to be submitted by travel and tour agencies for this purpose shall be as follows:

- A. Resolution signed by all members of the Board of Directors, in case of a corporation, approving its establishment (or authorizing its continuation, if renewal) and the person authorized to sign application;
- B. Affidavit executed by the General Manager of the main office acknowledging the existence of said office, assuming full responsibility for its operations, and certifying that it is not managed nor operated by person/ entities other than the duly accredited employees or officers as indicated in the application form.

- C. List of personnel and their respective designation, citizenship, home address and one 1x1 photo of each, together with an NBI or police clearance.
- D. Amended Articles of Incorporation and By-Laws, if applicable.
- E. Surety Bond of Twenty Thousand Pesos (P20,000.00).
- F. Payment of registration fee of One Thousand Pesos (P1,000.00) per branch.

SECTION 99. ACCESS OF THE OFFICE REPRESENTATIVES TO AGENCY'S RECORDS. - The Office through its official representative shall have access to the agency's records for verification of compliance with the requirements of the Office.

SECTION 100. MAYOR'S PERMIT. - The Mayor's Permit is a matter of privilege and may only be issued to qualified applicants. Accordingly, no travel and tour agency shall transfer or alienate in whatever manner its Mayor's Permit without recommendation from the City Investment and Tourism Office (CITO).

SECTION 101. TRANSFER OF OWNERSHIP. - Transfer of substantial rights on ownership or shares of interest therein that would culminate in the transfer of majority and controlling rights should be with prior notice to the Office.

SECTION 102. DOCUMENTS TO SUPPORT APPLICATION FOR MAYOR'S PERMIT. - All certifications, affidavits, documents or other papers as may be required by the Office to support the application for Mayor's Permit to engage in the business of travel agency and tour operator shall be signed by the Chief Executive Officer/Manager or any person named in the Board resolution or person designated in its By-Laws authorized to sign the resolution.

SECTION 103. DISPLAY OF MAYOR'S PERMIT. - The Mayor's Permit shall be displayed at a conspicuous place in the public part of the office of the travel agency and tour operator.

SECTION 104. SCHEDULE OF CHARGES. - The travel agency shall file with the City Investment and Tourism Office (CITO) and shall readily make available in printed or mimeographed form a schedule of charges on all services and related fees. Any change in the charges shall be communicated to the Office within seven (7) days from such change. Further, if by any reason, charges shall be lowered as a promotional campaign, the travel agency shall have an approved promo price from the DTI, xerox copy of which shall be submitted to the Office.

SECTION 105. TOURISM ACTIVITIES. - All tourism activities such as but not limited, to family packages, lakbay-aral, conventions, meetings/ summit and forums in the Island Garden City of Samal should be handled solely by local licensed tour and travel agencies. In this connection, it shall be unlawful for other agencies operating outside of the Island Garden City of Samal to engage in the business without being affiliated with accredited or local licensed travel agencies.

SECTION 106. PROMOTIONS. - All promo packages for hotels and accommodation, travel agencies, tour operators and transport group must be endorsed to the Department of Trade and Industry and duly approved within a specified period of time, copy furnished the City Investment and Tourism Office. It shall be the duty of primary enterprises to honor and abide within the provisions of the Code of Ethics, particular to the operation, rates, conduct of affairs as furnished the City Investment and Tourism Office (CITO).

TITLE IV TOUR GUIDES

SECTION 107. CLASSIFICATION OF TOUR GUIDES. - Tour Guides shall be classified as follows: **(Deferred)**

- A. Community Eco-Tourism Guide- Tour guide only within a Community Based Sustainable Tourism Project directly assisted by the City Government and/or assisted by an Non Government Organization (NGO), foundation or Private entity;
- B. Local Tour Guide- Tour Guide classified by the City Investment and Tourism Office(CITO)

SECTION 108. BASIC REQUIREMENTS FOR LOCAL TOUR GUIDES. - The following are the requirements for local tour guides: **(Deferred)**

- A. Proof that the applicant has passed a seminar for tour guides duly conducted by the Department of Tourism or other agencies duly authorized by the DOT to conduct the seminar; provided, however, that this requirement may be waived, where the applicant possesses special academic or professional qualifications relevant to tourism;
- B. Health Certificate issued by the City Health Office;
- C. Certificate issued by Psychometrician;
- D. Clearance from the Philippine National Police
- E. Clearance from the National Bureau of Investigation;
- F. Red Cross or City Health Office Certificate on Basic Life Support/ CPR Training and Water Safety (if applicable)
- G. At least 18 years old.

SECTION 109. FOR RENEWAL. - The following are the requirements for the renewal for local tour guides:

- A. Must pass the Refresher course set by the City Investment and Tourism Office (CITO) and/ or DOT
- B. Barangay Clearance
- C. Community Tax Certificate
- D. Latest Income Tax Return

SECTION 110. COMMUNITY ECO-TOURISM GUIDES. - The following are the requirements for community eco-tourism guides:

- A. Must pass the Basic Tourist Reception & Guiding Techniques Training Program conducted by the City Investment and Tourism Office (CITO) and/ or Department of Tourism (DOT)
- B. Red Cross or City Health Office Certificate on Basic Life Support/ CPR Training and Water Safety (if applicable)
- C. Certificate of good moral character and membership in good standing issued by the President of the Community Based Tourism Association
- D. Barangay Clearance
- E. Community Tax Certificate
- F. At least 18 years old
- G. Certification from the City Investment and Tourism Office
- H. Certification from the City Health Office

SECTION 111. FOR RENEWAL. - The following are the requirements for the renewal for community eco-tourism guides:

- A. Must pass the Refresher course set by the City Investment and Tourism Office (CITO) and/or Department of Tourism(DOT)
- B. Must be certified by the Community Based Tourism Association President
- C. Barangay Clearance
- D. Community Tax Certificate

SECTION 112. RATES. - Rates imposed for Tour Guiding fee shall be regulated based on the industry rates as maybe approved by the Tourism Board.

For Community Eco-Tourism Guide, fees imposed would vary depending upon the agreement with the Non Government Organization (NGO) partner and the Island Garden City of Samal which should be reasonable and fair.

SECTION 113. OTHER REGULATORY FEES. - All Tour Guides shall pay the following regulatory fees:

- A. A regulatory fee of One Thousand Pesos (P1,000.00) shall be collected upon application for Local Tour Guide
- B. A fee of Five Hundred Pesos P500.00 for Community Eco-Tourism Guide shall be collected upon application.

SECTION 114. VALIDITY OF TRAININGS AND SEMINARS. - As provided for in this Code, trainings and seminars is valid only for a period of two (2) years. Refresher courses shall be made available by the City Investment and Tourism Office (CITO) through the Department of Tourism (DOT).

SECTION 115. VALIDITY OF TOUR GUIDE LICENSE. - Tour guiding license shall be valid for a period of one year beginning on the date of issuance of permit.

SECTION 116. TOUR GUIDING CARD. - A Tour Guiding Card shall be provided by the City Investment and Tourism Office (CITO) to a Local Tour Guide upon presentation of his/her permit/license. Said card shall be in full use for a period of three (3) years where upon expiration of the one year validity, the Office shall imprint a new date of validity in a special sticker tape duly authenticated. After good and full use of the License Card for a period of four (4) years, a new card shall be provided for by the DOT.

For Community Eco-Tourism Guide a Regular ID shall be provided by the City Investment and Tourism Office (CITO) free of charge.

SECTION 117. WEARING OF IDENTIFICATION CARD. - A tour guide shall wear ID at all times while in the performance of his/her duties. Said ID shall be provided by the City Investment and Tourism Office (CITO).

SECTION 118. UNIFORM. - A tour guide must be properly and decently dressed in the conduct of his/her official function in tour guiding, preferably that which represents the agency where he/she is connected or, as the case maybe, the uniform set as standard in tour guiding by the organization which he/ she is a member.

TITLE V
TOURIST TRANSPORT OPERATORS

CHAPTER 1 - TOURIST LAND TRANSPORT VEHICLES

SECTION 119. STANDARD REQUIREMENTS FOR TOURIST LAND TRANSPORT VEHICLES. - For purposes of registration and licensing, the following are the standard requirements for the operation and maintenance of tourist land transport vehicle:

- A. Registered carrying capacity - A tourist land transport vehicle operator shall only be allowed to apply for license for the number of units covered by its franchise.
- B. Roadworthiness - To be able to register, every tourist land transport vehicle must be found roadworthy upon inspection by the Office in coordination with the Land Transportation Office (LTO) and shall not, in the case of bus or coaster, be more than ten (10) years old, reckoned from the year of manufacture, nor more than seven (7) years for a tourist car.
- C. Ventilation - Every tourist land transport vehicle shall be properly equipped with adequate air-conditioning units.
- D. Fire fighting facilities - A tourist land transport vehicle shall be provided or installed with at least one (1) portable fire extinguisher for the protection of its passengers.
- E. All land transport vehicle must secure an early warning device
- F. Audio or sound system necessary to address the guest/tourist to provide briefing and necessary information.
- G. Imprint of company's name and logo - One sticker of the company name and logo shall be placed on the tourist land transport vehicle.
- H. Public address system - For tourist buses and coasters, a public address system must be installed.
- I. First-Aid kit - Every tourist land transport vehicle shall be provided with a first-aid kit and an adequate supply of emergency medicines.
- J. Seats - Every tourist land transport vehicle shall be provided with clean and comfortable seats. There shall be no overloading in order to protect the comfort and safety of the riding tourist/ guest and shall at all times observe the passenger capacity stated in the Certificate of Registration issued by the Land Transportation office.

- K. Space - A tourist shall have enough legroom and sufficient storage space within the vehicle.
- L. Garage - Every tourist transport operator shall provide an adequate garage and repair shop for the maintenance of its equipment, as well as parking space sufficient to accommodate all its registered units.
- M. Such other requirements as may be promulgated by the City Investment and Tourism Office.

SECTION 120. CLEARANCE. - The necessary clearance from the CITO shall be secured prior to the registration and/or transfer of ownership.

SECTION 121. ACCREDITATION STICKERS. - After registration and issuance of license, it shall be mandatory for all tourist transport to put the office sticker on the front and back windshield of said vehicles for proper identification. All duly accredited land transport vehicle shall also bear the LGU and DOT logo which shall be provided by the latter and which sticker seal shall be placed at the upper right side of the windshield below the registration sticker.

SECTION 122. MANDATORY MAYOR'S PERMIT. - No person, natural or juridical, shall manage, operate or engage in the business of tourist land transport services without first having secured a valid Mayor's Permit to operate the same. Any person who, being the operator hereof, allows the same to be used in transporting tourists without the required Mayor's Permit to operate as such shall also be guilty of an offense under these rules.

SECTION 123. APPLICATION FOR MAYOR'S PERMIT. - Any person, partnership, or corporation desiring to operate and/ or engage in the business as tourist transport operator shall accomplish the application for Mayor's Permit prescribed for such purpose in duplicate and file with the Office of the City Mayor - Licensing Division.

SECTION 124. AUTHORIZED SIGNATORIES. - In the filing of the application for a Mayor's permit to operate as a tourist transport operator, the following shall be considered authorized to sign said application:

- A. In the case of sole proprietorship, the owner thereof.
- 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 so designated in its By-laws.

SECTION 125. DOCUMENTS REQUIRED TO SUPPORT APPLICATION FOR A MAYOR'S PERMIT TO OPERATE AS TOURIST TRANSPORT OPERATOR. - The application shall be accompanied by the following documents:

- A. Business name certificate and all amendments thereto, if any, in the case of single proprietorship. In the case of a corporation, a certified true copy of the Articles of Incorporation, its By-laws or Articles of Partnership or amendments thereto, if any, 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.

SECTION 126. DOCUMENTS REQUIRED TO SUPPORT APPLICATION FOR ACCREDITATION OF VEHICLES AS TOURIST TRANSPORT. - The application shall be supported by the following documents:

- A. Certificate of inspection by the LTO for the CITO accreditation of the tourist transport.
- B. A copy of the LTFRB certificate of public conveyance franchise or authorization.
- C. Pictures of the vehicles showing the side, back and front views thereof with the company's name and logo imprinted at its rear and side, respectively;
- D. Such other papers or documents as may be required from time to time by the Office as provided for by the DOT under RA 9593

SECTION 127. ACCREDITATION FEE PER UNIT. - Upon approval of the application, an Annual Accreditation fee per unit shall be collected from the applicant, as follows:

A.	Bus	-	P 500.00
B.	Coaster	-	P 400.00
C.	Van/Jeepney	-	P 300.00
D.	Car/Multicab	-	P 200.00
E.	Tricycle	-	P 100.00
F.	All Terrain Vehicle (ATV)		P 100.00

SECTION 128. VALIDITY OF MAYOR'S BUSINESS PERMIT. - The Mayor's Permit duly issued to any transport operator shall be valid for a period of one (1) year from its date of issue until the 31st of December of the year of issuance of the license unless sooner revoked for a cause by the Office of the City Mayor - Licensing Division.

SECTION 129. RENEWAL OF MAYOR'S BUSINESS PERMIT. - The license shall be renewed immediately after the date of expiration.

SECTION 130. DOCUMENTS REQUIRED FOR APPLICATION FOR RENEWAL OF MAYOR'S BUSINESS PERMIT AS TOURIST TRANSPORT OPERATOR. - The application for the renewal of license shall be supported by the following documents:

- A. A copy of the amended or revised articles of incorporation or articles of partnership and By-laws, if applicable, authorizing the continuation of business.
- B. The list and information sheets of additional personnel, if any, including any changes in the manpower complement of the company.
- C. Audited financial statements and income tax returns covering the preceding year's operation, provided that if this requirement is not available, the same shall be submitted not later than April 30 of the current year, and
- D. A resolution of the Board of Directors authorizing the continuation of business as the case maybe.

SECTION 131. TOURIST TRANSPORT SERVICE. - Tourist transport service offered on a regular point-to-point run shall be priced at rates higher than those charged by public utility operators for the same route. The points of departure and destination for a tourist transport regularly plying a route shall be a hotel, resort or such similar tourism facility and picking up or unloading of passengers in between such points is prohibited.

SECTION 132. REGULAR RUN ON P.U.V ROUTES. - In cases where a tourist transport operator makes the only regular run on a particular route, it may be allowed to run on public utility vehicle routes, provided that there is a prior approval by the LTFRB under conditions and requirements it may prescribe.

SECTION 133. MANNER OF FIXING RATES. - The fixing of rates for tourist transport shall be the responsibility of the LTFRB for land transport upon recommendation of the Sangguniang Panlungsod except for tricycle and sea ferry vessels. No tourist transport operator shall charge rates other than those so prescribed under the tariff of fees.

SECTION 134. APPLICATION FOR INCREASE OF TRANSPORTATION RATES. - All applications for increase of transportation rates for tourist land transport, except for tricycle, shall be filed with the Land Transportation Franchising and Regulatory Board (LTFRB) for approval. For applicants/operators in the City, they are required to furnish the Sangguniang Panlungsod a copy of the application/petition for information and appropriate review of the proposed rates.

SECTION 135. BURDEN OF PROOF FOR REASONABLE INCREASES. - The applicant shall have the burden of showing that the proposed increase is fair and reasonable.

SECTION 136. DOCUMENTS TO ACCOMPANY APPLICATION. - Income statements, balance sheets, and cash flow statements for the two (2) years immediately preceding the date of application for increase of transportation rates as well as other pertinent data shall

accompany the application.

SECTION 137. COMPLAINTS AGAINST TOURIST TRANSPORT OPERATORS AND/ OR EMPLOYEES. - By the recommendation of the of the City Mayor's Office - Business Regulation Division (CMO-BRD) and the City Mayor's Office - Franchising and Regulatory Section (CMO-FRS), the City Legal Office shall exercise quasi- judicial powers in the resolution of cases filed against tourist transport operators and/or their employees in accordance with its rules and procedures governing complaints. This does not, however, preclude the aggrieved party from filing cases directly with the LTFRB.

SECTION 138. VISITORIAL POWER. - In the discharge of the regulatory functions, the Office of the City Mayor - Licensing Division, CITO and CTO shall exercise visitorial powers over the operations of the licensed tourist transport operators.

SECTION 139. PRIOR APPROVAL FOR TRANSFER OF MAYOR'S PERMIT. - A Mayor's Permit is a matter of privilege and may only be issued to qualified applicants. Accordingly, no tourist transport operator shall transfer or alienate in whatever manner its permit without prior approval from the Office of the City Mayor - Licensing Division. Any transferee shall comply with all requirements and procedures for the issuance of a Mayor's Permit as prescribed herein.

SECTION 140. TRANSFEREE'S RESPONSIBILITY. - The transferee of a Mayor's Permit shall pay the corresponding fee and the new operator, unless otherwise stated (or stipulated), shall not be absolved from any responsibility as to contracts, money claims, damages or other liability arising out of and in the course of the operations conducted by its predecessor.

SECTION 141. TRANSFER OF OWNERSHIP. - Transfer of substantial rights on ownership of shares of interest therein that would culminate in the transfer of majority and controlling rights shall be reported to the Office within ten (10) working days. The Office shall evaluate the credentials and qualifications of the new and decide to revalidate the license.

SECTION 142. DISPLAY OF STICKER. - The LGU-IGACOS sticker shall be displayed in the upper front passenger side of the windshield and the DOT Accreditation Sticker below it.

SECTION 143. OFFICIAL LOGO. - Every transportation/vehicle for transport must bear the Official Logo of IGACOS.

CHAPTER 2 - TOURIST WATER TRANSPORT VESSELS

SECTION 144. ACCREDITATION CATEGORIES. - The following are the accreditation categories of tourist water transport vessels:

- A. Ferry**
- B. Motorized Vessels**

- I. Launches
- II. Pump boats
- C. **Dive Boat**
- D. **Water Taxi**
- E. **Yacht**
- F. **Speedboats**

SECTION 145. STANDARD REQUIREMENTS FOR TOURIST WATER TRANSPORT VESSELS. - For purposes of registration and licensing, the following are the standard requirements for the operation and maintenance of tourist water transport vessels:

- A. Registered carrying capacity - A tourist water transport vehicle operator shall only be allowed to apply for license for the number of units covered by its franchise.
- B. Seaworthiness - To be able to register, every tourist water transport vessel must be found seaworthy upon inspection by the Office in coordination with the MARINA and shall not, in the case of vessels, be more than ten (10) years old, reckoned from the year of manufacture, nor more than seven (7) years for a tourist vessels.
- C. Ventilation - Every tourist water transport vessel shall be properly equipped with adequate air-conditioning units.
- D. Fire fighting facilities - A tourist water transport vessel shall be provided or installed with at least one (1) portable fire extinguisher for the protection of its passengers.
- E. All water transport vessel must secure an early warning device
- F. Audio or sound system necessary to address the guest/tourist to provide briefing and necessary information.
- G. Imprint of company's name and logo - One sticker of the company name and logo shall be placed on the tourist water transport vessel.
- H. Public address system - For tourist vessels, a public address system must be installed.
- I. First-Aid kit - Every tourist water transport vessel shall be provided with a first-aid kit and an adequate supply of emergency medicines.
- J. Seats - Every tourist water transport vessel shall be provided with clean and comfortable seats. There shall be no overloading in order to protect the comfort and safety of the riding tourist/ guest and shall at all times observe the passenger capacity stated in the Certificate of Registration issued by the MARINA.

- K. Space - A tourist shall have enough legroom and sufficient storage space within the vessel.
- L. Docking Area - Every tourist water transport operator shall provide an adequate docking area and repair shop for the maintenance of its equipment, as well as docking space sufficient to accommodate all its registered units.
- M. Such other requirements as may be promulgated by the City Investment and Tourism Office.

SECTION 146. CLEARANCE. - In case of original registration and/ or transfer of ownership of tourist water transport vessel, the necessary clearance from the City Tourism Office shall be secured prior to the registration.

SECTION 147. STICKERS. - After registration and issuance of license, it shall be mandatory for all tourist water transport to put the office sticker on the front and back windshield of said vessels for proper identification. All duly accredited water transport vessel shall also bear the DOT seal which shall be provided by the latter and which sticker seal shall be placed at the upper right side of the windshield below the registration sticker.

SECTION 148. MANDATORY MAYOR'S BUSINESS PERMIT. - No person, natural or juridical, shall manage, operate or engage in the business of tourist water transport services without first having secured a valid Mayor's Business Permit to operate the same. Any person who, being the operator hereof, allows the same to be used in transporting tourists without the required Mayor's Business Permit to operate as such shall also be guilty of an offense under these rules.

SECTION 149. APPLICATION FOR MAYOR'S BUSINESS PERMIT. - Any person, partnership, or corporation desiring to operate and/ or engage in the business as tourist water transport operator shall accomplish the application for Mayor's Business Permit prescribed for such purpose in duplicate and file with the Office of the City Mayor - Licensing Division.

SECTION 150. AUTHORIZED SIGNATORIES. - In the filing of the application for a Mayor's Business permit to operate as a tourist transport operator, the following shall be considered authorized to sign said application:

- A. In the case of sole proprietorship, the owner thereof.
- 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 so designated in its by-laws.

SECTION 151. DOCUMENTS REQUIRED TO SUPPORT APPLICATION FOR MAYOR'S PERMIT TO OPERATE AS TOURIST WATER TRANSPORT OPERATOR.

- The application shall be accompanied by the following documents:

- A. Business name certificate and all amendments thereto, if any, in the case of single proprietorship. In the case of a corporation, a certified true copy of the Articles of Incorporation, its By-laws or Articles of Partnership or amendments thereto, if any, 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.

SECTION 152. DOCUMENTS REQUIRED TO SUPPORT APPLICATION FOR REGISTRATION OF VESSEL AS TOURIST WATER TRANSPORT. - The application shall be supported by the following documents:

- A. Certificate of inspection by the MARINA for the CITO registration of the tourist water transport.
- B. A copy of the MARINA certificate of public conveyance franchise or authorization.
- C. Pictures of the vehicles showing the side, back and front views thereof with the company's name and logo imprinted at its rear and side, respectively;
- D. Such other papers or documents as may be required from time to time by the Office as provided for by the DOT under RA 9593.

SECTION 153. ACCREDITATION FEE PER UNIT. - Upon approval of the application, an Annual Accreditation fee per unit shall be collected from the applicant, as follows:

A.	Ferryboats/cruise ships/boats	P 2,000.00
B.	Motorized Vessels	P 1,000.00
	a. Launches	
	b. Pump boats	
C.	Dive Boat	P 1, 000.00
D.	Yacht	P 1, 000.00
E.	Water Taxi	P 500.00
F.	Speedboats	P 500.00

For non-accredited tourist land transport vehicle and water transport vessel, the operator

shall pay the special permit of P200.00 per trip per unit.

SECTION 154. VALIDITY OF BUSINESS PERMIT. - The Business Permit duly issued to any transport operator shall be valid for a period of one (1) year from its date of issue until the 31st of December of the year of issuance of the license unless sooner revoked for a cause by the Office of the City Mayor - Licensing Division.

SECTION 155. RENEWAL OF MAYOR'S BUSINESS PERMIT. - The license shall be renewed immediately after the date of expiration.

SECTION 156. DOCUMENTS REQUIRED FOR APPLICATION FOR RENEWAL OF MAYOR'S BUSINESS PERMIT AS TOURIST WATER TRANSPORT OPERATOR. - The application for the renewal of license shall be supported by the following documents:

- A. A copy of the amended or revised articles of incorporation or articles of partnership and By-laws, if applicable, authorizing the continuation of business.
- B. The list and information sheets of additional personnel, if any, including any changes in the manpower complement of the company.
- C. Audited financial statements and income tax returns covering the preceding year's operation, provided that if this requirement is not available, the same shall be submitted not later than April 30 of the current year, and
- D. A resolution of the Board of Directors authorizing the continuation of business as the case maybe.

SECTION 157. DISPLAY OF STICKER. - The LGU-IGACOS sticker shall be displayed in the upper front passenger side of the windshield and the DOT Accreditation Sticker below it.

SECTION 158. OFFICIAL LOGO. - All sea vessels must bear the Official Logo of the Island Garden City of Samal;

SECTION 159. MINIMUM REQUIREMENTS FOR ACCREDITATION. - For purposes of accreditation, the following are the minimum requirements for the operations and maintenance of a water transport.

- A. Restrooms - There shall be at least one restroom each with toilet and washing facilities for male and female located at the passenger accommodation area. In addition, there shall be a common toilet and bath at the cabin area for long-haul trip. Tissue paper, soap and hand/paper towel shall also be provided.
- B. Reception - A receptionist shall be available to usher in guests.

- C. Refreshments and Dining Area - There shall be a refreshment area which shall be well-stocked at all times. In case of long-haul trips, a dining area capable of seating, at least, one-fourth (1/4) of the total passengers at one serving shall be provided with appropriate and well-maintained furniture.
- D. Promenade Area - There shall be a promenade or airing space at the upper deck for the exclusive use of passengers.
- E. Baggage Area - There shall be a baggage area provided with racks or similar convenient and safe storage in the passenger accommodation areas.
- F. Service and Staff - Adequate number of well-trained, well-groomed, experienced, efficient and courteous staff shall be employed. They shall wear clean uniforms at all times. Front-line staff shall have a good speaking knowledge of English.
- G. Lighting - Adequate lighting arrangement and fixtures shall be installed in all levels of the vessel in accordance with the Philippine Merchant Marine Rules and Regulations.

TITLE VI PROFESSIONAL CONGRESS / EXHIBIT ORGANIZERS

CHAPTER 1 - LICENSING

SECTION 160. MANDATORY LICENSING. - No person, natural or juridical, shall operate as a Professional Convention Organizer (PCO) for events to be held in the Island Garden City of Samal without first being registered and licensed by the City Tourism Office.

SECTION 161. WHO MAY APPLY FOR LICENSE. - The following may apply for a license as PCO:

- A. A resident Filipino citizen.
- B. Partnership organized under the laws of the Philippines, at least 60% of the capital of which is owned by Filipino citizens, and
- C. Corporation organized under the laws of the Philippines, at least 60% of its subscribed common or voting shares of stocks owned by Filipino citizens and the composition of its Board of Directors at least 60% Filipino.

SECTION 162. REQUIREMENTS FOR LICENSE. - The basic requirements shall be those provided under the local ordinance and those that are provided in R.A 9593.

SECTION 163. LICENSE FEE. - Upon approval of the application, a license shall be issued to the applicant upon payment of an event fee of One Thousand Pesos (P1,000.00).

FOR CONGRESS AND EVENTS:	LICENSE FEE
• Provincial	P500.00
• Regional	P1,000.00
• National	P2,000.00
• International	P5,000.00
FOR EXHIBITS	
• Open (local or national)	P500.00
RELIGIOUS GATHERING.	Exempted

SECTION 164. VALIDITY OF LICENSE. - Subject to an annual review, the license shall be valid for two (2) years from the date of issuance.

SECTION 165. DOCUMENTS REQUIRED FOR RENEWAL OF LICENSE. - The application for renewal of license shall be supported by the documents to be listed under R.A.9593.

CHAPTER 2 - REGULATION, CONTROL AND SUPERVISION OF PROFESSIONAL CONVENTION ORGANIZER (PCO)

SECTION 166. VISITORIAL POWERS. - In the discharge of regulatory functions, the Office of the City Mayor - Licensing Division shall exercise visitorial powers over the operations of the licensed PCOs.

SECTION 167. REQUIREMENT FOR TRANSFER OF LICENSE. - The license is a matter of privilege and may only be issued to qualified applicants. Accordingly, no PCO shall transfer or alienate in whatever manner, its license without prior approval of the Office of the City Mayor - Licensing Division. Any transfer shall comply with all the requirements and procedures for the issuance of a license as prescribed herein.

SECTION 168. TRANSFEREE'S RESPONSIBILITY. - The transferee of a license shall pay the corresponding license fee and the new operator, unless otherwise stipulated, shall not be absolved from any responsibility as to the contracts, money claims, damages or other liability arising out of and in the course of the operations conducted by its predecessor.

SECTION 169. TRANSFER OF OWNERSHIP. - Transfer of ownership of shares or interest therein that would culminate in the transfer of majority and controlling rights shall be reported to the CITO Office, which will evaluate the credentials and qualifications of the new owners, and decide on the revalidation of the license.

SECTION 170. DISPLAY OF LICENSE. - The license shall be displayed in a

conspicuous place in the public part of the Office of the PCOs.

SECTION 171. ADVERTISEMENT. - No PCO shall advertise its business or services through the media without specifying in the ad item itself its license number.

TITLE VII SECONDARY ENTERPRISE

CHAPTER 1 - RESTAURANT

SECTION 172. STANDARD REQUIREMENTS FOR RESTAURANT. - For the purposes of accreditation the following are the standard requirements that must be complied with by the restaurants:

- A. Location - The locality and environs including approaches shall be with proper ingress and egress. The facade and architectural features of the building shall be appropriate designed.
- B. Parking - There shall be an adequate, secured parking space provided for free to customers.
- C. Reception - A receptionist shall be available to usher in guests. A waiting lounge with a telephone shall also be provided.
- D. Dining Room- Furnishing - The dining room shall be adequate in size, with sufficient and well-maintained furniture. Flooring materials shall be kept clean at all times.
 - 1. Atmosphere - The restaurant shall have a pleasant atmosphere.
 - 2. Cuisine - There shall be cuisine of good quality and presentation available during normal meal hours and served with distinction. Raw food used shall meet minimum government and international standards.
 - 3. Menu Book/Card - There shall be a menu book or card which shall be presentable, clean and easy to read with the menu items listed in logical sequence. All items shall be made available at all times a best-effort basis.
 - 4. Linen - All tables shall have clean table cloth and cloth napkins of good quality. They should not be fade, nor with frayed edges and stains and should be changed after every service.
 - 5. Crockery - No piece of crockery, cutlery and tableware in use shall be chipped

or grazed. The silverware shall be kept polished and clean at all times.

- E. Service and Staff - Adequate number of well-trained, well-groomed, experienced, efficient and courteous staff shall be employed.
- F. Bar- The bar shall be well-stocked at all times.
- G. Comfort Rooms - All comfort rooms shall be with good quality fixtures and fittings and provided with running water. The floor and the walls shall be covered with impervious materials of good quality workmanship and shall be kept clean and sanitary at all times. Tissue papers, soap, paper towels and/ or hand drier shall be provided. There must be a separate comfort rooms for men, women and disabled.
- H. Kitchen - The kitchen, pantry and cold storage shall be in good operating condition at all times and shall be well-equipped and hygienic. Equipment necessary to maintain a high standard of sanitation and hygiene shall be installed and used.
- I. Lighting - Adequate lighting dining rooms, public rooms, comfort rooms, corridors and other public areas.
- J. Airconditioning/Ventilation - All main dining or function rooms shall be fully airconditioned and/ or well-ventilated.
- K. Maintenance - All sections of the restaurant (e.g .. , building's exterior and interior, airconditioners, kitchen, fixtures, plumbing, etc.) shall be maintained properly at all times. A periodic vermin control program shall be maintained for all establishments.
- L. Fire-fighting Facilities - Adequate fire-fighting facilities shall be provided in accordance with the Fire Code of the Philippines.

CHAPTER 2 - SHOPS/DEPARTMENT STORES

SECTION 173. STANDARD REQUIREMENTS FOR SHOPS/DEPARTMENT STORES. - For purposes of accreditation, the following are the standard requirements which shall be complied by shops/department stores:

- A. Physical Requirements - The establishment shall be fronting a major street or thoroughfare or is situated in a shopping center/mall. The entrance and display windows shall be attractively designed and adequately illuminated. The furniture and decor of the establishment shall be presentable and functional at all times. The shop shall be fully-air conditioned. Well-maintained restrooms shall be provided for by the establishment itself, or in the event that the shop is located in

a shopping mall or commercial building, the common/public restrooms, shall be made available to the clients or visitors.

In case of department stores

1. The store shall be in an edifice or a building or may be part of a shopping mall/center;
 2. Parking area shall be made available to clients;
 3. There shall be appropriate directional signs;
 4. There shall be provided an information counter.
- B. Staff - All members of the staff shall be well-groomed, courteous and efficient at all times.
- C. Service - Goods displayed in the shop window or showcases shall be provided with clearly written price tags. A wide selection of goods shall be in stock. A receipt shall be supplied to the tourists for each purchase. The full name and address of the establishment shall be printed on the receipt, together with the number of the authorized business license. Purchases shall be itemized together with the price, and any addition or tax paid or discount granted on the goods shall be indicated. Discounts shall be given on the price of the goods marked on the price tags. The business shall be responsible for the maintenance of its facilities and premises and its immediate surroundings (sidewalk, yard, etc.) In case of antique shops, a certificate confirming authenticity shall be attached to each article in accordance with the guidelines/instructions of the National Museums.

CHAPTER 3 - SPORTS AND RECREATIONAL CLUB

SECTION 174. STANDARD REQUIREMENTS FOR SPORTS AND RECREATIONAL CLUB. - For purposes of accreditation, the following are the standard requirements for the operation and maintenance of a sports and recreational club.

- A. Location - The locality and environs including approaches shall be pleasant with proper ingress and egress. The face and architectural features shall be appropriately designed;
- B. Parking - There shall be provided adequate and secured parking space to customers;
- C. Security - Adequate security shall be provided at all times;

- D. Reception - A receptionist shall be available to usher in guests. A waiting lounge with telephone shall also be provided;
- E. Dining Room - There shall be a dining outlet adequate in size, with pleasant atmosphere and furnished with appropriate and well-maintained furniture;
- F. Sports and recreational equipment - There shall be adequate sports and recreational equipment available for rent;
- G. Public Washrooms - There shall be provided adequate and accessible toilet facilities separately for male and female. Tissue paper, soap, hand/paper towel shall also be provided;
- H. Locker area and facilities - There shall be adequate number of lockers for male and female. Dressing areas and shower cubicles shall also be provided.

CHAPTER 4 - MUSEUMS

SECTION 175. STANDARD REQUIREMENTS FOR MUSEUMS. - For purposes of accreditation, the following are the standard requirements for the operation and maintenance of a museum.

- A. Membership - The institution shall be a member of the National Committee on Museums;
- B. Location - The locality and environs including approaches shall be pleasant with proper ingress and egress. The facade and architectural features shall be appropriately designed;
- C. Parking area - An adequate and secured parking space for customers shall be made available;
- D. Security - Adequate security shall be provided at all times.
- E. Reception - A well-informed receptionist shall be available to usher in guests. A waiting lounge with telephone shall also be provided;
- F. Conference/Auditorium - There shall be a conference and/ or auditorium provided with audio-visual equipment and made available to the public;
- G. Library - There shall be adequate equipped and made available to the public;
- H. Public Washrooms - There shall be adequate and accessible toilet facilities provided separately for male and female. Toiletries shall, likewise, be provided.

CHAPTER 5 - TRAINING CENTERS

SECTION 176. STANDARD REQUIREMENTS FOR TRAINING CENTERS. - For purposes of accreditation, the following are the standard requirements for the operation and maintenance of a training center.

A. Physical requirements:

1. Size of Classroom - The classroom shall be able to accommodate a minimum of twenty (20) trainees per class. For purposes of workshop, the floor areas shall be at a minimum of 1.5 square meters per trainee;
2. Lighting and Ventilation - Lighting and ventilation fixtures shall be so designed to ensure an atmosphere conducive to training. A standby generator shall be made available;
3. Restrooms - There shall be a separate male and female restrooms;
4. Refreshment/Dining Area - There shall be a refreshment/ dining area accessible to the trainees;
5. Classroom Facilities, Equipment and Supplies - The center shall be provided with classroom complete with basic facilities, equipment and supplies needed in conducting a training program;
6. Workshop/On-the-Job Facilities and Equipment Depending on the training program/ s being offered, there shall be adequate supply of the appropriate facilities and equipment.
7. Reading Room - There shall be a reading room adequately provided with relevant reference materials, books, journals, magazines and the like;
8. Other Support Facilities- There shall be tool/ storage facilities provided.

B. Training Program

1. Relevance - The training program shall respond to the needs of the Tourism Industry;
2. Objectives - Its objectives shall be clearly defined, realistic and attainable;
3. Content/ Curriculum - The content/ curriculum of the training program shall be in consonance with its objectives. Topics shall be in proper and logical sequence with due consideration to effectiveness of presentation in terms of

trainees comprehension;

4. Methodology - There shall be an effective, simple, and comprehensive presentation of topics; clear description of examination scheme and test instruments related to course objectives. There shall likewise be a relevant and practical application of theories and concepts;
 5. Minimum Requirements/Qualifications of Participants - Minimum qualifications of participants shall be based on the standards acceptable to the tourism industry;
 6. Instructional Staff - The instructional staff shall have thorough experience and knowledge on the subject matter and effective communication skills and teaching style;
 7. Monitoring and Evaluation Procedures - The training program shall carry effective monitoring and evaluation tools.
- C. Trainer/Faculty - Must have successfully completed the Training-the-Trainers Program of the Department of Tourism and the Tourism Industry Board Foundation, Inc. In lieu thereof, the trainer must show proof that she/he has thorough experience and knowledge of the subject matter, she/he is handling, as well as, effective communication skills and teaching style.

SECTION 177. REQUIREMENTS FOR RENEWAL OF ACCREDITATION. - The application for the renewal of accreditation shall be supported by the following:

- A. List of all training programs conducted during the previous year including the number of enrollees and graduates;
- B. List of successful graduates per training program including skills acquired and respective places of employment.

SECTION 178. ACCREDITATION OF TRAINING PROGRAM/TRAINER. - A trainer on a training program developed by an organization not normally engaged in training may seek accreditation with the Department subject to the requirements provided for by this ordinance.

CHAPTER 6 - REST AREAS IN GASOLINE STATION

SECTION 179. STANDARD REQUIREMENTS FOR REST AREAS IN GASOLINE STATION. - For purposes of accreditation, the following are the standard requirements for the operation and maintenance of rest areas in gasoline station.

- A. Location - The locality and environs including approaches shall be pleasant with proper ingress and egress and shall be located along a major highway or road;
- B. Parking - There shall be adequate parking area for customers;
- C. Rest Room - There shall be a rest room with adequate, clean and well-maintained toilet and washing facilities. Tissue paper, soap, hand paper/towel shall also be provided;
- D. Signage - There shall be a rest room sign age visible from major approaches and which shall be well-illuminated at night;
- E. Service and Staff - Adequate number of well-trained, properly-groomed, efficient and courteous staff shall be employed. They shall wear clean uniforms at all times;
- F. Gasoline Station - The gasoline station shall be clean and well-maintained. It shall also be well-illuminated at night;
- G. Sundries Shop - There shall be an adequately stocked sundries shop which shall be clean and well-maintained.

CHAPTER 7 - SPA

SECTION 180. CATEGORIES OF SPA. - For purposes of accreditation, spas are categorized as follows, namely:

- A. Day Spa
- B. Destination Spa
- C. Resort Spa

SECTION 181. STANDARD REQUIREMENTS FOR SPA. - For purposes of accreditation, the following are the minimum standard requirements for the operation and maintenance of spa:

- A. Location and Environment - The spa shall be situated in a safe and reputable location with clean, calm and relaxing environment;
- B. Lounge & Reception Counter - There shall be a reception counter attended by qualified staff and a reasonably furnished lounge with seating facilities commensurate with the size of the spa;
- C. Food Bar - There shall be a well-maintained and well-stocked food bar for clients:

- D. Washrooms There shall be separate clean and adequate washrooms for male and female provided with running water, hand dryer and toiletries;
- E. Locker Rooms - There shall be separate male and female locker rooms for guests;
- F. Shower Rooms - There shall be separate male and female shower and changing rooms;
- G. Treatment Rooms There shall be separate unlocked treatment rooms for male and female;
- H. Services - The spa shall provide all of the following services In addition to other spa-related amenities which it may offer;
 - 1. Massages - Swedish, Lymph Drainage & Reflexology, etc.;
 - 2. Steam, Sauna and/or Water Baths and
 - 3. Body Treatments - One or more of the following: body packs and wraps, exfoliation, body toning/ contouring, waxing, hand & foot care.
- I. Staff
 - 1. There shall be adequate number of well-trained, well-groomed, experienced, courteous and efficient staff;
 - 2. There shall be at least one DOH- registered massage therapist supervising a maximum of 20 massage attendants; and
 - 3. The staff shall wear clean, proper and non-transparent uniform at all times.
- J. Steam, Sauna and Water Baths - The steam, sauna and water baths shall be maintained in a level of temperature which will not cause adverse reactions to user. Safety signages shall be provided to include information on allowable maximum temperature, duration of stay and guide in operating temperature regulator;
- K. Linen - There shall be adequate supply of linen, towels and appropriate garments such as sarongs of good quality which shall be kept clean;
- L. Employees Facilities - There shall be adequate and well-maintained locker rooms and bathrooms for male and female employees;
- M. Parking - There shall be adequate secured parking space provided for free to

customer / guests;

- N. Emergency Generator - There shall be a high-powered generator capable of providing full power in all areas of the establishment except those spas located in a commercial building with its own emergency generator capable of supplying the power requirements of its tenants;
- O. First Aid Cabinet - There shall be a well-stocked first aid cabinet available at all times; and
- P. Facilities for Disabled - There shall be facilities and provisions for the disabled in accordance with Batas Pambansa Blg. 344 promulgated on May 1985, otherwise known as an Act Enhancing the Mobility of Disabled Persons.

SECTION 182. MAINTENANCE OF SPA. - Maintenance of all sections of the spa shall be on a continuing basis taking into consideration the quality of equipment and supplies.

SECTION 183. SANITATION. - Sanitation measures like cleaning and sterilizing of equipment, robes, sheets, blankets, pillow case, towels or other materials which may come in direct contact with the clients' body shall be adopted in accordance with the standards prescribed under Presidential Decree No. 856 otherwise known as the "Sanitation Code of 1976".

SECTION 184. FIRE-FIGHTING FACILITIES. - Fire-fighting facilities shall be provided in accordance with the Fire Code of the Philippines

SECTION 185. SIGNBOARDS. - Appropriate sign boards shall be conspicuously displayed outside the establishment showing clearly the name of the spa while safety signages shall be prominently posted in strategic locations inside the spa.

TITLE VIII AGRI-TOURISM

SECTION 186. CATEGORIES OF AGRI-TOURISM/FARM SITES. - For purposes of accreditation, Agri-Tourism/Farm Sites are categorized as follows:

- A. Day Farm
- B. Farm Resort
- C. Mariculture Farm

SECTION 187. STANDARD REQUIREMENTS FOR AGRITOURISM. - For purposes of accreditation, the following are the standards requirements for the operation and maintenance of agri-tourism/farm sites:

- A. Location. The farm shall be situated in a generally safe and peaceful location.
- B. Facilities/amenities (for day farm and farm resorts). The farm shall have the following facilities/amenities, or can also be available in the nearest service area at least not more than two hour drive from the farm, in addition to the existing facilities necessary for its regular operation.
- C. Reception/Information Counter - an information counter or a reception area shall be designated where guests can inquire about the farms tour offering services or amenities. It can also serve as briefing area for the tour.
- D. Parking - parking area with designated drop-off/loading area shall be provided for buses and other public/private vehicles.
- E. Dining/Multi-Purpose Area - there shall be a dining, recreational and activity area for guests.
- F. Picnic grounds - shall use outdoor fixtures made of indigenous materials in keeping the farm setting.
- G. Farm Guide - farm guides shall accompany the tour group during the entire conduct of the farm tour. They shall provide information on farm operations, processes, products and other unique features of the farms.
- H. Souvenir shops/mini-trading area - there shall be a souvenir shop or mini-trading post to provide guests with a place to purchase the farms produce (fresh or processed) and/or negotiate for possible business partnership or transactions.
- I. Accommodation (for farm resorts only) - there shall be accommodation facilities which shall comply with the standard requirements of an accommodation facility of the DOT.
- J. Restaurant (for farm resort only) - there shall be a restaurant or catering service within the farm resort premises to cater the dining needs of visitors/guests.

SECTION 188. SANITATION. - The following sanitary facilities shall be provided by the farms:

- A. Wash areas - there shall be designated wash areas within the farm with ample amenities such as continuous flow of clean water, soap, hand towel, or tissue pare;

- B. Restrooms - there shall be separate, clean and well-maintained rest rooms for male and female.
- C. Garbage Bins - there shall be garbage bins in all activity areas;
- D. Garbage disposal / Waste Management - Garbage / waste disposal shall adhere to sustainable methods and techniques geared towards environmental protection.

**TITLE IX
RULES IN THE OPERATION AND
MAINTENANCE OF TOURISM-RELATED ESTABLISHMENTS**

SECTION 189. FIRE-FIGHTING FACILITIES. - Fire-fighting facilities shall be provided in accordance with the Fire Code of the Philippines.

SECTION 190. MAINTENANCE. -All facilities of the establishment concerned shall be properly maintained at all times. A periodic vermin control program shall be conducted.

SECTION 191. AIR CONDITIONING/VENTILATION. - All enclosed areas of the establishment concerned shall be fully-air conditioned or well-ventilated.

SECTION 192. PROHIBITED ACTS AND PRACTICES. - The following are the prohibited acts and practices of tourism related establishments:

- A. Bringing of pets or animals shall be allowed within the premises shall be upon the discretion of the owner of the establishments.
- B. Ambulant vendors shall be prohibited from peddling their wares within the premises.
- C. All forms of gambling drunkenness or disorderly conduct of any kind shall be prohibited in the establishments and within its immediate premises.
- D. Keepers, managers or operators shall exert all possible efforts not to permit any person whom they know or have reason to believe to be either a prostitute, pedophile or of questionable character to use the establishment for purposes of immoral/illegal activities. They shall immediately report to the nearest police station the presence in the premises of any such person.

**TITLE X
SPECIAL PROVISIONS**

CHAPTER 1 - ASSOCIATIONS

SECTION 193. BASIC REQUIREMENTS FOR ASSOCIATIONS. - For the purpose of accreditation, the following are the standard requirements to be complied by an Association:

- A. All members shall be duly accredited by the CITO and certificate of registration as provided for in this Ordinance;
- B. The association shall be duly registered with the Securities and Exchange Commission (SEC) or the Cooperative Development Authority (CDA), Department of Labor and Employment (DOLE) and duly accredited by the Sanggunian;
- C. There shall be a Code of Ethics already formulated by the applicant relative to the conduct of its members in their dealing with one another and the conduct to be observed by the staff or employees towards each other and/or guests and clients; Provided, that in case of conflict between any provision of these Rules and Said Code of Ethics, the former shall prevail.

CHAPTER 2 - ISLAND GARDEN CITY OF SAMAL TOURISM BOARD (IGCSTB)

SECTION 194. CREATION AND FUNCTION OF THE ISLAND GARDEN CITY OF SAMAL TOURISM BOARD (IGCSTB). - The Island Garden City of Samal Tourism Board (IGCSTB) is hereby created and it shall be responsible in the promotion and marketing of the services and known destinations of the City of Island Garden City of Samal both in domestic and international tourism, highlighting the unique character of the people, products and services and ensuring the development and improvement of important destinations. Community activities, with the end view of increasing tourist arrivals and tourism investment, marketing of the City; attracting, promoting, facilitating and servicing large scale events, environmental fairs and conventions, congress, sport competitions, expositions and the like; ensuring the promotion and advertising of major tourism destinations and products and providing opportunities and privileges to travel agencies, tour operators, wholesalers and investors, drawing sizeable number of tourist and tourism investment in the City.

The IGCSTB shall have the following general powers patterned with Tourism Act of 2009, to wit:

- A. Organize the IGCSTB in a manner most efficient and economical for the conduct of its business and the implementation of its mandate;
- B. Develop and implement a plan to market Island Garden City of Samal City as a premier tourist destination;
- C. Direct and coordinate the resources and efforts of the city government and the private sector in the tourism and allied fields for the full realization of the tourism marketing plans and programs;

- D. Develop and promote the Island Garden City of Samal as a center for international meetings, incentive programs, conventions, travel marts, exhibitions, sports and wellness, medical tourism and other special events;
- E. Engage in the business of tourism and perform acts in consonance therewith, such as, but not limited to creating subsidiaries in support of the country, encouraging sales promotions and advertising, and implementing programs and projects with the objective of promoting the city/country and enticing tourist to visit its tourism destinations and to enjoy its tourism products;
- F. Perform such other powers and functions as maybe deemed necessary by a majority vote of the members of the Board.

SECTION 195. IGCSTB COMPOSITION. - The IGCSTB shall be governed and its powers exercised by the Board otherwise known as the "Tourism Board" composed of the following:

- A. City Mayor as the Chairperson
- B. City Vice Mayor as Co-Chairman
- C. The City Tourism Head/Officer as Vice Chairman
- D. City Tourism Office as Secretariat
- E. Members:
 - 1. Chairman of the Committee on Tourism of the Sangguniang Panlungsod
 - 2. The City Planning and Development Officer
 - 3. The City Legal Officer
 - 4. The City Agriculturist
 - 5. The City ENRO
 - 6. The City Budget Officer
 - 7. The City Health Officer
 - 8. The City Engineer
 - 9. The City Administrator
- F. Non Regular Members
 - 1. One (1) Representative each from the different accredited tourism organizations representing the primary enterprises as defined under this Ordinance; Namely: The hotel and accommodation, travel agency, tour guide, transport and resort owners as endorsed by the SITC and appointed by the City Mayor;
 - 2. President of SITC;

3. One (1) Representative from Department of Tourism

SECTION 196. FOR NON REGULAR REPRESENTATIVES. - The nominees must be:

- A. Filipino Citizen
- B. With recognized competence in business management, marketing, finance and other related tourism fields
- C. Must represent a DOT accredited Tourism enterprise
- D. For Government Agencies, the Head of Office and for accredited association/organization he/she must be a high ranking official with a position of at least President, Vice President or Secretary.
- E. The term of office of the Representative Directors of the IGCSTB shall be three (3) years to commence upon the appointment by the Chairman. Each member of the board may be reappointed at most for one additional term upon expiration date of his/her original term upon the expiration of their term further may be terminated for just cause, and the directors' offices shall be deemed vacated.
- F. If a Representative Director ceases to be connected with the sector of which he/she represents, a new representative director shall be appointed to serve the unexpired portion of his/her predecessor's term. The new representative shall be chosen by the organization he/she represents in a board resolution and certified by the Secretary of the association.

SECTION 197. POWERS AND DUTIES OF THE TOURISM BOARD. - The Tourism Board shall have the following powers and duties:

- A. Promulgate policies, approve programs and prescribe rules and regulations necessary to implement the intents and purpose of the Tourism Promotions Board;
- B. Recommend for the utilization of the Special Contingency Fund to meet the adverse effects of emergencies;
- C. Create committees and sub-committees as may be necessary;
- D. Recommend contracts or agreements as may be necessary for the proper, efficient and stable administration of the IGCSTB and for the attainment of the purposes and objectives of the Code;
- E. Exercise all powers necessary or incidental to the attainment of the intent or purpose of the Code.
- F. The secretariat shall prepare the agenda for Tourism Board meetings in

consultation with the Chairperson.

SECTION 198. MEETINGS OF THE BOARD. - The IGCSTB shall meet at least once a month. The Chairperson may *motu proprio* call for a special meeting or at the instance of a majority of the members of the Board.

Immediately after its organization, the IGCSTB shall adopt the rules and procedures for the conducts of its meeting. The presence of the majority of the Members of the IGCSTB, including the Chairperson or Vice-Chairperson, shall constitute a quorum for the transaction of the business of the Board.

The Chairperson of the IGCSTB shall have voting rights in case of a tie.

SECTION 199. COMPENSATION OF THE BOARD MEMBERS. - Subject to existing constitutional and legal prohibitions on double compensation, members of the Tourism Board in an *ex officio* capacity or his/her permanent representative, shall not be entitled to receive compensation, in any form for their services, but may receive reasonable per diems, to be determined by the IGCSTB, for attendance at regular and special board meetings; and further, whose funds shall be allocated yearly, as approved in the regular annual budget of the City Government;

The private sector members of the IGCSTB shall not be entitled to compensation but are entitled to receive reasonable per diems for attendance at regular and special meetings. They shall not be allowed to receive other benefits whether in cash or in kind on top of the per diem, except when specifically provided by law.

Attendance in meetings of any Committee created by and composed of members of the IGCSTB shall be considered as attendance in board meetings, provided, that in regular meetings of the Board, no proxies shall be allowed.

SECTION 200. EFFECTIVITY. - The Island Garden City of Samal City Tourism Promotions Board shall be effective upon the issuance of an Executive Order signed by the City Mayor.

CHAPTER 3 - COMMUNITY BASED SUSTAINABLE TOURISM (CBST)

SECTION 201. THE COMMUNITY BASED SUSTAINABLE TOURISM (CBST) PROJECTS. - The Community Based Sustainable Tourism Programs which are directly assisted by the City Government and/or in partnership with other non-government organizations, foundations or entity shall be organized in order to uplift the livelihood and way of life of people in the barangays, empowerment of the community, provide alternative sources of income and support the well being of the people. The CBST Projects shall deserve the support of all tourism stakeholders.

SECTION 202. PARTNERSHIPS. - Travel Agencies, Hotels and Accommodation establishment and Tour Guides, Tour Operators must incorporate in their travel itinerary /tour

packages at least two (2) identified CBST destinations to ensure the sustainability of all community based tourism projects in Island Garden City of Samal.

CHAPTER 4 - REGULATED TOURISM ACTIVITIES

SECTION 203. REGULATED TOURISM ACTIVITIES. - The regulated tourism activities of the Island Garden City of Samal are the following:

- A. Sexy pageant
 1. The organizers shall secure necessary permits prior the start of its activities.
 2. Contestant of the pageant must be at least 18 years old.
 3. Minor is strictly prohibited to watch the pageant.
 4. Lewd or grossly offensive to moral action/presentation is strictly prohibited.
 5. Sponsored by private sector.

- B. Beauty pageant
 1. The organizers shall secure necessary permits prior to the start of activities.
 2. Contestant of the pageant must be at least 16 years old provided that those below 18 years old must secure written consent from the parent/guardian.
 3. Sponsored by private sector.

- C. Concerts/Disco (parks, plazas and streets)
 1. The organizers shall secure necessary permits prior to the start of its activities.
 2. Concerts/Disco (parks, plazas and streets) shall only be allowed on special occasion such as Fiestas, Araws, Holidays, Festivals

- D. Resto Bars/Night Clubs/KTV Bars/Videoke/Karaoke/Live Entertainment
 1. The organizers shall secure necessary permits prior to the start of its activities.
 2. Permits shall be granted until 2 a.m. only unless otherwise expressly extended in the permits.
 3. The establishment must be enclosed or sound proof as determined by City Mayor's Office-Licensing Division and City Engineering Office.

- E. Filming
 1. The organizers shall secure necessary permits prior the start of its activities;
 2. Payment of Environmental User's Fee (EUF)
 3. In case the organizer need extras and workers in the conduct of their activities, the residents of the Island Garden City of Samal shall be priority for employment;
 4. Destruction of the environment or causing unnecessary disorder within the vicinity shall be strictly prohibited.

- F. Cycling (for event)
 - 1. Pay Permit
- G. Motor trailing
 - 1. Pay Permit;
 - 2. The organizers/association shall be accredited in the Island Garden City of Samal;
 - 3. Drag racing in the public roads is strictly prohibited.
- H. Scuba Diving/Snorkelling
 - 1. The Dive Center shall secure necessary permits prior to the start of its activities.
 - 2. The Dive Center shall be accredited in the Island Garden City of Samal;
 - 3. Payment of Environmental User's Fee (EUF);
- I. Spelunking
 - 1. The organizers/association shall be accredited in the Island Garden City of Samal.
 - 2. Payment of Environmental User's Fee (EUF)
 - 3. The tourists shall attend the orientation conducted by the Office relative to cave adventures and activities.
- J. Kayaking (for event)
 - 1. The kayakers shall secure necessary permits prior to the start of activities.
 - 2. The vessel/boat shall pass the standard provided under the law.
 - 3. Payment of EUF.
- K. Island Hopping
 - 1. The organizers shall secure necessary permits prior to the start of activities.
 - 2. The organizers/association shall be accredited in the Island Garden City of Samal.
 - 3. Payment of Environmental User's Fee (EUF)
- L. Mountain Climbing/Rapelling
 - 1. Pay Permit
 - 2. Payment of EUF

CHAPTER 5 - DISASTER RISK REDUCTION MANAGEMENT COMPLIANCE

SECTION 204. LIFESAVING EQUIPMENT FACILITIES. - Every resort and other tourism-related establishment must be equipped with lifesaving and rescue equipment facilities in cases of natural and human induced disasters.

SECTION 205. TRAINED PERSONNEL. - Every resort must have their employees undergo a periodic disaster preparedness and response trainings duly accredited by City Disaster Risk Reduction and Management Council (CDRRMC).

TITLE XI VIOLATIONS, FINES AND PENALTIES

SECTION 206. GROUNDS FOR THE IMPOSITION OF FINES/SUSPENSION/CANCELLATION OF REGISTRATION AND/ OR NON-RENEWAL OF MAYOR'S PERMIT. - The following act, omission or offense provided herein shall be sufficient ground for the imposition of fine, suspension or cancellation of the Certificate of Registration, grant or renewal of Mayor's Permit, and/ or forfeiture of bond:

- A. Non-settlement of account and/or non-remittance of collection to the carrier of their co-agencies, or any agency of the government of any individual within the period prescribed by law or by the rules and regulations and circulars of the Office;
- B. Making any false declaration or statement, or making use of such declaration or statement or any document containing fraud or any act of misrepresentation for the purpose of obtaining the issuance, grant, or renewal of any certificate of registration or Mayor's Permit;
- C. Failure to comply with or to contravene any of the conditions set forth in the Mayor's Permit;
- D. Failure to meet the standards and the requirements for the operation of the tourism related businesses, as prescribed in this Code and other related laws;
- E. Serious physical injury or loss of life of any guest due to the fault or negligence of any official or employee of the establishment;
- F. Allowing or permitting the business, including any of its facilities, to be used for illegal or immoral activities;
- G. Violation or non-compliance with any of the provisions of this Code and circulars issued by the Office;

- H. Failure to renew the permit within the period required under this ordinance or non compliance with the requirements provided under this Ordinance;
- I. Fraudulent representation, written or oral, by the chief executive officer/manager of the agency or establishment for the purpose of securing the issuance of any license under these rules;
- J. Gross and evident bad faith in dealing with clients/fraudulent solicitation of business;
- K. Employment or hiring of tour guides who are not holders of a license duly issued by the Office of the City Mayor including working visa and work permit in the case of a non Filipino employee, whether contractual or permanent;
- L. Opening of any branch without prior approval of the Office;
- M. Non-compliance with or non-submission of any of the requirements for the renewal of license required under this Ordinance;
- N. Violation of any of the provisions of this Ordinance, circulars and orders of the office, and violation of any of the conditions of the LTFRB franchise;
- O. Fraudulent representation, written or oral by the owner/general manager of the company, for the purpose of securing issuance or renewal of license;
- P. Tolerance of gross misconduct, discourtesy, dishonesty or misrepresentation committed by any of the operator's officers or employees against its passengers to the detriment of the tourism industry;
- Q. Willful violation of the agreement or contract entered into by tourist transport operators and its clients or passengers;
- R. Failure to replace or renew surety bond as mentioned in Section 95 of this ordinance within fifteen (15) days from the date when said bond is ordered forfeited or confiscated in accordance with these Rules, or cancelled or revoked for whatever cause;
- S. Failure to pay fines, as well as fees, dues and contributions imposed under existing laws;
- T. Failure to submit a notice of any change in its personnel within fifteen (15) working days of such change;
- U. Failure to obey or comply with the duly promulgated orders or decisions of the Office, as well as circulars of the DOT;

- V. Any other act or omission inimical to the interest of the tourism industry.

SECTION 207. PENALTY. - Notwithstanding the civil/criminal liability imposable on letters (e) and (f) of the preceding section, any act or omission in violation of the preceding section shall be subject to the following penalties:

- A. First Offense - Suspension of operation for one (1) month and a fine of Three Thousand (Php 3,000.00) Pesos;
- B. Second Offense - Suspension of operation for six (6) months and a fine of Four Thousand (Php 4,000.00) Pesos; and
- C. Third and Subsequent Offenses - Cancellation of Mayor's Permit and a fine of Five Thousand (Php 5,000.00) Pesos plus perpetual disqualification to engage in any tourism-related businesses within the Island Garden City of Samal. For grounds under letters (e) and (f), aside from cancellation of Mayor's Permit and perpetual disqualification to engage in any tourism-related businesses, the business owner/proprietor, operator or manager, as the case may be, shall likewise be penalized to pay a fine in the amount of five thousand pesos (Php 5,000.00). The penalties provided herein are without prejudice to other penalties imposable for violations of other laws.

SECTION 208. VIOLATIONS OF LOCAL TOUR GUIDING REGULATIONS. - The following acts/omission shall be considered violations of the Local Tour Guiding Regulations:

- A. Any overt act of dishonesty, misrepresentation, or misconduct committed against a member of his/her tour group or against an employer or co-employee;
- B. Failure to wear the prescribed uniform and identification Cards;
- C. Violation of any of the provisions of this code, circulars and orders of the City;
- D. Gross and evident bad faith in dealing with guests/fraudulent solicitation of business;
- E. Tampering of identification cards;
- F. Serious physical injury or loss of life of any guest due to the fault or negligence of the tour guides;
- G. Encouraging, allowing, or failure to report guests who are engaged in any illegal, immoral or illicit activities;
- H. Encouraging or allowing guest to violate environmental laws and ordinances, or

failure to report the same to the Office;

- I. Conviction of a crime involving moral turpitude, and violations as provided for under CBST Tour Guiding rules and regulations.

SECTION 209. PENALTY. - Notwithstanding the civil/criminal liability imposable on letters (f) to (i) in the preceding section, any act or omission in violation in the preceding section shall be subject to the following penalties:

For Local Tour Guide:

- A. First offense - Fine of Two Thousand Five Hundred Pesos (P 2,500.00) and suspension for one (1) month;
- B. Second offense - Fine of Three Thousand Five Hundred Pesos (P 3,500.00) and suspension for three (3) months; and
- C. Third offense - Fine of Five Thousand Pesos (P 5,000.00) and cancellation of license.

For Community Eco-Tourism Guide (CETG) - Fines/penalty on CETG for violations and/ or misconduct shall be imposed under the direct supervision of the CBST and the city government and/or partner NGO, Foundation, private entity as provided for in the CBST rules and regulations.

For violations provided under letters (f) and (i), aside from cancellation of license and perpetual disqualification to be employed and accredited as tour guide, the tour guide shall likewise be penalized to pay a fine in the amount of Five Thousand Pesos (Php 5,000.00).

The penalties provided herein are without prejudice to other penalties imposable for violations of other laws.

SECTION 210. PENALTY FOR ENGAGING IN THE TOURISM RELATED BUSINESS WITHOUT LICENSE. - Any entity not licensed by the City except Travel and Tour Business and Tour guides who engages in a tourism related business shall be given three (3) notices with ten (10) days interval on each notice for the entity to secure license with the following administrative fines and penalties, to wit:

- A. First notice - a fine of Two Thousand Five Hundred (Php 2,500.00) Pesos;
- B. Second Notice - a fine of Three Thousand Five Hundred (Php 3,500.00) Pesos;
- C. Third Notice a fine of Five Thousand (Php5,000.00) Pesos or imprisonment of not more than one year, or both, plus perpetual disqualification to engage in any tourism related businesses.

Travel and Tour Business and Tour guides shall be given notice to stop its operation and from engaging in tour guide profession, respectively, from receipt of the notice and shall be meted with administrative fines and penalties to be imposed by the City in the amount of not more than Five Thousand (Php5,000.00) Pesos or imprisonment of not more than one year, or both, without prejudice to prosecution under other applicable and existing laws, rules, and regulations.

TITLE XII MISCELLANEOUS PROVISIONS

SECTION 211. RESTROOM FEES. - In order to provide for a sustainable maintenance and cleanliness, all city government restrooms shall impose a restroom fee of a minimum of P10.00 but not exceeding P20.00 for every use.

SECTION 212. CERTIFICATION FEES. - For every certificate to be issued by the Office there will be a corresponding fee of One Hundred (Php100.00) Pesos. The sixty percent (60%) of the certification fee will go to the Trust Fund of the Office and Forty Percent (40%) will go to the General fund of the City. For the implementation of this provision, a Trust Fund Account in the name of the Office shall be created and/or opened in any banking institution.

SECTION 213. INCENTIVES AND PRIVILEGES. - Tourism establishments who have complied with all regulatory requirements, participative of government initiated programs and activities and has no record of major offenses, complaints and liabilities, and has duly paid their taxes due to the government, duly certified by the Association where he/she is a member shall be entitled to the following privileges:

- A. Express Lane during the renewal of their business permits and licenses;
- B. Prioritization in all CITO initiated seminars and training programs for the enhancement of customer service, participation in trade fairs, travel marts and other DOT related activities; and
- C. Priority in networking and linkage development of the City Government of Island Garden City of Samal.

SECTION 214. ALLOCATION OF FUNDS. - The five percent (5%) of the accrued tourism income shall be allocated to the tourism programs/projects/activities of the Island Garden City of Samal upon approval of the IGCSTB.

SECTION 215. SEPARABILITY CLAUSE. - If, for any reason or reasons, any part/s or provision/s of this Code shall be held unconstitutional or unlawful by court of competent jurisdiction, the other part/s or provision/s hereof which are not affected thereby, shall continue to be in full force and effect.

SECTION 216. REPEALING CLAUSE. - All ordinances contrary to or inconsistent with this ordinance are hereby repealed, superseded or modified accordingly.

SECTION 217. EFFECTIVITY. - This ordinance shall take effect immediately after fifteen (15) days of its publication in the newspaper of local circulation or after posting for fifteen (15) days in atleast three (3) conspicuous places within the city.

ENACTED AND APPROVED this 2nd day of September 2014.

CERTIFIED CORRECT:

JOSE ERSANTE M. FUERTES, MPA
Secretary to the

Sanggunian

ATTESTED:

AL DAVID T. UY
City Vice Mayor
Presiding Officer

APPROVED:

ANIANO P. ANTALAN
City Mayor