

Republic of the Philippines
Province of Cagayan
City of Tuguegarao

OFFICE OF THE SECRETARY TO THE SANGGUNIAN

December 09, 2016

Dr. Rosalinda P. Callang
Secretary to the Sanggunian
Sangguniang Panlalawigan, Province of Cagayan
Capitol Hills, Tuguegarao City



Madam:

Pursuant to Section 54 of the Local Government Code, we are now submitting for review and action the attached legislative measure enacted by the Sangguniang Panlungsod on November 29, 2016, to wit:

**CITY ORDINANCE NO. 24-2016 – “ORDINANCE ENACTING
THE TUGUEGARAO CITY TOURISM CODE”.**

Thank you.

Yours truly,


JOEL JOSEPH L. EGIPTO
Secretary to the Sanggunian



Republic of the Philippines
 PROVINCE OF CAGAYAN
 City of Tuguegarao



SEVENTH CITY COUNCIL

EXCERPTS FROM THE MINUTES OF THE 19TH REGULAR SESSION
 OF THE SEVENTH CITY COUNCIL OF TUGUEGARAO CITY
 HELD ON NOVEMBER 29, 2016, 9:00 A.M., TUESDAY,
 AT THE CONFERENCE ROOM OF THE OFFICE OF THE CITY MAYOR

PRESENT:

Hon. Bienvenido C. De Guzman II	City Vice Mayor, Presiding Officer
Hon. Danilo L. Baccay	Sangguniang Panlungsod Member
Hon. Jude T. Bayona	-do-
Hon. Kendrick S. Calubaquib	-do-
Hon. Maila Rosario T. Que	-do-
Hon. Arnel T. Arugay	-do-
Hon. Gilbert S. Labang	-do-
Hon. Winnoco R. Abraham	-do-
Hon. Imogen Claire M. Callangan	-do-
Hon. Mary Marjorie P. Martin-Chan	-do-
Hon. Grace B. Arago	-do-
Hon. Raymund P. Guzman	-do-
Hon. Jose Pedro G. Velasco	-do-

ABSENT:

Hon. Anthony C. Tuddao Sangguniang Panlungsod Member (on Vacation Leave)

CITY ORDINANCE NO. 24-2016

ORDINANCE ENACTING THE TUGUEGARAO CITY TOURISM CODE

Sponsors:	Hon. Imogen Claire M. Callangan Hon. Danilo L. Baccay Hon. Bienvenido C. De Guzman II
Co-Sponsors:	Hon. Jude T. Bayona Hon. Kendrick S. Calubaquib Hon. Maila Rosario T. Que Hon. Arnel T. Arugay Hon. Gilbert S. Labang Hon. Winnoco R. Abraham Hon. Mary Marjorie P. Martin-Chan Hon. Raymund P. Guzman Hon. Grace B. Arago Hon. Jose Pedro G. Velasco

WHEREAS, Tuguegarao City is the capital of the Province of Cagayan and is the Regional Center of Region 02 and the hub of government, economic, social and academic activities in Cagayan Valley;

WHEREAS, it is necessary for Tuguegarao City to provide the rules and regulations to govern the tourism industry, its promotion, development and administration;

WHEREAS, it is widely acknowledged that tourism can serve as the primary engine of growth for the local economy and become the focal point of related projects and initiatives;

WHEREAS, the adoption of a tourism code, a blueprint of progress and development for tourism in the City, would help in the realization of the community's aspiration to become the major hub for tourists who travel to the country from every corner of the world, and from every part of the Philippines.

NOW THEREFORE, RESOLVED, as it is **HEREBY RESOLVED**, by the Seventh City Council in session assembled to enact the Tuguegarao City Tourism Code.

PART I

ARTICLE ONE

GENERAL PROVISIONS

SECTION 1. TITLE. – This ordinance shall be known as the **TUGUEGARAO CITY TOURISM CODE**.

SECTION 2. SCOPE. – This ordinance shall determine and regulate tourism development and promotion programs within Tuguegarao City, including the licensing, registration, regulation and supervision of the operations of primary and secondary tourism enterprises.

SECTION 3. OBJECTIVES – It is the primary objective of the Code to promote the City of Tuguegarao as a premier tourist destination with world-class tourism facilities. Likewise, it is the objective of this Code to:

- a. Establish an organized system of registration, pre-classification/re-classification and licensing of all primary and secondary tourism enterprises in the City of Tuguegarao;
- b. Encourage tourism investments and establish the City as an investment-friendly community;
- c. Establish acceptable standards and proper mechanisms for the regulation in the establishment and operation of all tourism entities and related activities within the City;
- d. Ensure that the city benefits in revenue in the operation of primary and secondary tourism enterprises; and,
- e. Ensure protection of potential tourism sites, natural or man-made, from economic abuse.

SECTION 4. APPLICATION. – This Ordinance shall apply to all establishments, resorts, hotels, travel agencies, tourist guides, transport and organizations that are primary and secondary tourism enterprises and other similar establishments whether their operation is domestic or international in scope.

SECTION 5. LEGAL AUTHORITIES

- a. Republic Act 7160 or the Local Government Code of 1991 provides and empowers the city to supervise all tourism facilities and other tourist attractions, regulate and supervise business concessions and the provision of the security services for such facilities and is responsible for tourism development and promotion of programs;
- b. Republic Act 9593, otherwise known as The Tourism Act of 2009 provides that “the State declares tourism as an indispensable element of the national economy and an industry of national interest and importance, which must be harnessed as an engine of socioeconomic growth and cultural affirmation to generate investment, foreign exchange and employment, and to continue to mold an enhanced sense of national pride for all Filipinos”... “Promote a tourism industry that is ecologically sustainable, responsible, participative, culturally sensitive, economically viable, and ethically and socially equitable for local communities”;
- c. Batas Pambansa (BP) 344, also known as Accessibility Law – An act to enhance the mobility of disabled persons by requiring certain buildings, institutions, establishments and public utilities to install facilities and other devices that will cater to the needs of visiting persons who come for governmental, business, social, professional, sightseeing, and other purposes;
- d. The Office of the City Mayor – The City Mayor as the Chief Executive of the City shall cause the execution of the provisions of this Ordinance. He shall oversee the overall implementation of tourism related programs of the City Government;
- e. The City Tourism Officer – The City Tourism Officer, reporting to the City Mayor, shall supervise all tourism-related activities and projects;
- f. The Sangguniang Panlungsod Committee on Tourism – The Committee on Tourism is a standing committee in the City Council whose function is to provide legislative support in terms of resolutions and ordinances in the promotion of tourism in the City; and,
- g. The Tuguegarao City Tourism Council – A Tuguegarao City Tourism Council, which shall be created and formed, shall perform various roles and shall play a significant role in the implementation of this Ordinance.

SECTION 6. DEFINITION OF TERMS. – For purposes of this Ordinance, the terms and phrases enumerated in this Section shall be constructed or interpreted to mean or refer to, as follows:

- a. APARTMENT HOTEL (APARTEL) – shall refer to serviced apartments offering self-contained units that contain access to kitchen and laundry facilities. A number of bedrooms may share one bathroom in the unit.
- b. ASSOCIATION – An organization of persons/entities having the subject of tourism as a common interest.
- c. BAR, COCKTAIL LOUNGE, BEER HOUSES/GARDENS/NIGHT OR DAY CLUBS, SUPER CLUBS – This includes any place where intoxicating and fermented liquors or malt are sold even without food where services of hired hostesses and/or waitresses are employed and where customers may dance to music rendered by a regular dance orchestra or musicians hired for the purpose; otherwise, the place shall be classified as a dance hall or night or day club. A cocktail lounge or beer garden is considered a bar even if there are no hostesses or waitresses to entertain customers.

Night or Day Club includes any place frequented at night-time or daytime, as the case may be, where patrons are serving food and drinks and are allowed to dance with their partners or with professional hostesses furnished by the management.

Night and Day Club means essentially the same as “Night or Day Club” except that it opens both during nighttime or daytime.

Super Clubs includes any establishment where food and drinks are served to its patrons, to the accompaniment or music furnished by such establishment with musicians under its employ or by jukeboxes or record players installed within its premises, and where patrons are allowed to dance only with partners who they bring along.

- d. BATAS PAMBANSA BILANG 344 – BP 344 also known as Accessibility Law
- e. CTO – The City Tourism Office
- f. DEPARTMENT STORE – A store which sells or carries several lines of merchandise in separate sections including one devoted to *Filipiniana* items
- g. DESTINATION SPA – A spa which has for its sole to provide clients with lifestyle improvement and health enhancement through professionally administered spa services such as physical fitness, education, programming and on-site accommodations where spa cuisine or healthy food is offered
- h. HOTEL – Any building, structure or a completely independent part thereof which is used for the regular reception, accommodations or lodging or travelers or tourists and the provision of services incidental thereto for fee
- i. INBOUND TOUR – A tour in the Philippines or any place within the Philippines
- j. LEAN-TO – A shed with a one-slope roof. The upper end of the rafters resting against an external support such as a free or the wall of the building
- k. LICENSE – The privilege or authority granted by the BPLO to own, operate, manage and maintain a tourist establishment
- l. MOTORISTS HOTEL (MOTEL) – Any structure with several units, primarily located along the highway with individual or common parking space at which motorists may obtain lodging and in some instances, meals
- m. MUSEUM – refers to establishments showcasing historical artifacts
- n. NATIONAL HOMESTAY PROGRAM – a program of the Department of Tourism which provides travelers with comfortable accommodations with Filipino families in areas near tourist attractions
- o. OUTBOUND TOUR – A tour to any place outside the Philippines
- p. PENSION HOUSE – A private or family-oriented tourist boarding house or tourist lodging house, employing non-professional domestic helpers, regularly catering to tourist and/or travelers, containing several independent lettable rooms, providing common facilities such as toilets, bathrooms/showers, living and dining rooms and/or kitchen and where a combination of board and lodging may be provided
- q. PERSONS WITH DISABILITY (PWD) - those suffering from restriction or different abilities, as a result of a mental, physical or sensory impairment, to perform an activity in the manner or within the range considered normal for a human being

- r. PRE-ACCREDITATION – a certification issued by either the Department of Tourism or the City Tourism Office recognizing that the establishment has complied with the minimum requirements set for its operation
- s. PRIMARY TOURISM ENTERPRISE - Any establishment which is registered and licensed by the appropriate offices of the City Government which caters directly to tourists, whether domestic or foreign
- t. REGISTRATION – The listing of primary and secondary tourism enterprises, including those offering training and promotion programs, after such establishments and facilities shall have been certified by the Tuguegarao City Government through the TCTC as having conformed to the minimum standards/requirements in accordance with this Ordinance
- u. RESORT – Any place or places with pleasant environment and conducive to comfort, healthful relaxation and rest, offering food, sleeping accommodations and recreational facilities to the public for a free remuneration
- v. RESTAURANT – Any establishment offering to the public regular and special meals or menu, cooked foods or short orders, beverages and drinks
- w. SECONDARY TOURISM ENTERPRISE– Any establishment or enterprise which caters incidentally to both local and foreign travelers and tourists
- x. SHOP – A small retail establishment specializing in *Filipiniana* and/or specialty shops
- y. SPA – refers to the establishments which offer complete relaxation to its clients for beauty and wellness
- z. SPORTS AND RECREATIONAL FACILITIES – Including swimming pools, bowling lanes, tennis courts, pelota or squash courts, golf course, riding range, shooting range, archery range, aquatic/water sports arrangement, fishing, water skiing and similar facilities forming part of the resort
- aa. TENANT – A tourist or traveler who is registered as paying occupant of any apartment-hotel.
- bb. THEATER – refers to establishments used as venue for the performing arts
- cc. TOUR-GUIDE – An individual who is licensed by the BPLO and registered with the TCTC to guide the tourist, both domestic and foreign, for fee, commission or any form of lawful remuneration
- dd. TOURISM ENTERPRISES- The facilities, services and attractions involved in tourism, such as, but not limited to: travel and tour services; tourist transport services, whether for land, sea or air transportation; tour guides; adventure sports services involving such sports as mountaineering, spelunking, scuba diving and other sports activities of significant tourism potential; convention organizers; accommodation establishments, including, but not limited to, hotels, resorts, apartels, tourist inns, motels, pension houses and home stay operators; tourism estate management services, restaurants, shops and department stores, sports and recreational centers, spas, museums and galleries, theme parks, convention centers and zoos
- ee. TOURISM TRAINING PROGRAM – Any training program that caters or is involved in the tourism industry
- ff. TOURIST AIR TRANSPORT OPERATOR – Any aircraft or air conveyance catering to tourists
- gg. TOURIST INN – A lodging establishment catering to local and foreign tourists not meeting the minimum requirements of an economy hotel
- hh. TOURIST LAND TRANSPORT UNIT – Any vehicle, carriage or conveyance moving on wheels or tunnels used on public roads and highways and catering to tourists
- ii. TOURIST TRANSPORT OPERATOR – A person or entity which may either be a single proprietorship, partnership or corporation, regularly engaged in providing tourist transport services either on charter or regular run for a fee or consideration
- jj. TRAINING CENTER – Any establishments which offers one or more training programs for tourism manpower development and which is equipped with training facilities, equipment and instructional staff
- kk. TRAINING PROGRAM - any activity designed for tourism manpower development
- ll. TRAVEL AGENCY – An entity which may either be a single proprietorship, partnership or corporation regularly engaged in the business or extending to individuals or groups, such as services pertaining to documentation of travel papers, ticketing, sales and/or accommodation, handling and/or conduct of tours within or outside the Philippines whether for a fee, commission or any room for compensation
- mm. TCTC – Tuguegarao City Tourism Council

ARTICLE TWO

ADMINISTRATIVE AND TECHNICAL SET-UP

SECTION 7. ORGANIZATION FOR IMPLEMENTATION – For purposes of implementation of the provisions of this Ordinance, technical and administrative duties and functions shall be performed by:

- a. THE OFFICE OF THE CITY MAYOR – The City Mayor is the Chief Operating Officer of all tourism programs of Tuguegarao City. He designates chairperson/s of all institutionalized tourism programs which are observed and celebrated yearly or regularly in the City.
- b. THE CITY TOURISM OFFICER – The City Tourism Officer, as a regular employee of the City Government, performs all functions and responsibilities related to tourism. He/she coordinates with different offices as regards the implementation of tourism projects and programs of Tuguegarao City. As such, he/she shall:
 1. Perform and provide support on the administrative and technical aspects of all tourism development programs/projects of the City Government.
 2. Receive applications for registration, accreditation, classification/re-classification of license, permits and the like and to act on said applications.
 3. Receive complaints, objections, oppositions to applications of registration, accreditation, classification/re-classification of license and permits and conduct the necessary proceeding therefor.
 4. Recommend to the Office of the City Mayor, after due determination of the proper authority as determined in this Code, the approval of the applications for registration, accreditation, classification/re-classification of license and permits or the downgrading or upgrading of primary and secondary tourism enterprises, suspension or complete revocation of its permits and licenses.
 5. Coordinate with and provide support to the Department of Tourism for the smooth implementation of the provisions of this Code and all tourism development programs of the City.
 6. Organize events and activities that will promote the local culture and tourism attractions of the City.
 7. Supervise the operations and maintenance of city-owned and managed tourist destination areas like parks, convention centers, museum, resorts and picnic areas to ensure the cleanliness and beauty of each facility.
 8. Design and implement the promotional and marketing structure of the City of Tuguegarao.
 9. Organize and conduct culture and tourism seminars, summits and trainings.
 10. Organize fundraising projects and events and accept donations, sponsorships.
 11. Conduct surveys, research and other data gathering activities to support each tourism program.
 12. Perform and execute any tourism or promotional related activities and programs.
- c. THE SANGGUNIANG PANLUNGSOD (CITY COUNCIL) COMMITTEE ON TOURISM, CULTURE AND ARTS – The Committee on Tourism, Culture and Arts is a major committee in the City Council composed of five (5) councilors whose function is to provide legislative aid in terms of resolutions or ordinances concerning the promotion of culture and tourism and shall assist in the implementation of the said programs.

SECTION 8. THE CREATION OF CITY TOURISM OFFICE – To fully implement the tourism programs of the City, there is hereby created, in accordance with Civil Service laws, a City Tourism Office (CTO), to be headed by the City Tourism Officer. The CTO shall have the following sections: Administration, Pre-accreditation and Inspection, Special Events, VIP Services, Marketing and Promotion, Parks, Museums and Convention Centers, and Seminar and Conventions. The City Tourism Office shall device the annual Tourism Plans and Programs and shall recommend legislative measures to the Sangguniang Panlungsod for tourism and promotions of the City.

SECTION 9. THE CREATION OF TUGUEGARAO CITY TOURISM COUNCIL – There shall be a Tuguegarao City Council to be organized with the following characters and powers:

- a. It shall be an independent incorporated foundation, non-stock, non-political and non-sectarian, composed of unlimited members and Board of Directors that shall not be more than fifteen (15) in accordance with the Corporation Code and shall be more specified in its incorporation charter.

- b. The council shall be self-perpetuating whereby its charter shall provide how its members are admitted and its Board of Directors and Officers are elected from year to year: provided, however, that the City Government and National Agencies involved in tourism shall always be represented in the Board of Directors.
- c. Its finances shall be raised from subsidies or grants from the government, local and national, membership fees of members, grants from other government and raising activities, business or income generating ventures that if may engage in any other ways of raising funds for its own existence and operations.
- d. Its main purpose, function and objective is to be the sole entity that is tasked for the promotion, development and maintenance of tourism in Tuguegarao City, including building of tourism infrastructures, advertising by all means conduct of cultural and social activities, entertainment, promotion of sponsorship of wholesome conventions, conferences, spiritual retreats, industrial, agricultural or trade exhibits the planning of year round tourism activities in coordination with all aspects of society like government agencies and private business organizations, or civic clubs and religious bodies as they may be involved. Further, to implement the applicable provisions of the Tuguegarao City Tourism Code.
- e. To be able to achieve the mandate of its creation, it shall have the power to determine its organization, administrative and operational structures from the time to time as it goes on with its operation: Provided, however, that in all its structures of membership and its policy making levels, the government shall always have sufficient representations without sacrificing the principles of practicality, efficiency, mobility, simplicity and unity.

SECTION 10. COMPOSITION OF THE TUGUEGARAO CITY TOURISM COUNCIL. The Council shall be composed of the following:

- a. Chairperson: The City Mayor
- b. Vice Chairperson: The Chairperson, SP Committee on Tourism, Culture and Arts
- c. Members:
 - The City Tourism Officer
 - The City Budget Officer
 - The City Planning and Development Officer
 - 1 Representative from the Local Chambers of Commerce
 - 1 Representative from the Private Tourism Sector (Hotel and Resort Owners Association)
 - 1 Representative from Tourism Oriented Non-government Organizations
 - 1 Representative from City Environment and Natural Resources Office
 - 1 Representative, DPWH – Cagayan
 - 1 Representative, Department of Trade and Industry
 - 1 Representative, DOST
 - 1 Representative, DOT
 - 1 Representative, Academe
 - The Chairperson, SP Committee on Health and Sanitation
 - The Chairperson, SP Committee on Barangay Affairs

The membership of the Council may be increased or decreased or modified by the City Council upon the recommendation of the Council for the effective implementation of the Code.

SECTION 11. BASIC CONCERNS/ACTIVITIES OF THE COUNCIL. Acting with and through the City Tourism Office, the Council shall:

- a. Promote the City as a:
 - 1. Convention Center
 - 2. Religious, Historical and Cultural Center
 - 3. Recreation/Resort Center
 - 4. Business Center
 - 5. Education Center
- b. Promote tourism or historical structures with appropriate signboards and markers outside or near the structures showing clearly the name.
- c. Sell the city (site, facilities, culture and activities) to civic clubs, professional organizations, and travel and tourism agencies and recommend measures to line offices of the City Government which will improve the tourism potential of the City.
- d. Initiate, maintain and maintain sanitation, cleanliness and beautification activities of the City.

- e. Oversee special services/attention to guests who are Senior Citizens and differently abled especially in hotels by giving them option to choose their rooms at the ground floor/first floor.
- f. Monitor major road or street improvements and plans particularly those that affect access to the city's tourist spots and to seek government action where it may be urgently needed.
- g. Oversee maintenance and upkeep of public toilets and comfort areas inside restaurants, hotels, gas stations, movie houses, bus stations and other public places.
- h. Coordinate and package periodic tourist events (develop and promote regular food festivals, sports fest, cultural presentations, etc., as tourism activities in the City.
- i. Coordinate with private sectors and government agencies in the identification, planning and implementation of tourism-oriented activities.
- j. Identify, plan and develop potential tourist spots in the City and study and initiate the development and establishment of a cultural and tourism museum depicting in visual arts and photos and religious archeological artifacts, costumes and other paraphernalia, and the achievements, the history, culture and religiosity of the community.
- k. Pre-accredit and classify primary and secondary tourism enterprises in accordance with the standards set by the Department of Tourism and this Code.
- l. Plan, develop and initiate training programs for personnel in food and lodging establishments and local tour guides (when necessary and in collaboration with accredited organizations).
- m. Liaise and coordinate with concerned offices or agencies on matters of traffic, peace and order conditions affecting tourism and to monitor and assist in the early resolution of crimes pertaining thereto.

SECTION 12. TOURISM PROGRAMS, SPECIAL EVENTS, FACILITIES, PARKS, INSTITUTIONS, COVENTIONS, POLICE OFFICE AND INFORMATION CENTERS

- a. **RECOGNIZED TOURISM PROGRAMS AND SPECIAL EVENTS** – The following are established and recognized annual/regular tourism programs and special events in Tuguegarao City which shall be promoted and assisted by the Tuguegarao City Tourism Council:
 1. Balikbayan Activities
 2. Promotion of Arts and Culture Consciousness
 3. Philippine Independence Day
 4. National Heroes Day
 5. Barangay and City Patronal Fiestas and Festival
 6. Tuguegarao City Charter Day Anniversary Celebration
 7. Christmas Activities in Tuguegarao City
 8. Rizal Day
 9. Summer Activities
 10. Annual Sportsfest and other Friendship Games
 11. World Earth and Environment Day
 12. Senior Citizens Activities
 13. Other Special Events under the sponsorship of the Tuguegarao City LGU to promote arts, culture, environmental awareness and tourism.

- b. It is necessary for Tuguegarao City Tourism Council to develop and institutionalize whole year programs as enumerated above. The following are suggested programs for development:
 1. Launching of activities geared toward citizenship and nation building
 2. Observance of moral, spiritual and religious activities
 3. Launching of educational, vocational and career programs
 4. Strengthening environmental concerns with massive reforestation, tree and mangrove planting activities
 5. Holding culinary and food festivals
 6. Launching of various indoor and outdoor sports activities

The Tuguegarao City Tourism Council shall also provide assistance and promotion of tourism-related programs such as:

1. Decongestion Program – Transfer stalls and vendors in crowded tourist spots
2. Commercial Signs – Remove all commercial signs at tourist spots
3. Location Signs – Upgrade and maintain all tourist location signs

4. Smoke Belching Campaign – Apprehend all smoke belchers passing through tourist spots. All vehicles to be used for tourist transport should be gasoline driven
 5. Parking – Construction of adequate pay parking areas near tourist spots. Prohibit Public Utility Jeeps (PUJs) from using these as their staging areas of terminals
 6. Public Comfort Rooms – Upgrading and maintenance of these public comfort rooms and their devolution to the TCTC of the barangays
 7. Re-greening – The annual planting of fruit trees of various tourist spots. The watering of the lawns of major parks starting December until June to show that Tuguegarao City is indeed green. Filtered and treated waste water or impounded rain water should be used for this purpose
 8. Tourism Awareness Program – Lecture and workshop on frontline services
 9. Information Education Campaign (IEC) Program – environmental awareness campaign program for conservation of the city's natural resources
- c. The Tuguegarao City Tourism Council shall assist the different agencies concerned in the upkeep and maintenance of the following identified tourist spots, institutions, information centers, parks and playgrounds:
1. Parks and Gardens – The Tuguegarao City Council shall provide measures, assistance and activities that will develop the following parks and gardens, including all parks and gardens which are adopted by different clubs and civic organizations, as provided by law:
 - i. Rizal Park
 - ii. Provincial Museum
 - iii. Other Barangay Parks
 - iv. Horno
 - v. Sts. Peter and Paul Cathedral
 - vi. San Jacinto de Polonia Parish
 - vii. Buntun Bridge
 - viii. Cagayan River (Pinacanauan River)
 - ix. Regional Center
 - x. Poor of Saint Claire Church/Monastery
 - xi. Development of City Parks
 - xii. Others
 2. Institutions – The Tuguegarao City Tourism Council shall provide measures, assistance and activities to protect, develop and promote institutions in line with the general tourism program.
 3. Culture of Excellence - All Citizens of Tuguegarao shall be encouraged to attend a seminar, emphasizing the importance of Filipino Values, Attitude, Culture and Service Excellence in relation to Tourism. The history of Cagayan legend, important events and personalities as well as Tuguegarao values shall be provided for in the module.
 - i. All employees of the City Government shall be required to attend a Culture of Excellence Seminar/Workshop on a regular basis.
 - ii. Primary and Secondary Tourism Enterprises in the City shall be encouraged to require their frontliners to undergo Culture of Excellence Seminar.
 - iii. All Tricycle, Jeepney and Bus Drivers shall be required to attend the Culture of Excellence Seminar which shall be integrated with the Annual Driver's Seminar.
 - iv. All media organizations shall air/publish public service announcements on the promotion of the Filipino Values and Culture in the Tourism context.
 - v. All Academic Institutions like Day Care Centers, Primary, Secondary and Tertiary Educational institutions shall be provided with modules on Culture of Excellence as part of the curriculum of the students which may either be integrated in their Religion or Values Education Subjects, in coordination with the Department of Education, City of Tuguegarao.

Note:

The Local Chief Executive shall issue an Executive Order to assign a Committee to devise the Lectures, Seminar or Workshop Materials, Modules and Examination for assessment purposes.

4. Tourist Police – In coordination with the Philippine National Police, the Local Chief Executive shall cause designation of Tourist Police to assist in the maintaining of peace and

order, law enforcement and tourist security. They will be assigned in Tourist Information Centers, main streets and other tourist destination areas.

5. Tourist Medical Service – In coordination with City Disaster Risk Reduction and Management Office, the Local Chief Executive shall designate rescuers or first-aiders who are duly certified by Philippine Red Cross, Water Life Saving Association or any other organizations accredited by the same. First aid medicines and necessary life-saving equipment shall be provided within the tourist destination areas. The services shall be 24/7 first aid stations and/or emergency medical services for the individuals who need help. The same medical services shall be established by hotel and resort operators to include, too, lifeguards securities.
6. Tourism Information Centers – The Tuguegarao City Tourism Council shall provide measures, assistance and activities that will put to use and improve the Tourism Information Centers. Approved and proposed resolutions and ordinances regarding the use of the Information Centers shall form part of this code and for the Tuguegarao City Tourism Council to determine uses, assignments or similar programs relative to the same:
 - i. Tourism Center
 - ii. Tourism Information Center at the City Hall
 - iii. Other Tourism Information Centers
 - iv. Tuguegarao City Domestic Airport, Bus Terminals, Central Terminals

SECTION 13. CREATION OF THE BARANGAY COMMITTEE ON TOURISM - To provide a backbone to all tourism programs and projects, there shall be created a Committee on Tourism in every Barangay in the City. Each Barangay shall be encouraged to allocate at least 5% of the 20% Development Fund from their Annual Internal Revenue Allotment Share for tourism activities.

SECTION 14. FUNCTIONS OF THE BARANGAY COMMITTEE ON TOURISM – It shall:

- a. Formulate plans and programs for tourism and beautification in the Barangay level.
- b. Identify tourist destination areas in the Barangay.
- c. Manage Barangay Tourist destination areas such as the following but not limited to covered courts, museum, parks and playground.
- d. Prepare Barangay facts and figures and marketing materials.
- e. Design and execute appropriate marketing and promotion plans.
- f. Strive for the creation of a product of their Barangay.
- g. Organize fund raising projects and events and accept donations, sponsorships and solicitations, through a Barangay Resolution for Barangay Tourism programs and parks beautification.
- h. Coordinate and participate in all tourism activities and projects.
- i. Establish a Tourism Information Center.

PART II

ARTICLE THREE

STANDARD REQUIREMENTS AND CLASSIFICATION FOR THE OPERATION/MAINTENANCE OF ALL KINDS OF PRIMARY AND SECONDARY TOURISM ENTERPRISES

SECTION 15. NATIONAL LAW, DOT MEMORANDUM CIRCULARS AND RULES AND REGULATIONS – For purposes of this Article, the provisions of the following shall be used and applied in suppletory character:

- a. Republic Act No. 9593, otherwise known as the Tourism Act of 2009. An Act Declaring a National Policy for Tourism as an Engine of Investment, Employment, Growth and National Development, and Strengthening the Department of Tourism and Its Attached Agencies to Effectively and Efficiently Implement that Policy, and Appropriating Funds Therefor
- b. Batas Pambansa 344, otherwise known as Accessibility Law. An Act to Enhance the Mobility of Disabled Persons by Requiring Certain Buildings, Institutions, Establishments and Public Utilities to Install Facilities and Other Devices
- c. DOT Memorandum Circular No. 2015-06, Series of 2016. The Revised Rules and Regulations to Govern the Accreditation of Travel and Tours Agencies

- d. DOT Memorandum Circular No. 2012-02 approved and promulgated on May 2, 2012 or the Rules and Regulations to Govern the Accreditation Establishments – Hotels, Resorts and Apartment Hotels
- e. DOT Memorandum Circular No. 99-15 of 1999 or the Amended Rules and Regulations to Govern the Accreditation of Mountain Guides
- f. DOT (2006) Rules and Regulations to Govern the accreditation of Eco-guides, Eco-tours, Eco-lodges and Eco-tour Facilities
- g. DOT (2006) Rules and Regulations to Govern the Accreditation of Ambulatory Clinics
- h. DOT (2006) Rules and Regulations to Govern the Accreditation of Spa Establishments
- i. DOT (2004) Rules and Regulations to Govern the Accreditation of Motorized Boat/Banca Engaged in Tourism activities and Services
- j. DOT (2004) Rules and Regulations to Govern the Accreditation of Agri-Tourism Site/Farm Site;
- k. DOT (2003) Rules and Regulations to Govern the Accreditation of Tertiary Hospitals for Medical Tourism
- l. DOT (2000) Rules and Regulations to Govern the Accreditation of Calesas Providing Transport Services to Tourists
- m. DOT (1999) Rules and Regulations to Govern the Accreditation of Foreign Exchange Dealers
- n. DOT (1999) Rules and Regulations to Govern the Accreditation of Cave Guides
- o. DOT (1995) Rules and Regulations to Govern the Accreditation of Travel and Tour Services
- p. DOT (1994) Rules and Regulations to Govern the Accreditation of Gallery

SECTION 16. GENERAL RULES ON THE OPERATION AND MAINTENANCE OF PRIMARY AND SECONDARY TOURISM ENTERPRISES

- a. FIREFIGHTING FACILITIES – Firefighting facilities shall be provided in accordance with the Fire Code of the Philippines.
- b. MAINTENANCE – All facilities of the establishments concerned shall be properly maintained at all times. A periodic vermin control program shall be conducted.
- c. AIRCONDITIONING/VENTILATION – All enclosed areas of the establishment concerned shall be fully air-conditioned or well-ventilated.
- d. PROHIBITED ACTS AND PRACTICES:
 - i. No pets or animals shall be allowed within the premises.
 - ii. No ambulant vendors shall be allowed to peddle their wares within the premises.
 - iii. All forms of gambling, drunkenness or disorderly conduct of any kind shall be prohibited in the establishments and within its immediate premises.
 - iv. Keepers, managers or operators shall exert 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 of any such person.
- e. Implementation of provisions on the occurrence of death in tourism establishments.

SECTION 17. SUPPORTING DOCUMENTS TO BE SUBMITTED WITH APPLICATION. Unless otherwise indicated in the form, the application shall be accompanied by two copies of the following documents:

- a. In the case of corporation or partnership, a certified true copy of the Articles of Incorporation, its by-laws, or Articles of Partnership and amendments thereof, duly registered with the Securities and Exchange Commission, and Business Name Certificate; in case of single proprietorship, Business Name Certificate and amendments thereof, if any;
- b. Applicant's latest income tax return and audited financial statement sheets for the preceding year of its operation (not applicable for new establishment);
- c. List of the names of all officials and employees and their respective designations, nationalities, home address; for alien personnel – valid visa from Bureau of Immigration and the proper permit from the Department of Labor and Employment;
- d. Mayor's Permit; and
- e. Such other documents as may be needed from time to time.

ARTICLE FOUR

PRE-ACCREDITATION

SECTION 18. PRE-ACCREDITATION TEAM – There is hereby created a Pre-accreditation Team to be headed by the City Tourism Officer with the Sangguniang Panlungsod Committee on Tourism, Culture and Arts and representatives from the Tuguegarao City Tourism Council as Members.

SECTION 19. FUNCTION OF THE PRE-ACCREDITATION TEAM – The Pre-accreditation Team shall have exclusive authority to conduct pre-accredit and pre-classify all tourism establishments for purposes of facility assessment, accreditation and classification of Department of Tourism.

ARTICLE FIVE

ACCREDITATION

SECTION 20. ACCREDITATION BASIS – All primary and secondary tourism enterprises in Tuguegarao City shall be classified, accredited and registered in accordance with the Rules and Regulations promulgated by the Department of Tourism on 20 April 1992 and 26 August 1992, published in the Supplement of the Official Gazette, Volume 89, No. 20 dated 17 May 1993.

SECTION 21. ACCREDITATION OF TOURISM ENTERPRISES AND TOUR GUIDES – No person, natural or juridical, shall keep, manage or operate any building, edifice or premise, or a completely independent part thereof, for the purpose of engaging in the tourism business without having first secured a license permit from BPLO concerned to operate the same, from the Department of Tourism if required, and a certificate of pre-accreditation from CTO.

SECTION 22. WHO ARE AUTHORIZED TO SIGN THE APPLICATION – In the filing of application for accreditation, the following shall be authorized to sign said application:

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

Note:

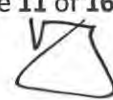
All applicants who wish to apply for the Accreditation Certificate should submit copy of their Mayor's Permit to the CTO.

SECTION 23. INCENTIVES FOR CITY ACCREDITED TOURISM ENTERPRISES – Primary and secondary tourism enterprises which are duly registered and licensed by the City Government shall be entitled the following incentives:

- a. Assistance to the processing of DOT Accreditation
- b. "One-Stop-Shop" processing of registration and license which should be completed within a period of five (5) days
- c. Free promotion in all publications, brochures, tourism flyers, leaflets or collateral materials
- d. Inclusion in Lakbay-Aral Tours or Tour Packages
- e. Incentives provided under the Tuguegarao City Investments and Incentives Code of 2014

SECTION 24. ACCREDITATION OF TOUR GUIDES

- a. Tour Guides – Only Filipino citizens may qualify as tour guide; he/she should have established at least one year of residency in Tuguegarao City. Tour Guides must undergo training and must be accredited by the DOT. Accreditation is renewable annually.
- b. Qualifications for Tour Guides:
 - i. Bonafide resident of the Tuguegarao City, Cagayan;
 - ii. Fluent in speaking Filipino, English and other foreign languages;
 - iii. Physically and mentally fit;
 - iv. Knowledgeable about the facts and figures of the city, underwent training and accreditation



- v. Accredited by DOT.
- c. Requirements:
- i. Proof that the applicant has passed a seminar for tour guides duly conducted by any of the following: the Department of Tourism (DOT), City Government or other government agencies duly authorized by the DOT to conduct seminars; Provided, however, that this requirement may be waived by the City Government with the concurrence of the DOT where the applicant possesses special academic or professional qualification relevant to tourism;
 - ii. Certificate of good health issued by any duly accredited government physician;
 - iii. Clearance from the National Bureau of Investigation; and,
 - iv. In the case of alien application, proof of employment with duly licensed agency, permit to work or registration certificate from Department of Labor and Employment and proof of reciprocity which shall consist of a certificate by the proper official of the home state of the applicant to the effect that the law of such state allows or permits reciprocal rights to Filipino citizens to engage in tour guiding which must be properly authenticated.

PART III

ARTICLE SIX

COMPOSITE INSPECTION TEAM

SECTION 25. CREATION OF A COMPOSITE INSPECTION TEAM – There is hereby created a Composite Inspection Team (CIT) to be headed by the City Tourism Officer. The other members of the team shall be composed of a representative from each of the following offices/departments:

- a. The Business Permits and Licensing Office;
- b. The Office of the City Engineer;
- c. The Tuguegarao City Health Department;
- d. The Tuguegarao City Police Office;
- e. The Office of the City Treasurer;
- f. The City Social Welfare and Development;
- g. Philippine National Police;
- h. The Sangguniang Panlungsod Committee on Tourism, Culture and Arts;
- i. The Tuguegarao City Tourism Council;
- j. The City Tourism Office;
- k. The Department of Tourism Region 2;
- l. The Department of Trade and Industry Region 2;
- m. The Department of Labor and Employment;
- n. The City Disaster Risk Reduction and Management Office; and,
- o. Non-government organization specializing in tourism promotion and development.

SECTION 26. FUNCTION OF THE COMPOSITE INSPECTION TEAM – The Composite Inspection Team shall have exclusive authority to conduct inspection in all Tourism Enterprises for purposes of facility assessment, pre-accreditation and pre-classification. For all establishments already in operation, the CIT shall have exclusive authority to conduct inspection for purposes of pre-classification and pre-accreditation. For new establishments, the normal process of requiring the clearances and recommendations of the different technical department of the city shall be required.

SECTION 27. FREQUENCY AND TIME OF REGULAR INSPECTION – Inspection shall be made once every six (6) months during office hours.

SECTION 28. SPECIAL INSPECTIONS – When public interest so requires, the recommendation of the CTO may serve as basis for an authorization for the CIT or any member or members thereof, to conduct a special inspection.

SECTION 29. CHECKLIST TO BE ACCOMPLISHED DURING INSPECTION – The CTO shall provide the necessary checklist to be accomplished by CIT in carrying out its inspection. All findings and/or observations of the team to be indicated in the checklist should be made in the presence of the owner or an authorized representative of the establishments and duly signed/noted by the said owner or authorized representative.

SECTION 30. REPORT OF THE COMPOSITE INSPECTION TEAM – Within (5) days from the date of inspection, the CIT shall submit a report of its finding and/or recommendation to the Office of the Mayor. The City Mayor shall issue within thirty (30) days from the approval of Implementing Rules and Regulations.

SECTION 31. ACCESS OF THE INSPECTION TEAM TO RECORDS AND PREMISES – The CIT shall have access to the registry book or card of the tourism establishments and all parts and facilities thereof, and the right to interview any employee and investigate any fact, condition, or matter which may be necessary to determine any violation or aid in arriving at a just and correct conclusion.

SECTION 32. DEFECTS AND DEFICIENCIES FOUND DURING THE INSPECTION – Where certain defects or deficiencies have been found in the course of inspection, the CIT shall give directions to the manager/operator of the tourism establishment concerned to rectify/remedy the defects or deficiencies within the period of one (1) month from notice thereof.

SECTION 33. REGISTRATION FEES. The CTO shall recommend rules and guidelines in the registration, classification and accreditation of the different establishments, facilities, tourist destinations and centers, including the reasonable fees to be collected, which shall be subject to legislative policy to be passed and approved by the City Council.

SECTION 34. ISSUANCE OF CERTIFICATE OF REGISTRATION/PRE-CLASSIFICATION/PRE-ACCREDITATION AND STICKERS

- a. After having determined that all requirements set forth in the preceding Sections have been satisfied and/or completed by the applicant, the CTO shall issue the corresponding Certification of Registration, Pre-classification and Pre-accreditation.
- b. The CTO shall cause the devise of stickers for purposes of Pre-classification and Pre-accreditation.

SECTION 35. OBJECTIONS TO APPLICATIONS FOR REGISTRATION AND PRE-ACCREDITATION. Any person may file a written objection with CTO against any application (new or for renewal), for the registration, pre-classification, and pre-accreditation, or issuance of stickers by the CTO, and/or file with the local government concerned such objection.

The objection shall state facts upon which it is based and shall be sworn to before a person authorized to administer oaths.

Upon receipt of such objections, the CTO shall, within three (3) days, give written notice to the applicant of the objection, together with the copy of the objection and require him/her to answer within five (5) working days from receipt of the said notice.

Within seven (7) days from receipt of the answer of the applicant, the CTO shall conduct a hearing with both parties duly notified, if after the lapse of the said period and no answer is filed, the CTO shall determine if there is still a need for a hearing or proceed to resolve the issue/s on the basis of the allegations in the objection. In all cases, however, the CTO shall render decision on any objection within seven (7) days after the case has been submitted for decision.

SECTION 36. VALIDITY OF CERTIFICATE OF REGISTRATION, PRE-CLASSIFICATION AND PRE-ACCREDITATION. The Certificate of Registration, Pre-Classification, Pre-Accreditation and License shall be valid for one (1) year while the licenses issued by the DTI & DOT shall be subject to the rules and regulations prescribed by them. The said certificates shall however be renewable annually. If any tourism enterprise has ceased operation continuously for six (6) months, its certificate shall be automatically revoked and cancelled.

SECTION 37. DISPLAY OF CERTIFICATE AND STICKER OF REGISTRATION AND PRE-ACCREDITATION. The Certificate of Pre-accreditation shall be displayed in conspicuous area in their place of business. Stickers shall be posted in the entrances/doors of such establishments for easy identification purposes.

ARTICLE SEVEN

RECLASSIFICATION OF TOURISM ENTERPRISES

SECTION 38. PROMOTION/DEMOTION. An establishment may be promoted or demoted from one class to another as the facts or circumstances may warrant.

SECTION 39. PROMOTION TO A HIGHER CLASS. Any establishment which has upgraded its facilities and services among others, to comply with the requirements of a higher class, may apply to the CTO for promotion to such higher class.

SECTION 40. DEMOTION TO A LOWER CLASS. Where after due investigation by the Composite Inspection Team, it has been established that an establishment is not being kept or managed in a manner conformable to the established standards, the CTO shall give notice to the manager/operator or such fact granting the establishment a period of time stated in the notice within which to comply with the required standards. If the establishment fails to comply within the granted period in the notice, the CTO shall remove the registration of the establishment from the class it originally holds and place it by a lower class.

ARTICLE EIGHT

CANCELLATION, SUSPENSION AND NON-RENEWAL OF LICENSE OF TOURISM ENTERPRISES

SECTION 41. CANCELLATION AND/OR NON-RENEWAL OF ACCREDITATION.

- a. Making any false declaration or statement or making use of any such declaration or statement or making any use of such declaration or statement or any document containing the same committing fraud or any act of misrepresentation for the purpose of obtaining the issuance, grant or renewal of any certificate of registration/accreditation/re-accreditation;
- b. Failure to comply with or contravene any of the conditions set forth in Accreditation;
- c. Failure to meet the standards and requirements for the operation of the tourism enterprises, as prescribed in this Ordinance;
- d. Serious physical injury or loss of life of any guest due to the fault or negligence of its official or employee (for resort/hotel/tourist inn/apartel/other tourism enterprises);
- e. Allowing or permitting the tourism enterprise, including any of its facilities, to be used for illegal, immoral, illicit activities, such as: gambling, prostitution, etc. (for resort/hotel/tourist inn/apartel/other tourism enterprises);

***Managers and/or Operators shall exert all possible efforts not to permit a person whom they know to be drunk and/or have reasons to believe either to be a prostitute, a pedophile, or a bad character to occupy any room or to frequent the premises. To accomplish this end, they shall immediately report to the nearest police station the presence in the premises of any such person.

- f. Violation of any of the conditions of the LTFRB franchise (for tourist transport operation);
- g. Tolerance of gross misconduct, discourtesy, dishonesty, misrepresentation and/or fraudulent solicitation of business committed by any of the offices or employees against their clients to the detriment of the tourism industry;
- h. Willful violation of agreements and/or contracts entered into by the tourism enterprises and its clients;
- i. Failure to replace or renew the Surety Bond within fifteen (15) days the date when said bond is ordered forfeited nor confiscated in accordance with these rules or cancelled and/or revoked for whatever cause (for travel agencies);
- j. Failure to pay fine, as well as fees, dues and contributions imposed under existing laws;
- k. Employment/hiring of employees (tour guides) who are not holders of license issued by the CTO or non-Filipino employees, whether contractual or permanent, without valid working visa and working permit; and,
- l. Any acts acts/omissions that worked against the interest of the tourism industry.

SECTION 42. GROUNDS FOR CANCELLATION AND SUSPENSION OF LICENSE OF TOUR GUIDES. The following are the grounds for cancellation and suspension of license of tour guides:



- a. Cancellation of Accreditation
 - 1. Conviction of a crime involving moral turpitude; and
 - 2. Conviction of more than one of any acts enumerated below.
- b. Suspension of Accreditation
 - 1. Any overt act of dishonesty, misrepresentation or misconduct committed against a member of his/her tour group or against his/her employer or co-employee.
 - 2. Forced tipping or contributions from tourist.
 - 3. Failure to comply with the requirements as to the compulsory wearing of identification cards.

ARTICLE NINE

MISCELLANEOUS PROVISIONS

SECTION 43. TRAINING PROGRAMS FOR STAFF. All Tourism enterprises shall undertake to provide staff training programs.

SECTION 44. FILING OF SCHEDULE OF CHARGES – Tourism enterprise shall file with the CTO and shall be readily make available inspection in printed or mimeographed form, schedule of charges on all services and related fees. Any change in the charges shall be communicated to the CTO not later than seven (7) days prior to the effectivity of such charges.

SECTION 45. CONFIDENTIAL CHARACTER OF CERTAIN DATA – Information and documents received by or filed with the CTO in pursuance of the requirements of this Ordinance shall be treated as confidential and shall not be divulged to any private party without the consent of the party concerned when public interest so requires. Any official or employee of the CTO, including those that are temporarily assigned therewith, who shall violate the provision of this Section shall be guilty of an offense under this Ordinance.

SECTION 46. IMPLEMENTING RULES – The City Mayor, from time-to-time, in consultation with the Sangguniang Panlungsod shall, issue rules and regulations as he may deem fit and necessary for the effective implementation of this Ordinance, and these rules and regulations shall be amended accordingly when circumstances call for it.

SECTION 47. FUNDING - The funds necessary for the implementation of this Ordinance shall be taken from the annual appropriations of the CTO and the Office of the Mayor for the tourism regulation, promotion and development. Said funds shall be included in the preparation of the Annual Budget of the City Government.

ARTICLE TEN
PENAL PROVISIONS

SECTION 48. ADMINISTRATIVE PENALTIES – Without prejudice to the application of the above penal sanctions, the City Tourism Office may impose an administrative fine against any person, natural or juridical, who shall violate or cause another to violate any provision of this Ordinance, or suspend or revoke the license of such person shall be imposed with the following penalties, in the discretion of the court, to wit:

FIRST OFFENSE	Fine of P 3,000.00
SECOND OFFENSE	Fine of P 4,000.00
THIRD OFFENSE	Fine of P 5,000.00
FOURTH OFFENSE	Fine of P 5,000.00 with suspension
FIFTH OFFENSE	Fine of P 5,000.00 with revocation

SECTION 49. SEPARABILITY CLAUSE – The provisions of this Ordinance are separable, and in the event that any or more of such provisions are declared invalid, the validity of all the other provisions shall not be affected thereby.

SECTION 50. REPEALING CLAUSE – Any Ordinance, Executive Order, Local Issuances and Rules and Regulations, or parts thereof, which are inconsistent with this ordinance are hereby repealed and/or modified accordingly.

SECTION 51. EFFECTIVITY – This Ordinance shall take effect after 15 days of posting and publication.


On motion of Hon. Imogen Claire M. Callangan, duly seconded by Hon. Raymund P. Guzman and without any objection, **CITY ORDINANCE NO. 24-2016** was **APPROVED** on its Third and Final Reading under suspended rules.

X-X-X


I HEREBY CERTIFY TO THE CORRECTNESS OF THE FOREGOING:


JOEL JOSEPH L. EGIPTO, Ph. D.
Secretary to the Sangguniang Panlungsod

ATTESTED


HON. BIENVENIDO C. DE GUZMAN II
City Vice Mayor
Presiding Officer

APPROVED:


HON. JEFFERSON P. SORIANO
City Mayor
Date: 12/03/16

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