



Republic of the Philippines
Province of Davao del Norte
MUNICIPALITY OF KAPALONG
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OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE 42nd REGULAR SESSION OF THE 7TH SANGGUNIANG BAYAN OF KAPALONG, DAVAO DEL NORTE, HELD AT THE SB SESSION HALL, 2ND FLOOR, LEGISLATIVE BUILDING, MANIKI, KAPALONG, ON NOVEMBER 08, 2011, TUESDAY.

PRESENT:

Hon. Romy C. Estrada	-Municipal Vice Mayor (<i>Regular Presiding Officer</i>)
Hon. Alan E. Quezon	-Councilor
Hon. Dominador S. Cruda, III	-Councilor
Hon. Rebecca O. Balinggao	-Councilor
Hon. Chichina Faye L. Lim	-Councilor
Hon. Porferio C. Tuna	-Councilor
Hon. Sunny Boy S. Lacea	-Ex-officio/SKMF Vice President
Hon. Ma. Theresa R. Timbol	-Ex-officio/ABC President

ON OFFICIAL BUSINESS:

Hon. Helario T. Caminero	-Councilor (<i>Attending seminar on development for governance residency-A on November 8-12 at the University of Makati, Makati City.</i>)
Hon. Freddie E. Pentacase	-Councilor (<i>Attending seminar on Public Safety plan formulation at the Molave Hotel, Tagum City.</i>)

ON FORCE LEAVE:

Hon. Rowell R. Selim	-Councilor
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MUNICIPAL ORDINANCE NO. 766-B

Series of 2011

AN ORDINANCE FORMULATING AND ESTABLISHING THE KAPALONG TOURISM CODE WHICH PROVIDES FOR THE RULES AND REGULATIONS GOVERNING THE TOURISM INDUSTRY IN THE MUNICIPALITY OF KAPALONG, IT'S PROMOTION, DEVELOPMENT AND ADMINISTRATION AND PRESCRIBING PENALTIES FOR VIOLATION THEREOF, AS AMENDED.

Author/Sponsor: Hon. Alan E. Quezon

Co-sponsors: Hon. Rowell R. Selim, Hon. Helario T. Caminero, Hon. Dominador S. Cruda, III, Hon. Rebecca O. Balinggao, Hon. Freddie E. Pentacase, Hon. Chichina Faye L. Lim, Hon. Porferio C. Tuna, Hon. Ma. Theresa R. Timbol and Hon. Sunny Boy S. Lacea.

BE IT ORDAINED BY THE SANGGUNIANG BAYAN IN A SESSION ASSEMBLED, THAT:

**PART ONE
ARTICLE ONE**

SECTION 1. TITLE. - This Ordinance shall be known as the **KAPALONG TOURISM CODE**.

SECTION 2. SCOPE. - This Ordinance shall govern and regulate tourism development and promotion programs of and within the Municipality of Kapalong, including the licensing, registration, regulation and supervision of the operations of tourism oriented/related establishments.

SECTION 3. APPLICATION. - This Ordinance shall apply to all, such as inland resorts, hotels, travel agencies, tourist guides, transport and organizations that are tourism oriented / related, and other similar establishments whether their operation is domestic or international in scope.

SECTION 4. CONSTRUCTION. - These rules and regulations shall be liberally construed in order to promote their objectives.

**ARTICLE TWO
LEGALITY**

SECTION 5. LEGAL AUTHORITY.-

(a) REPUBLIC ACT NO. 7160, THE LOCAL GOVERNMENT CODE OF 1991. - The Local Government Code states in its General Provisions that the Municipality administers all tourism facilities and other tourist attractions including the acquisition of equipment, regulation and supervision of business concessions, and security services for such facilities and is responsible for tourism development and promotion of programs.

Approved:

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Municipal Mayor

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(b) THE OFFICE OF THE MUNICIPAL MAYOR. - The Municipal Mayor is the Chief Executive and chief operating officer of all tourism programs of the Municipality of Kapalong. He designates chairperson/s of all institutionalized tourism programs which are observed and celebrated yearly or regularly in the Municipality.

(c) THE OFFICE OF THE MUNICIPAL ADMINISTRATOR. - The Municipal Administrator works with the Office of the Municipal Mayor when it concerns tourism. Under his office, he guides the Tourism Officer as regards all tourism-related activities and projects.

(d) THE TOURISM OFFICER. - The Tourism Officer, as a regular employee of the Municipal Government, performs all functions and responsibilities related to tourism. He coordinates with different offices with regards to the implementation of tourism projects and programs of the Municipality of Kapalong.

(e) THE SANGGUNIANG BAYAN COMMITTEE ON TOURISM. - The Committee on Tourism is a major Committee in the Municipal Sanggunian composed of Five (5) Councilors whose function is to provide legislative aid in terms of Resolution or Ordinances.

ARTICLE THREE

GENERAL DEFINITION OF TERMS AND PHRASES

SECTION 6. DEFINITIONS. - 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)** - Any building or edifice containing several independent and furnished or semi-furnished apartments regularly leased to tourists and travelers for a period or less than one day.

(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** - Bar includes any place where intoxicating and fermented liquors or malt are sold, even without food, where services of hired entertainers 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 a place where drinks are served for the purpose of entertaining customers.

Night or Day Club includes any place frequented at nighttime or daytime, as the case may be, where patrons are served food and drinks and are allowed to dance with their partners or with professional entertainers 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 establishments where food and drinks are served to its patrons, to accompaniment of 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) **BI** - The Bureau of Immigration.

(e) **BOI** - The Board of Investment.

(f) **BPLO** - The Business Permits and Licensing Office.

(g) **MUNICIPALITY** - The Municipal Government of Kapalong.

(h) **CODE** - The Local Government Code of 1991 (Republic Act No. 7160).

(i) **OMA** - The Office of the Municipal Administrator.

(j) **DENR** – The Department of Environment and Natural Resources.

(k) **DFA** – The Department of Foreign Affairs.

(l) **DOT** – The Department of Tourism.

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(m) **DEPARTMENT STORE** – A store which sells or carries several lines of merchandises in separate sections including one devoted to Filipiniana items.

(n) **HOTEL** – Any building, edifice or premise or a completely independent part thereof, which is used for the regular reception, accommodations or lodging of travelers or tourists and the provision of services incidental thereto for a fee.

(o) **INBOUND TOUR** – A tour of the Philippines or any place within the Philippines.

(p) **LICENSE** – The privilege or authority granted by the BPLO to own, operate, manage and maintain a tourist establishment.

(q) **LTFRB** – The Land Transportation Franchising and Regulatory Board.

(r) **LTO** – The Land Transportation Office.

(s) **KTC** – The Kapalong Tourism Council.

(t) **OUTBOUND TOUR** – A tour to or any place outside the Philippines.

(u) **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.

(v) **PTA** – The Philippine Tourism Authority.

(w) **REGISTRATION** – The listing of tourism-oriented and tourism-related establishments, including those offering training and promotion programs, after such establishments and facilities shall have been certified by the Kapalong Municipal Government, through the KTC as having conformed with the minimum standards/requirements in accordance with this Ordinance.

(x) **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 fee or remuneration.

(y) **RESTAURANT** – Any establishment offering to the public regular and special meals or menu, cooked foods or short orders, beverages and drinks.

(z) **SHOP** – A small retail establishment specializing in Filipiniana and souvenir items.

(aa) **SPECIAL INTEREST RESORT** - Refers to resort located at appropriate 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 horseback), tribal visits and salaries, target shooting and hunting, theme parks, such as marine aquarium parks.

(bb) **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, and similar facilities forming part of the resort.

(cc) **TENANT** – Any tourist or traveler who is registered as paying occupants of any apartment-hotel.

(dd) **TOUR GUIDE** – A person who is licensed by the BPLO and registered with the KTC; gives accurate and authentic data information in a given place or locality; manages and accompanies local or foreign tourist or other visitors within the municipality in order to provide information and explanation on matters relative to history, culture and place of interest in general, in matters which may be promoted by the Kapalong Tourism Industry; to guide the tourists, both foreign and domestic, for a fee, commission or any other form of lawful remuneration.

(ee) **CAVE GUIDE** - An individual who guides tourists, both foreign and domestic, inside caves which have been identified by the Department of Environment and Natural Resources and/or other concerned agencies, both government and private as suitable for tourism and recreational purposes, for a fee, commission, or any other form of remuneration.

(ff) **TOURISM-ORIENTED ESTABLISHMENT** – Any establishment which is registered and licensed by the appropriate offices of the Municipal Government which caters directly to the tourists, whether domestic or foreign.

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(gg) **TOURISM-RELATED ESTABLISHMENT** – Any establishment or enterprise registered with the KTC which caters to both foreign and local travelers and tourists.

(hh) **TOURISM TRAINING PROGRAM** – Any training program that caters tourism industry.

(ii) **TOURIST INN** – A lodging establishment catering to local and foreign tourists not meeting the minimum requirements of an economy hotel.

(jj) **TOURIST LAND TRANSPORT UNIT** – Any vehicle carriage or conveyance moving on wheels or tunnels used on public roads and highways and catering to tourists.

(kk) **TOURIST TRANSPORT OPERATOR** – A person or entity which may either be a single proprietorship, partnership or corporation, regularly engaged in providing for a fee or lawful consideration, tourist transport services as hereinafter defined, either on charter or regular run and duly registered by appropriate government agency.

(ll) **TOURIST WATER AND AIR TRANSPORT OPERATOR** – Any water craft or air conveyance catering to tourists.

(mm) **TRAVEL AGENCY** – An accredited entity which may either be a single proprietorship, partnership or corporation regularly engaged in the business of extending to individual or groups, such services pertaining to documentation of travel papers, ticketing, sales and/or accommodation, handling and/or conduct of tours within or outside the Philippines whether or nor for a fee, commission or any form of compensation.

(nn) **CROCKERY** – Refers to the plates, cups, saucers, and dishes used at meals.

(oo) **LEAN-TOS** – Refers to a building such as shed or garage which is attached to one wall of a larger building, and which usually has a sloping roof.

(pp) **HOMESTAY** – is a form of tourism and/or study abroad program that allows the visitor to rent a room from a local family to better learn the local lifestyle as well as improve their language ability.

(qq) **SUNDRIES** – refer to toiletries and other usually small items both of no large value, and too numerous to mention separately such as cosmetics, threads, needles, etc., normally sold in the retail sections of stores.

ARTICLE FOUR

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 the Office of the Municipal Administrator, the BPLO, The Municipal Council Committee on Tourism and the Kapalong Tourism Council.

PART TWO
STANDARD REQUIREMENTS FOR THE OPERATION/ MAINTENANCE
OF TOURISM ESTABLISHMENT, ETC.

ARTICLE FIVE
CLASSIFICATION OF RESORTS

SECTION 8. KINDS OF RESORTS. Resorts may be categorized as:

- (a) **inland resort** (located within the town proper or Municipality);
- (b) **island resort** (located in natural or man-made land within the internal waters in the Municipality of Kapalong);
- (c) **lakeside or riverside resort** (located along or near the back of a lake or river), and mountain resort located at or near a mountain or hill).

SECTION 9. CLASSES OF RESORTS. For purposes and registration and licensing, resorts shall be classified as follows:

Class "AAA"
Class "AA"
Class "A"
Special Interest Resort

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SECTION 10. REQUIREMENTS FOR "AAA" CLASS RESORT. The Following are the minimum requirements for the operation and maintenance of "AAA" Class Resort:

- (a) **Location and Environment** - The resort shall be located in a suitable location free of noise and atmospheric and marine pollution.
- (b) **Parking** - An adequate parking space with parking security shall be provided free to guests.
- (c) **Facilities and Room Accommodation** - The resort shall have its room, facilities and amenities equivalent to those of a First Class Hotel.
- (d) **Public Washrooms** - There shall be a first class and adequate public toilet and bathroom for male and female, provided with sufficient hot and cold running water, toilet paper, soap, hand towel and/or hand drier.
- (e) **Sports and Recreational Facilities** - The resort shall have at least four (4) recreational facilities.
- (f) **Conference/Convention Facilities** - Conference/convention facilities with attached toilets shall be provided.
- (g) **Employees Facilities** - Uniforms of employee shall be provided by the management of the resort. The front line employees should wear uniforms. Adequate and well-maintained locker rooms and bathrooms for male and female employees, including cafeteria, shall be provided.
- (h) **Lounge / Reception Area** - There shall be a reception counter and a reasonably furnished lounge commensurate with the size of the resort.
- (i) **Food / Beverage Outlet** - The resort shall have at least one (1) food and beverage outlet.
- (j) **Lighting / Furnishing / Ventilation** - Lighting arrangements and furnishing in all rooms shall be 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.
- (k) **Staff and Service** - Adequate number of trained, experienced, courteous, and efficient staff shall be employed. They shall wear clean uniforms at all times. The frontline staff shall have a good speaking knowledge of English.

(l) **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.

(m) **Toilet and Bedrooms** – There shall be separate clean toilet and bathroom facilities for male and female guests which shall be provided with sufficient supply of running water and situated in appropriate and accessible areas. The same shall be supplied with soap and toilet paper. Adequate portable chemical toilets shall be provided at the camp site for mobile groups. In the absence of chemical toilets, temporary sanitary latrines shall be provided based on acceptable Philippines standards.

(n) **Medical Facilities** – Medical facilities and adequate supply of emergency medicines shall be provided.

(o) **Fire Fighting Facilities**– Fire-fighting facilities shall be provided in accordance with the Fire Code of the Philippines.

(p) **Security** - Adequate security on a 24-hour basis shall be provided in all entrances and exits of the resort premises.

SECTION 11. MINIMUM REQUIREMENTS FOR “AA” CLASS RESORT. The following are the minimum requirements for the operation and maintenance of “AA” Class Resort:

(a) **Location and Environment** - The resort shall be located in a suitable location free of noise and atmospheric and marine pollution.

(b) **Parking** – An adequate parking space with parking security shall be provided free to guests.

(c) **Facilities and Room Accommodation** – The resort shall have its rooms, facilities and amenities equivalent to those of an Economy Hotel.

(d) **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.

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(e) **Sports and Recreational Facilities** – The resort shall offer at least two (2) sports and recreational facilities.

(f) **Conference/Convention Facilities** – Conference/convention facilities with attached toilets shall be provided.

(g) **Employees Facilities** – Uniforms of employee shall be provided by the management of the resort. The front line employees should wear uniforms. Adequate and well-maintained locker rooms and bathrooms for male and female employees, including cafeteria, shall be provided.

(h) **Lounge / Reception Area** – There shall be a reception counter and a reasonably furnished lounge commensurate with the size of the resort.

(i) **Food and Beverages Outlet.** – The resort shall have one (1) food and beverage outlet.

(j) **Lighting / Furnishing / Ventilation** – Lighting arrangements and furnishing in all rooms shall be 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.

(k) **Staff and Service** – Adequate number of trained, experienced, courteous, and efficient staff shall be employed. They shall wear clean uniforms at all times. The frontline staff shall have a good speaking knowledge of English.

(l) **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.

(m) **Toilet and Bedrooms** – There shall be separate clean toilet and bathroom facilities for male and female guests which shall be provided with sufficient supply of running water and situated in appropriate and accessible areas. The same shall be supplied with soap and toilet paper. Adequate portable chemical toilets shall be provided at the camp site for mobile groups. In the absence of chemical toilets, temporary sanitary latrines shall be provided based on acceptable Philippines standards.

(n) **Medical Facilities** – Medical facilities and adequate supply of emergency medicines shall be provided.

(o) **Fire Fighting Facilities**– Fire-fighting facilities shall be provided in accordance with the Fire Code of the Philippines.

(p) **Security** - Adequate security on a 24-hour basis shall be provided in all entrances and exits of the resort premises.

SECTION 12. MINIMUM REQUIREMENTS FOR “A” CLASS RESORT. The following are the minimum requirements for the operation and maintenance of a Class “A” Resort:

(a) **Location and Environment** - The resort shall be located in a suitable area free of noise and atmospheric pollution.

(b) **Parking (If applicable)** - An adequate parking space with parking security shall be provided free to guests.

(c) **Facilities and Room Accommodations** - Class “A” resort shall have its rooms equivalent to those of an Economy Class hotel.

(d) **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.

(e) **Sports and Recreational Facilities** - The resort shall at least two (2) sports and recreational facilities.

(f) **Conference/Convention Facilities** – Conference/convention facilities with attached toilets shall be provided.

(g) **Employees Facilities** – Uniforms of employee shall be provided by the management of the resort. The front line employees should wear uniforms. Adequate and well-maintained locker rooms and bathrooms for male and female employees, including cafeteria, shall be provided.

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(h) **Lounge / Reception Area** – There shall be a reception counter and a reasonably furnished lounge commensurate with the size of the resort.

(i) **Food and Beverage Outlets** - The resort shall have at least one (1) food and beverage outlet.

(j) **Lighting / Furnishing / Ventilation** – Lighting arrangements and furnishing in all rooms shall be 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.

(k) **Staff and Service** – Adequate number of trained, experienced, courteous, and efficient staff shall be employed. They shall wear clean uniforms at all times. The frontline staff shall have a good speaking knowledge of English.

(l) **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.

(m) **Toilet and Bedrooms** – There shall be separate clean toilet and bathroom facilities for male and female guests which shall be provided with sufficient supply of running water and situated in appropriate and accessible areas. The same shall be supplied with soap and toilet paper. Adequate portable chemical toilets shall be provided at the camp site

for mobile groups. In the absence of chemical toilets, temporary sanitary latrines shall be provided based on acceptable Philippines standards.

(n) **Medical Facilities** – Medical facilities and adequate supply of emergency medicines shall be provided.

(o) **Fire Fighting Facilities**– Fire-fighting facilities shall be provided in accordance with the Fire Code of the Philippines.

(p) **Security** - Adequate security on a 24-hour basis shall be provided in all entrances and exits of the resort premises.

SECTION 13. MINIMUM REQUIREMENTS FOR A SPECIAL INTEREST RESORT. For purposes of registration and licensing, the following are the basic requirements for the establishment, operation, and maintenance of special interest resort:

(a) **Location.** – The camp and ground sites shall be well-drained and is 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 is provided with comfortable bed(s) as well as sufficient and fresh supply of clean linen and mirror. For movable operation, a minimum of sixteen (16) guests plus the staff shall be accommodated in tents, lean-tos and the like. Where permanent tents are used, flooring shall be at least four (4) inches above the ground. Tents shall be provided with adequate bedding suitable for tropical use. Theme parks may be exempted from these requirements.

(d) **Toilet and Bedrooms.** – There shall be separate clean toilet and bathroom facilities for male and female guests which shall be provided with sufficient supply of running water and situated in appropriate and accessible areas. The same shall be supplied with soap and toilet paper. Adequate portable chemical toilets shall be provided at the camp site for mobile groups. In the absence of chemical toilets, temporary sanitary latrines shall be provided based on acceptable Philippines standards.

(e) **Lighting, furnishing and Ventilation.** – Lighting arrangements and furnishing in all rooms shall be 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 at all times. The frontline staff shall have a good speaking knowledge of English.

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ARTICLE SIX
GENERAL RULES ON THE OPERATION AND MANAGEMENT OF RESORTS

SECTION 14. MAINTENANCE AND HOUSEKEEPING. Maintenance of all sections of the resort shall be of acceptable standard, 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 15. 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.

SECTION 16. MEDICAL SERVICES. All resorts shall provide services of a physician, either on-call or on full-time basis, depending on its volume of operation and accessibility to hospital or medical centers. In addition, resorts shall employ adequate first-aiders who have completed a course in first aid duly certified by the Philippine 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 17. FIRE-FIGHTING FACILITIES. Fire-fighting facilities shall be provided in accordance with the Fire Code of the Philippines.

SECTION 18. SIGNBOARDS. Appropriate signboards shall be conspicuously displayed outside the establishment showing clearly the name and qualification of the resort as determined by the Kapalong Tourism Office.

SECTION 19. LAKESIDE RESORT. There shall be placed on a lakeside resort an adequate number of buoys which shall be spread within the area to be determined by the resort owner or keeper as safe for swimming purposes, in compliance with the existing government regulations and/or local ordinances on the placing of such buoys.

SECTION 20. DESIGNATED AREA. The distance fronting the area of the resort with adequate number of buoys as provided in the preceding section shall be designated as the area for swimming purposes, and no boat, banca or other crafts shall be allowed to enter the areas so designated. The resort owner or his duly authorized representative shall be empowered under these rules to enforce the above, and shall likewise designate a portion of the resort front to be used exclusively for loading and unloading of resort guests, unless otherwise designated elsewhere by rules and regulations specific to the area.

SECTION 21. PRECAUTIONARY MEASURES.

(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/costumers of the presence of artificial or natural hazards, danger area or occurrences thereat.

(c) Resort keepers, managers or operators shall likewise prohibit gambling of any form, drunkenness or disorderly conduct of any kind, or allow any activity using prohibited drugs in the resort and immediate premises.

SECTION 22. PROHIBITED ACTS AND PRACTICES.

(a) No pets or animals shall be allowed to bathe/swim along resorts.

(b) Resort owners shall prohibit ambulant vendors from peddling their wares within the resort premises in order to provide their guests a certain degree of privacy to enable them to relax and enjoy their stay thereat.

(c) Littering in resorts shall be strictly prohibited. Resort owners shall keep their premises clean and shall adopt their own anti-littering measures. Without prejudice to existing ones no resort shall be established or constructed within a radius of five (5) kilometers from any pollution causing factory or plant.

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ARTICLE SEVEN
CLASSIFICATION OF HOTELS

SECTION 23. 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.**

ARTICLE EIGHT
STANDARDS OF EACH CLASS OF HOTEL

SECTION 24. REQUIREMENTS FOR A DE LUXE CLASS HOTEL. The following are the minimum requirements for the establishment, operation and maintenance of a De Luxe Class Hotel:

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

(b) Bedroom Facilities and Furnishings.

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

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

Bathrooms – All rooms shall have bathrooms which shall be equipped with fittings of the highest quality befitting a luxury hotel service of hot and cold running water. Bathrooms shall be provided with bathtubs and showers. Floors and walls shall be covered with impervious material of elegant design and high quality workmanship.

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

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

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

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

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

Furnishing and Lighting – All guest rooms shall have adequate furniture of the highest standard and elegant design, floors shall have superior quality wall-to-wall carpeting; walls shall be well-tailored draperies of rich materials. Lighting arrangements and fixtures in the rooms and bathrooms shall be so aesthetic as well as function excellence.

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 and guest relations office providing a twenty-four (24) hour porter service and attended by highly qualified, trained and experienced staff.

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

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

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

Mailing Facilities – Mailing Facilities including sale of stamps and envelopes shall be available in the establishment.

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

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

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 every day.

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

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

(e) Food and Beverage

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

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

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

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

(f) Recreational Facilities

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

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

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

(h) Engineering and Maintenance.

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

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

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

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

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

(i) General Facilities

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

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

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

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

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

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

(j) Services and Staff – Professionally qualified, highly trained, experienced, efficient and courteous staff shall be employed.

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

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

SECTION 25. REQUIREMENTS FOR A FIRST CLASS HOTEL. The following are the minimum requirements for the establishment, operation and maintenance of a first class hotel:

(a) Location – The location and environs including approaches shall be 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

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

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

Bathrooms – All rooms shall have bathrooms which shall be equipped with fittings of 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. Floors and wall shall be covered with impervious material of aesthetic design and high quality workmanship.

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

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

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

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

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

Furnishing and Lighting – All guest rooms shall have adequate furniture of very high standard and very good design; floor shall have wall-to-wall carpeting; or if the flooring is of high quality (marble, mosaic, etc.), carpet 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.

Information Materials – Room tariffs shall be prominently displayed in each bedroom plus prominent notice for services offered by the hotels.

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

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

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

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

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Mailing Facilities – Mailing facilities including sale of stamps and envelopes shall be available in the establishment.

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

(d) Housekeeping

Linens – There shall be a 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.

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

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

(e) Food and Beverage

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.

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

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

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.

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

(g) Entertainment – Live entertainment shall be provided.

(h) Engineering and Maintenance.

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

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

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

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

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

(i) General Facilities.

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

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

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

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

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

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

(j) Service and staff – Highly qualified, trained, experienced, efficient and courteous staff shall be hired. The staff shall be in a 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 26. REQUIREMENTS FOR A STANDARD CLASS HOTEL. The following are the minimum requirements for the establishment, operation and maintenance of a standard class hotel:

(a) Location – The locality and environs including approaches shall be 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

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

Suite – There shall be one (1) suite per fifty (50) guest rooms.

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

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

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

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

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

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

Furnishings and Lighting – All guest rooms shall have furniture of very good standard and design; floor 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.

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.

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

Porter Service – Porter service shall be requested.

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

Mailing Facilities – Mailing Facilities including sale of stamps and envelopes shall be available in the premises.

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

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

Telex Facilities – Telex Facilities shall be optional.

(d) Housekeeping – It shall be of good standard.

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.

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

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

(e) Food and Beverage

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

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

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

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-designed and properly equipped swimming pool.

Tennis/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 optional.

(h) Engineering and Maintenance.

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

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

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

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

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

(i) General Facilities.

Outdoor Area – Shall be optional.

Shops – There shall be sundry shop counter.

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

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

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

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

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

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

(k) Special Facilities – Airport transfer shall be provided upon request.

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

SECTION 27.REQUIREMENTS FOR ECONOMY CLASS HOTEL. The following are the minimum requirements for the establishment, operation and maintenance of a Economy Class:

a. Location.

1. The locality and environs including approaches shall be such as are suitable for a good hotel;
2. The architectural features and general construction of the building shall be of good standard.

b. Bedroom Facilities and Furnishings.

Size - All single and double rooms shall have a floor area of not less than eighteen (18) square meters, inclusive of bathrooms.

Suite – There shall be one (1) suite per sixty (60) guest rooms.

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

Telephones - There shall be a call bell in each guest room.

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

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

Refrigerator - There shall be a small refrigerator in each guest room.

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

Furnishings and Lighting

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

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

c. Front Office/Reception.

Reception and Information Counter - There shall be a reception and information counter providing a 24-hour service and equipped with telephone.

Lounge - There shall be a reasonable furnished lounge commensurate with the size of the hotel.

Porter Service - Porter service shall be provided upon request.

Foreign Exchange Counter - Foreign Exchange Counter shall be optional.

Mailing Facilities - There shall be mailing facilities.

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

Reception Amenities - There shall be a left-luggage room and safety deposit boxes.

Telex Facilities - Telex facilities shall be optional.

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d. Housekeeping - Premises shall be kept clean and tidy.

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

Laundry/Dry Cleaning Service - Laundry and dry cleaning services shall be available by arrangement.

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

e. Food and Beverage.

Dining Room - There shall be at least one equipped and well-maintained dining room/restaurant serving good, clean and wholesome food.

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

Kitchen

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

Crockery - The crockery shall be of good quality.

f. Recreational Facilities

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

Tennis/Gym Facilities – Such facilities shall be optional.

g. Entertainment. – Live entertainment shall be optional.

h. Engineering and Maintenance

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

Airconditioning - At least 50% of the rooms shall be airconditioned (except in areas which are at a minimum of 3,000 feet above sea level).

Ventilation - There shall be adequate ventilation in all rooms.

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

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

Fire Prevention Facilities - Shall conform with the requirements of the Fire Code of the Philippines.

i. General Facilities.

Outdoor Area – Shall be optional.

Parking – There shall be adequate parking space.

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

Shops - There shall be a sundries shop.

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

Medical Service - The services of a doctor shall available when needed.

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j. Service and Staff.

1. The staff shall be well trained, experienced, courteous and efficient;
2. The staff shall be in clean uniforms.

k. Special Facilities - Airport transfer shall be in provided upon request.

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

**ARTICLE NINE
BASIC REQUIREMENTS FOR APARTMENT-HOTELS
(APARTEL)**

SECTION 28. REQUIREMENTS FOR APARTELS. For purposes of registration and licensing, the following are the basic 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 a living and a 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 adequate sanitation and running water.
- (g) **Bedroom** – Shall be spacious and provided with comfortable bed. There shall also be provided closet and mirror.
- (h) **Linens** – The apartel shall have sufficient number of good and clean linens.
- (i) **Ventilation** – The apartment shall be sufficiently ventilated.
- (j) **Lighting** – Lighting arrangements and fixtures in all rooms shall be adequate.
- (k) **Telephone** – There shall be a telephone.
- (l) **Elevator** – An elevator shall be provided for a building of more than three (3) storeys whenever possible.
- (m) **Staff and Services** – Shall be trained, experienced, courteous and efficient. They shall be provided with smart and clean uniforms.
- (n) **Medical Facilities** – A first aid clinic stocked with appropriate medicines and drugs to service employees and guests shall be provided. 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 apartel. The reception counter shall be attended by trained and experienced staff and shall also be provided telephone.
- (q) **Security** – Adequate security on a 24-hour basis on all entrances and exits of the apartel premises.

SECTION 29. REQUIREMENTS FOR TOURIST INNS. For purposes of registration and licensing, the following are the basic requirements for the establishment, operation and maintenance of a tourist inn:

- (a) **Location.** – The tourist inn, except those already existing and licensed by the DOT, shall be located along the principal roads and highways or transportation routes and open to business on a 24-hour basis.

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(b) Bedroom Facilities and Furnishing. – 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 appropriate draperies. Floors shall be of good flooring materials. All single bedrooms shall have a floor area of not less than nine (9) square meters and all twin rooms or double rooms shall have a floor area of not less than 16 square meters. There shall be vacuum jugs or thermoplast with drinking water with glasses in each bedroom. There shall be adequate supply of good clean linen, blankets and towels that shall be changed regularly in each occupied room.

(c) Facilities.

1. **Parking Space** - There shall be adequate parking spaces proportionate to the number of lettable rooms and other public facilities of the inn.
2. **Reception** - There shall be a reception and information counter attended by qualified trained and experienced staff. There shall be a lobby and well-appointed lounge.
3. **Telephone** - There shall be adequate telephone facilities. Services for long distance or overseas telephone calls shall be made available to guests.
4. **Radio/Television** - There shall be provisions for radio and/or television for the use of guests upon request.
5. **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. Washing of cooking utensils, crockery, cutlery, glassware, etc. shall be sanitary done.
6. **Security** - Adequate security shall be provided to all guests and their belongings.
7. **Emergency Power** - Inns with more than 50 lettable rooms shall have emergency exits in case of power failure.
8. **Fire Fighting Facilities** - Adequate fire fighting facilities shall be available as required by the Fire Code of the Philippines.

**ARTICLE TEN
BASIC STANDARDS REQUIREMENTS FOR MOTELS**

SECTION 30. 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/s, clean pillows, linen and bed sheets.
- d. **Toilet and Bathroom** - The unit shall be provided with attached toilet and bathroom with cold and hot water, clean towels, tissue paper and soap.
- e. **Telephone** - There shall be a telephone or call-bell in each unit.
- f. **Staff and Service** - The motel staff shall be trained, experienced, courteous and efficient. They shall wear clean uniform while on duty.
- g. **Medical Services** - Medical services on an emergency basis shall be made available.

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- h. Fire-fighting Facilities** - Adequate fire-fighting facilities shall be provided for each separate unit/building, in accordance with the Fire Code of the Philippines.
- i. Lighting** - Lighting arrangement and fixtures in all units shall be adequate.
- j. Housekeeping** - Efficient housekeeping shall be maintained.
- k. Maintenance** - Efficient maintenance of the motel in all its sections (i.e. building ground, furniture, fixtures, public rooms, air-conditioning, etc.) shall be provided on a continuing basis.
- l. Other facilities** - The motel may, at its option, serve food and drinks exclusively to its guests, and install such other special facilities necessary for their business.
- m. Signboard** - All motels shall keep and display in a conspicuous place outside the establishment a signboard showing clearly the name of the motel.
- n. Security** - Adequate security shall be provided to all guests and their belongings.

ARTICLE ELEVEN
MINIMUM REQUIREMENTS FOR TRAVEL AGENCIES

SECTION 31. OFFICE REQUIREMENTS. The travel agency shall comply with the following office requirements:

- (a) It shall be located in a commercial district and not in a residential area.
- (b) It shall be used exclusively for the travel agency business.
- (c) It shall be easily identifiable.

ARTICLE TWELVE
BASIC REQUIREMENTS FOR TOURIST LAND TRANSPORTATION VEHICLES

SECTION 32. REQUIREMENTS. For purpose of registration and licensing, the following are the basic requirements for the operation and maintenance of a tourist transport (including taxis):

- (a) **Registered Carrying capacity.** – A tourist transport operator shall only be allowed to apply for license for the number of units covered by its franchise.
- (b) **Road Worthiness.** – To be registrable, every tourist transport must be found road worthy by the Kapalong Tourism Office in coordination with the LTO, and shall not, in the case of bus, be more than ten years reckoned from the year of manufacture; nor more than five years for a tourist car/taxi.
- (c) **Left-Hand Drive.** – Every tourist transport shall be left-hand drive.
- (d) **Ventilation.** – Every tourist transport shall be properly equipped with adequate air conditioning units.
- (e) **Fire-Fighting Facilities.** – A tourist transport shall be provided or installed with at least one portable fire extinguisher for the protection of its passenger.
- (f) **Imprint of Company's Name and Logo.** – The company's name and logo shall be imprinted at the rear and sides, respectively, of the tourist transport.
- (g) **Public Address System.** – For tourist buses and coaster a public address system must be installed.
- (h) **First Aid Kit.** – Every tourist transport shall be provided with a first aid kit and an adequate supply of emergency medicines.
- (i) **Seats.** – Every transport shall be provided with lean and comfortable seats.

(j) **Storage Space.** – A tourist transport operator shall have enough leg room and storage space.

(k) **Garage.** – Every tourist transport operator shall provide an adequate garage and repair shop for the maintenance of its equipment as well a parking space sufficient to accommodate all its registered units.

**ARTICLE THIRTEEN
BASIC STANDARD REQUIREMENTS FOR PENSION HOUSES**

SECTION 33. MINIMUM BASIC REQUIREMENTS. For purposes of licensing and registration, the following are basic requirements for the establishments, operation and maintenance of pension houses:

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

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(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. Room shall be clean and presentable and reasonably furnished to depict the true atmosphere of the Filipino home.

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

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

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

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

(g) **Security** - Adequate security shall be provided to all guests and their belongings.

**ARTICLE FOURTEEN
BASIC STANDARD REQUIREMENTS FOR RESTAURANTS**

SECTION 34. MINIMUM BASIC REQUIREMENTS. For purpose of registration and licensing, the following are the minimum requirements that must be complied with the restaurants:

(a) **Location.** – The locality and environs including approaches shall be pleasant and provided with proper ingress for customers.

(b) **Parking.** – There shall be adequate, secured parking space provided free to customers.

(c) **Reception.** – A reception shall be available to usher in guests. A waiting lounge with a telephone shall also be provided.

(d) **Dining Room.** – Shall be adequate in size with sufficient and well-maintained furniture. Cleaning materials shall be kept clean at all times.

1. **Atmosphere** – The restaurant shall have a pleasant atmosphere.

2. **Cuisine** – There shall be a cuisine of good quality and presentation which may be of special interest to tourist available during normal meal hours and served with distinction. Raw food used shall meet minimum government and international standards of grading quality.

3. **Menu Book** – 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 on a best effort basis.
4. **Linens** – All tables shall have clean table cloth, napkins of good quality, not faded nor with frayed edges and should be changed after every service.
5. **Crockery** – No piece of crockery, cutlery and tableware in use shall be chipped, cracked 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.**- Shall be of good quality fixtures 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 paper, soap, paper towels and/or hand drier shall be provided.

(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 arrangement and fixtures shall be installed in the dining rooms, public rooms, comfort rooms, corridors and other public areas.

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(j) **Maintenance.**- All sections of the restaurant shall be maintained properly at all times. A periodic vermin control program shall be maintained for all establishments.

(k) **Fire-Fighting Facilities.** - Adequate fire fighting facilities shall be provided in accordance with the Fire Code of the Philippines.

ARTICLE FIFTEEN
BASIC STANDARD
REQUIREMENTS FOR SHOPS / DEPARTMENT STORES

SECTION 35. MINIMUM BASIC REQUIREMENTS. For purposes of registration and licensing, the following are minimum basic requirements that shall be complied with by Shops/Department Stores:

(a)Physical Requirements.

- a.1. The using of establishments shall be fronting a major street or thoroughfare or situated in shopping center/mall.
- a.2. The entrance and display windows shall be attractively designed and adequately illuminated.
- a.3. The furniture and décor of the establishment shall be presentable and functional at all times.
- a.4. Well-maintained restrooms shall be provided for by the establishment or in the event.
- a.5. The shop is located in a shopping mall or commercial building, the common/ public rest rooms shall be made available to the clients and visitors.
- a.6. In case of Department Stores.

- a.6.1. The store shall be an edifice or a shopping mall/center.
- a.6.2. Parking area shall be made available to clients.
- a.6.3. There shall be appropriate directional signs.

(b) Staff. – All members of the staff shall be well-groomed, courteous and efficient at all times.

(c) Services.

- c.1. Goods displayed in the shop window or show case shall be provided with clearly written price tags.
- c.2. A wide selection of goods shall be in stock.
- c.3. A receipt shall be supplied to the tourist for its purchase. The full name and address of the establishment shall be printed on the receipt.
- c.4. Purchase shall be itemized together with the price, and any addition or tax paid or discount granted on the good shall be indicated.
- c.5. The business shall be responsible for the maintenance of its facilities and premises and its immediate surroundings.
- c.6. In case of antique shops, a certificate confirming authenticity shall be attached to each article in accordance with guidelines/instructions of the National Museum.

**ARTICLE SIXTEEN
BAR, COCKTAIL LOUNGE / NIGHT CLUBS**

SECTION 36. MINIMUM BASIC REQUIREMENTS. For purposes of licensing and registration, the following are the minimum basic requirements that shall be complied with by bars, cocktail lounges and night clubs:

(a) Location. – Subject to the provisions of existing laws and ordinances, locality and environment including approaches should be pleasant with an atmosphere of comfort. The façade and architectural features of the building shall be appropriately designed.

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(b) Reception Counter. – There shall be a reception counter with a telephone attended by highly qualified, trained and experienced staff. A receptionist shall be available to usher in customers.

(c) Engineering and Maintenance.

Lighting- Technologically advanced, efficient and adequate lighting arrangement and fixtures shall be installed in all areas of the establishment.

Ventilation – The premises shall be well-ventilated.

Emergency Power – There should be a high-powered generator capable of providing sufficient lighting in all areas of the establishment, including food refrigeration and water services.

Maintenance – It shall be of acceptable standard and shall be on a continuing basis, taking into consideration the quality of materials uses as well as its upkeep. Regular and hygienic garbage disposal system shall be maintained. Sanitation measures shall be adopted in accordance with the Sanitation Code of the Philippines.

Fire-Fighting Facilities – Shall be provided in accordance with the Fire Code of the Philippines.

Signboard – Shall be conspicuously displayed outside the establishments showing clearly the name of the bar, cocktail lounge and night club subject to the issuance of necessary permits and payment of fees. A periodic vermin program shall be maintained.

(d) Food and Beverage. – Dining Room should be well-equipped, well-furnished and well maintained, serving good quality cuisine with good presentation which may be of special interest to tourist. It should be available during normal meal hours and used shall meet minimum government and international standards of grading and quality. Flooring materials shall be kept clean at all times. Bars should be well-stocked at all times with an atmosphere of comfort.

(e) Kitchen /Pantry/Cold Storage. – It shall be professionally designed to ensure efficiency of operation and should be well-equipped, well-maintained, clean and hygienic. It should have an adequate light and ventilation.

(f) Crockery – It should be of best design and quality. It should have adequate supply. No piece of crockery in use should be chipped, cracked or grazed. The silverware should be kept well-plated and polished at all times.

(g) Menu/Beverage Book – It shall be presentable, clean and easy to read with items listed in logical sequence and should be made available at all times on a best effort basis.

(h) Linen – All tables shall have clean table cloths and napkins of good quality. They should not be faded nor with frayed edges and stains and should be changed after every service.

(i) Comfort room – It shall be of good quality fixtures and fittings and provided with running water. The floor and walls shall be covered with impervious materials of good quality workmanship and shall be kept clean and sanitary at all towels and/or hand drier shall be provided.

(j) General Facilities.

Parking Space – It shall be free of charge to guests and customers.

(k) Entertainment – Live entertainment should be provided but strictly no lewd, obscene or bold shows as prescribed by law.

(l) Staff and Services – Adequate number of trained, experienced, courteous and efficient staff shall be employed. They shall wear smart and clean uniforms at all times.

(m) Security – Adequate security shall be provided on all entrances and exits of the establishments.

(n) Employee Facilities – Adequate and well-maintained locker rooms and bathrooms for male and female employees shall be provided.

SECTION 37. PRECAUTIONARY MEASURES. Management shall post sufficient and visible signs in strategic areas the cocktail lounge/night clubs/bars to warn and/or inform the guests and customers of the rules and regulations, fire guidelines, including hours of operation, to observe while inside the premises.

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SECTION 38. PROHIBITED ACTS PRACTICES. Littering in cocktail lounges, night clubs and bars shall be strictly prohibited. Cocktail lounge, nightclub and bar owners shall keep their premises clean and shall adopt their own ant-littering measures. Cocktail lounge, night club, and bar owners/operators shall not allow gambling of any form and disorderly conduct of any kind in its premises. Minors are not allowed to enter the premises. Guests/customers wearing sando and slippers shall not be allowed to enter. Firearms and deadly weapons are strictly prohibited inside the premises.

ARTICLE SEVENTEEN
BASIC STANDARDS REQUIREMENTS FOR HOMESTAY SITES

SECTION 39. MINIMUM REQUIREMENTS – For purposes of accreditation, the following are the minimum requirements for the operation and maintenance of homestay sites in accordance with the Department of Tourism 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 tourist 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 serve 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 guestroom to accommodate paying visitors.
4. The following shall be available:
 - extra bed/s
 - adequate lighting system
 - running water or if not available, adequate supply of water
 - clean and well-maintained toilet and bathroom facilities
 - meals at reasonable rates
 - electric fan or other means of ventilation

c. Training – Family members shall have completed the Department of Tourism and/or Kapalong Tourism training workshop on Homestay Program.

ARTICLE EIGHTEEN
BASIC STANDARDS REQUIREMENTS FOR REST AREAS IN GASOLINE STATION

SECTION 40. MINIMUM REQUIREMENTS. For purposes of accreditation, the following are the minimum requirements for the operation and maintenance of rest areas.

- 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 signage 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.
- h. Fire-Fighting Facilities** - Adequate fire fighting facilities shall be provided in accordance with the Fire Code of the Philippines.

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**ARTICLE NINETEEN
REQUIREMENTS FOR TARGET SHOOTING RANGE**

SECTION 41. MINIMUM BASIC REQUIREMENTS. For purposes of accreditation, the following are the basic requirements for the establishment, operation and maintenance of a target shooting range.

- a. **Location** – The target shooting range shall be located at least 1000 meters away from the highway or major transportation route. If not, it shall be securely located so as not to endanger life or limb.
- b. **Clubhouse** – The target shooting range facilities shall include the clubhouse. It shall be properly ventilated, well lighted and safely located. An information counter and a lobby shall also be provided.
- c. **Coffee Shop/Restaurant** – There shall be a shop/restaurant.
- d. **Public Washrooms** – Separate public washrooms for male and female shall be provided. These shall be supplied with adequate running water, soap (liquid bar), hand dryer or towel, toilet paper and mirror. These shall also be kept free from offensive odor and maintained properly at all times.
- e. **Pits** – The pits shall be at least 8 feet deep and 5 feet wide with the same length as the target wall.
- f. **Back-stop** – The back-stop shall either be natural (mountain hill) or artificial. If artificial, it shall be made of concrete with the size of 15 feet high and 1 foot thick.
- g. **Target Wall** – Natural target wall shall be fronting the mountain or hill. If artificial, the target wall shall be able to stop bullets of any caliber.
- h. **Shooters Spectators Area** – An air-conditioned shooters spectator’s area shall be observed provided.
- i. For safety measures, the following shall be observed/provided:
 1. Doctor-on-call or registered nurse on duty;
 2. First aid equipment;
 3. Instructional manual/audio-visual materials in foreign languages;
 4. Well-trained and experienced range officer;
 5. A ratio of one fire range officer per tourist bay;
 6. Well-maintained and well-conditioned guns;
 7. Adequate fire-fighting facilities;
 8. Protective eye ear equipment; and
 9. Target shooting range rules and regulations.
 10. Adequate security shall be provided on all entrances and exits of the target shooting range.

**ARTICLE TWENTY
BASIC STANDARDS REQUIREMENTS FOR AGRI-TOURISM/FARM SITE**

SECTION 42. MINIMUM BASIC REQUIREMENTS. For purposes of accreditation, the following are the minimum standard 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 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 (2) hours drive from the farm, in addition to the existing facilities necessary for its regular operation:
 1. **Reception/Information Counter** – An info counter or a reception area shall be designated where guests can inquire about the farm’s tour offerings, services or amenities. It can also serve as briefing area for the tour.
 2. **Parking** – Parking area with designated drop-off/loading area shall be provided for buses and other public as well as private vehicles.
 3. **Dining/Multi-Purpose Area** – There shall be a dining, recreational and activity area for guests. Picnic grounds shall use outdoor fixtures made of indigenous materials in keeping with farm setting.

4. **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 farm.

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5. **Souvenir Shop/Mini-Trading Area** – There shall be a souvenir shop or mini-trading post to provide guests with a place to purchase the farm's produce (fresh or processed) and/or negotiate for possible business partnerships or transactions
 6. **Accommodation (for farm resorts only)** – There shall be accommodation facilities which shall comply with the minimum standard requirements of an accommodation facility of the DOT.
 7. **Restaurant (for farm resorts only)** – These shall be a restaurant or catering service within the farm resort's premises to cater to the dining needs of visitors / guests.
- c. **Infrastructure.** – Support infrastructure facilities shall be in place such as road, electricity, water and communication.

ARTICLE TWENTY ONE

BASIC STANDARDS REQUIREMENTS FOR SPORTS & RECREATIONAL CLUB

SECTION 43. MINIMUM BASIC REQUIREMENTS. For purposes of accreditation, the following are the minimum requirements for the operation and maintenance of a sports and recreational clubs:

- a. **Location** – The locality and environs including approaches shall be pleasant with proper ingress and egress. The façade 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. **Receptions** – 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.
- i. **Medical Facilities** – Medical facilities and adequate supply of emergency medicines shall be provided.

ARTICLE TWENTY TWO

BASIC STANDARDS REQUIREMENTS FOR TOURISM-RELATED ESTABLISHMENT

SECTION 44. MINIMUM BASIC REQUIREMENTS. For purposes of accreditation, the following are the minimum requirements for the operation and maintenance of a Tourism-Related Establishment:

- a. **Fire-fighting Facilities** - Fire-fighting facilities shall be provided in accordance with the Fire Code of the Philippines.

- b. Maintenance** - All facilities of the establishment 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-airconditioned or well-ventilated.
- d. Security** – Adequate security shall be provided at all times.
- e. Prohibited Acts and Practices:**
 - 1. No pets or animals shall be within the premises.
 - 2. Ambulant vendors shall be prohibited from peddling their wares within the premises.

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- 3. All forms of gambling, drunkenness or disorderly conduct of any kind shall be prohibited in the establishments and within its immediate premises.
- 4. Keepers, managers or operators shall exert all possible efforts not to permit any person whom they know or have reason to be believed 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.

ARTICLE TWENTY THREE
CREATION OF MUNICIPAL TOURISM OFFICE/DEPARTMENT

SECTION 45. THE MUNICIPAL TOURISM OFFICE/DEPARTMENT. There shall be a Municipal Tourism Office/Department that shall be created and governed by the Municipal Government of Kapalong under the direct supervision of the Municipal Mayor/Municipal Administrator that shall be provided with staff and funding for the appropriate and consistent implementation of the Kapalong Tourism Code with the following responsibilities, mandate, powers and functions:

- (a) Mandate.** – The Municipal Tourism Office, shall be the primary planning, programming, coordinating, implementing, servicing and regulatory office of the Municipal Government of Kapalong in the promotion, development and investor servicing of local tourism industry both domestic and international, in coordination and cooperation with the national, regional, provincial and municipal government agencies/offices. It shall encourage the local tourism industry to emphasize the basic importance of environmental protection and conservation, Filipino culture appreciation, and the generation of employment, investment and foreign exchange.

The Municipal Tourism Office shall be responsible for marketing and promoting Kapalong locally and internationally as a tourism destination emphasizing the natural and manmade attractions, culture, products, events and other unique development programs, services and practices with the aim of increasing tourism investment and tourists arrival; providing incentives to accredited tourism investors such as travel agencies, tour operators, tourism establishments and other tourism investments that will bring substantial number of tourists and investment in the Municipality of Kapalong; promoting, facilitating and servicing major events, fairs, conventions, forum, congresses, sports events, exposition, jamborees, and the like; marketing the Municipality of Kapalong as caving, agricultural, cultural, educational and ecotourism destination; and ensure regular advertisement and promotion of Kapalong major destination, culture, products and events through tri-media (radio, TV, newspaper), flyers, brochures and other form of tourism and investment promotion programs.

- (b) Powers and functions.** - The Kapalong Tourism Office shall have the following powers, functions and responsibilities guided by municipal, provincial and national and local promulgated for the implementation of programs, projects and other activities:

1. Formulate plans, programs, policies, and projects for the development of Kapalong Tourism for socio-economic and cultural growth, and local revenue;
2. Supervise the implementation of the Kapalong Tourism Code and other polices, plans, programs and projects of the Municipality of Kapalong;
3. Coordinate and network with other government and private agencies to properly carry out their programs in relation to the Kapalong Tourism Office policies, plans, programs and projects; and shall assist in the implementation thereof;
4. Represent the Municipality in all domestic and international conference, for all activities concerning tourism;
5. Shall act as the Secretariat of the Kapalong Tourism Council;
6. Monitor the condition of the community in coordination with the Municipal Offices and law enforcers to ensure timely advisories on the safety and possibility of entry to a particular place within the area of Kapalong; and the security of tourism industry.
7. To assist the Sangguniang Bayan in the formulation of policies on tourism development within the area responsibility of Kapalong, Davao Del Norte.

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8. Ensure the proper coordination, integration, prioritization in the formulation of local development plan.
9. Collect necessary fees and charges for the proper implementation of tourism policies, plans and projects; and
10. Exercise such other powers and functions as are necessary for the implementation of this Code.

(c) Tourism Office personnel. The Kapalong Tourism Office shall be operated by the following:

1. Tourism Operation Officer
2. Tourism Operation Assistant
3. Tourist Receptionist

(d) Funding. The Municipal Government of Kapalong shall appropriate the amount of Five Hundred Thousand Pesos (P500,000.00) for the operation of the Municipal Tourism Office/Department to be taken from the annual budget for its succeeding operation.

ARTICLE TWENTY FOUR

CREATION OF THE KAPALONG TOURISM COUNCIL

SECTION 46. – THE KAPALONG TOURISM COUNCIL. There shall be a Kapalong Tourism 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 Municipal 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 the Municipality of Kapalong and its environs or within the sphere of the Metro Kapalong, 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 Tourism Code of the Municipality of Kapalong.

(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 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.

(f) The tourism officer shall act as Secretariat of KTC.

SECTION 47. TOURISM PROGRAMS, SPECIAL EVENTS, FACILITIES, PARKS, INSTITUTIONS, INFORMATION CENTERS.

(A.1) RECOGNIZED TOURISM PROGRAMS. - The following are established and recognized annual/ regular tourism programs in the Municipality of Kapalong which shall be assisted and promoted by the Kapalong Tourism Council:

- (a.1.1) Balikbayan Activities
- (a.1.2) Promotion of arts and culture consciousness programs;
- (a.1.3) Various summer activities in Kapalong. (Sports & Other Festivities);
- (a.1.4) Philippine Independence Day;

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- (a.1.5) National Heroes Day;
- (a.1.6) Araw ng Kapalong Anniversary Celebration;
- (a.1.7) Festival of the Tourism Destinations;
- (a.1.8) Parochial Fiesta;
- (a.1.9) Kapalong Arts Festival;
- (a.1.10) Sports Festival;
- (a.1.11) Musa Festival;
- (a.1.12) Caving Congress;
- (a.1.13) Maniki Hudyaka Festival;
- (a.1.14) Kapalong Mass Wedding;
- (a.1.15) Christmas Activities in Kapalong;
- (a.1.16) Indigenous People Festival
 - Andaon
 - Poglawog
 - Kahimonan
- (a.1.17) Rizal Day Celebration;
- (a.1.18) Celebration Tourism Month; and;
- (a.1.19) Other Special Events under the sponsorship of the Municipality of Kapalong to promote arts, culture, environmental awareness and tourism.

(A.2) SPECIAL EVENTS.- The established and recognized annual/regular special events in the Municipality of Kapalong shall be assisted and promoted by the Kapalong Tourism Council.

(B) It is necessary for the Kapalong Tourism Council to develop and institutionalize a whole year program to complement the regular programs as enumerated above. The following are suggested programs for development:

- (1) Kapalong of Concerned Citizens** – Launching of series of seminars, conferences, and activities geared towards citizenship and nation building.
- (2) Kapalong Government of Love** – Launching of series of activities on love of self, love of God, love of democracy, etc.
- (3) Kapalong Government of Prayer** – Observance of moral, spiritual and religious activities.
- (4) Kapalong Government of Scholars** – Launching of educational, vocation and career programs.
- (5) Kapalong Government of Trees, featuring Kapalong Townsquare** – Strengthens the environmental concerns with massive reforestation, and tree planting activities.
- (6) Kapalong Government of Food** – Holding culinary and food festivals.
- (7) Kapalong Government of Sports** – Launching of various indoor and outdoor sport activities.
- (8) Other related events.**

The Kapalong 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 transports should be gasoline driven.
- (5) Parking** – Construction of adequate pay parking areas near tourist spots. Prohibit Public Utility Jeepneys (PUJs) from using these as their staging areas of terminals.
- (6) Public Comfort Rooms** – Upgrading and maintenance of these public comfort rooms and its devolution to the KTC or the barangays.

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(7) Re-greening - The annual planting of fruit trees at various tourist spots. The watering of the lawns of our major parks starting January until July to show that Kapalong 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 and preservation of the Municipality's natural resources.

(C) The Kapalong 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 Kapalong Tourism Council shall provide measures, assistance and activities that shall develop the following parks and gardens, including all parks and gardens which are adopted by different clubs and civic organizations, as provided by law:

- (a)** Kapalong Townsquare
- (b)** Kapalong Natures Park

- (c) Clementa Subdivision Plaza
- (d) Gawad Kalinga Village Plaza
- (e) Other Barangay Parks.

(2) Institutions - The Kapalong Tourism Council shall provide measures, assistance and activities to protect, develop and promote the following institution in line with the general tourism program:

- (a) The Kapalong College of Agriculture, Sciences and Technology (KCAST)
- (b) The Kapalong College of Technology, Incorporated (KCTI)
- (c) The Municipal Local Government Unit of Kapalong (MLGUK)
- (d) The Quezon Memorial Institute of Technology (QMIS)
- (e) Other historical landmarks and busts in the locality
- (f) Other government and private institutions.

(3) Tourism Information Centers - The Kapalong Tourism Council shall provide measures, assistance and activities that shall put to use and improve the Tourism Information Centers, a system for the efficient and effective collections of approved resolutions and ordinance regarding the use of the Information Centers which shall form part of this code and for the Kapalong Tourism Council to determine uses, assignments or similar program relative to the same:

- (a) The Tourism Information Center at Kapalong Municipal Compound
- (b) The Tourism information Center of Sua-on Natures Park at Sambayon
- (c) The Tourism information Center of JK Mercado/Pag-asa Farms at Pag-asa
- (d) The Tourism Information Center of AMSEFCO at Sampao
- (e) The Tourism Information Center of Tublihon at Florida
- (f) The Tourism Information Center of Laud at Luna
- (g) Other Tourism Information Centers identified.

PART THREE REGISTRATION AND LICENSING OF TOURISM ORIENTED/RELATED ESTABLISHMENTS

ARTICLE TWENTY FIVE REGISTRATION AND LICENSING

SECTION 48. REGISTRATION AND LICENSING OF TOURISM ORIENTED ESTABLISHMENTS MANDATORY. No person, natural or juridical, shall keep, manage, or operate any building, edifice or premises, or completely independent part thereof, for the purpose of engaging in the tourism oriented business without having first secured from the Kapalong Tourism Council a certificate of registration of the establishment, and valid license from the BPLO to operate the same.

SECTION 49. APPLICATION FOR REGISTRATION AND LICENSE. Any person, partnership, corporation, or other entity desiring to establish, maintain and/or operate a tourism oriented establishment shall apply for their license and permit from the BPLO prescribed for such purpose. The BPLO shall provide the list of tourism establishments to the Kapalong Tourism Office for accreditation and classification.

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- (a) **Tour Guides** – Only Filipino citizens may qualify as tour guides; Provided that, foreigners with permanent resident status may be granted license if Filipino tour guides are allowed to guide in said foreigner's country.
- (b) **Cave Guides** – Shall mean an individual who guides tourists, both foreign and domestics, inside caves which have been identified by the Department of Environment and Natural Resources and/or other concerned agencies, both government and private as suitable for tourism and recreational purposes, for a fee, commission, or any other form of remuneration.

(c) Travel Agency – In the case of a travel agency with business address in the Municipality of Kapalong, Davao, del Norte the following may apply for registration and license:

- (1) A Filipino Citizen;
- (2) Partnership organized under the laws of the Philippines, at least 60% of the capital of which is owned by the Filipino citizens;
- (3) Corporation organized under the laws of the Philippines, at least 60% of the capital of which is owned by Filipino citizens; and
- (4) Such other establishments not covered by the preceding paragraphs of this section may apply for the same privileges; Provided that, they first comply with all the requirements of the rules and regulations provided in this Ordinance and existing laws.

(d) Other Establishments. – Only Filipino citizens are qualified to apply for registration, accreditation and license. They should be capable of complying with all the requirements, rules and regulations provided therein.

SECTION 50. WHO ARE AUTHORIZED TO SIGN APPLICATION. In the filing of application for registration and license, the following shall be considered authorize to sign said application:

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

SECTION 51. DOCUMENTS REQUIRED TO SUPPORT APPLICATION FOR REGISTRATION OF LICENSE. For newly established tourism business, unless otherwise indicated in the form, the application shall be composed of 4 copies of the following documents:

(a) INLAND RESORT.

- (1) 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 SEC, and the business name certificate. In the case of single proprietorship, business name certificate and amendments thereof, if any.
- (2) A list of the names of all officials and employees and their respective designation, nationality, home address, for alien personnel, valid visa from Bureau of Immigration and the proper permit from the Department of Labor and Employment shall be submitted.
- (3) Annual General Liability Insurance for guests in the amount of not less than the following:

Class "AAA".....	P20,000.00
Class "AA".....	P15,000.00
Class "A".....	P10,000.00
Special Interest	
Inland Resort.....	P5,000.00

- (4) Schedule of current room rates.

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- (5) List of proprietors, principal owners, major partners, major stockholders, controlling members, their nationalities, capital contributions, stock or participation; in the case of a corporation, such list must indicate

the quantity, par value and type (whether voting or non-voting) of the stock with an indication of the absolute total value of the outstanding voting stocks and its ratio to the total value of the outstanding non-voting stock; and in all cases, the list shall be accomplished by proof of their financial capacity such as sworn statements of assets and liabilities, and income tax returns.

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

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

(b) HOTEL.

(1) In the case of corporation, partnership, single proprietorship, or other entity, a certified copy of its articles of incorporation and by-laws, articles of partnership or association; or Registration of business name and amendments thereof, duly registered with the Securities and Exchange Commission or other registering government agency, as the case may be.

(2) Resolution of the Board of Directors of the corporation. Association or other entity authorizing the filing of the application and designating its representative authorized to act for and its behalf.

(3) In the case of the corporation, association or other entity, list of directors and other principal officers and their respective nationalities. If any director or officer is a naturalized Filipino Citizen, such fact should be stated, accompanied by a copy of his certificate of naturalization or citizenship.

(4) List of proprietorship, principal owners, major partners, major stockholders, or controlling members, their nationalities, capital contribution, stock or participation; in case of a corporation, such list must indicate the quantity, par value and type (whether voting or non-voting) of the stock with an indication of the absolute total value of the outstanding total value of the non-voting stocks, and 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.

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

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

(7) Schedule of current room rates F & B prices of menu for hotels.

(8) Comprehensive General Liability Insurance for guests.

De Luxe Class -----	P20,000.00
First Class -----	P18,000.00
Standard Class -----	P15,000.00
Economy Class -----	P10,000.00.

(9) Such other papers or documents as may be required by pertinent laws, rules and regulations.

(c) TOURIST INN/APARTEL

(1) 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.

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

(3) Annual General Liability Insurance for guests in the amount of not more than the following:

Apartel -----	P5,000.00
Inn -----	P5,000.00

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(d) TRAVEL AGENCY

(1) Documents required for registration:

- (a)** A Copy of the Certificate of Registration with the Securities and Exchange Commission;
- (b)** A copy of the registration of the business name, if sole proprietorship;
- (c)** Two-years project financial statements to reflect, among other things, a minimum working capital of Two Hundred Thousand Pesos (P200,000.00);
- (d)** Surety bond in the amount of One Hundred Thousand Pesos (P100,000.00) issued by a duly accredited bonding company of good standing in favor of the Kapalong Municipal Government and conditioned to answer for any all liabilities resulting from or incurred in the course of travel and tour operator, which shall be valid for a period of one (1) year from the date of issuance of the license;
- (e)** Complete list of personnel together with one (1) 1x1 photo of each and notarized certification of the general manager that they are without criminal record;

FOR INBOUND. In the case of the manager, proof that he has at least three (3) years of experience on operations or has earned a degree of Bachelor Science in Tourism or has successfully completed operator course. Proof that at least two (2) years experience in tour operations.

FOR OUTBOUND. In the case of the manager, proof that he has at least three (3) years of experience in travel agency operation or has earned a degree in Bachelor of Science in Tourism or has successfully completed a Travel Agency Management Course. Proof that at least two (2) of the permanent staff have completed ticketing and reservation course and at least one (1) year work experience.

- (f)** List of the names and addresses of Tour Guides and Travel Representatives;
- (g)** For alien personnel, valid visa from the Bureau of Immigration and the proper working permit from the Department of Labor and Employment;
- (h)** Contract of lease or Contract to Lease the office space intended for the use of the agency and in the case the owner of the agency is also the owner of the building or the premises concerned, proof of ownership must be submitted;
- (i)** A Board resolution designating the person authorized to assign and transact the business;
- (j)** Such other documents required pursuant to existing laws, ordinances and other legal issuances.

(2) Additional Requirements for Travel and Agency Using a Motor Vehicle-No Travel- Agency shall use any motor vehicle while conducting tours or transporting tourists, unless such motor vehicle is registered with the Office of the Kapalong Tourism Office and sporting a tourist plate.

(3) Establishment of Branch – Before the establishment or operation of a branch, the travel agency shall give notice to and secure Certificate of Registration from the Kapalong Tourism Office.
Documents to be submitted in support of an Application to establish an Operative Branch:

- (a)** Resolution signed by all members of the Board of Directors, approving its establishment (or authorizing its continuation, if renewal) and designating the person authorized to sign the application;
- (b)** Affidavit executed by the General Manager of the main office acknowledging the existence of said office, assuming full responsibility of its operations, and certifying that it is not managed operated by persons/employees other than the duly accredited employees of the office;

(c) List of personnel and their respective designation, citizenship, home address and one (1) 1x1 recent photo of each together with notice of certification by the General Manager of the main office that they are without criminal record; and

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(d) Surety Bond of Fifty Thousand Pesos (P50,000.00) with terms and conditions cited in 1(b) and 2.

(e) TOUR GUIDE

(1) Proof that the applicant has passed a seminar for tour guide duly conducted by the Department of Tourism or any government agencies duly authorized by the Department of Tourism to conduct seminar; Provided however, that this requirement may be waived by the Municipal Government with the concurrence of the Department of Tourism where the applicant possesses special academic or professional qualification relevant to tourism.

(2) Certificate of good health issued by any duly accredited government physician.

(3) Clearance from the National Bureau of Investigation.

(4) In the case of alien applicants, proof of employment with duly licensed agency, permit to work or registration certificate from the Department of Labor and Employment, and proof 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 reciprocity rights to Filipino citizens engage in tour guiding which must be properly authenticated.

(5) Latest Income Tax Returns.

(f) CAVE GUIDE

(1) Certification issued by the Kapalong Tourism Office that the applicant has the necessary caving skills and equipment as well as the experience in guiding others inside natural caves or underground rivers;

(2) Certificate of good health issued by any duly licensed physician that the applicant is physically and mentally fit to be a cave guide;

(3) Valid clearance from the National Bureau of Investigation;

(4) Certificate of good moral character from the Punong Barangay where he/she is residing;

(5) Proof that the applicant has passed a cave guiding seminar for caving duly conducted by the Department of Tourism, Department of Environment and Natural Resources, Municipal Government of Kapalong or any caving organization duly authorized by the DOT or DENR to conduct the seminar;

(6) Valid visa from the Bureau of Immigration and the proper permit from the Department of Labor and Employment, in the case of permanent foreigner;

(7) Certificate of training on basic life support from the Philippine National Red Cross or its equivalent institution;

(8) Such other requirements that the Municipal Government of Kapalong, Department of Tourism and the Department of Environment and Natural Resources may require from time to time.

(g) TOURIST TRANSPORT OPERATION

(1) Documents required supporting application for license to operate.

- (a)** Business name certificate and all amendments thereto, any, in the case of corporation or partnership, certified true copy of the Articles of Incorporation, its By-Laws or Articles of Partnership and 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;

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- (c)** A list of names of all officials and employees and their respective designation, nationalities, home address, certified correct under oath by the Secretary of the firm of the proprietor himself;
- (d)** Surety Bond in the amount of Five Thousand Pesos (P5,000.00) issued by a duly licensed insurance or bonding company of good standing in favor of the Municipal Government of Kapalong and conditioned to answer for any and all liabilities resulting from or incurred in the course of tourist transport; and
- (e)** Such other papers and documents as may be required from time to time pursuant to existing laws, ordinance and other legal issuances.

(2) Documents Required to Support Application for Registration of Vehicle for Tourist Transport:

- (a)** Certificate of Inspection by the Kapalong Tourism Council for the LTO registration of the Tourist Transport/taxis;
- (b)** A copy of the LTFRB Certificate of Public Conveyance franchise or authorization;
- (c)** A copy of the transportation rates as approved by the LTFRB;
- (d)** A compulsory motor vehicle liability insurance in the amount of not less than the following:

Third Party Liability -	P20,000.00/unit
Passenger Accident -	P12,000.00/unit
- (e)** Pictures of the vehicle showing the side, back and front views thereof, with the company's name and logo imprinted at its rear and sides, respectively; and
- (f)** Such other papers and documents as may be required from time to time pursuant to existing laws, ordinances and other legal issuances.

(h) TOURISM-RELATED ESTABLISHMENTS

- (1)** 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;
- (2)** List of names of all officials and employees and their addresses; for foreigner personnel – valid visa from Bureau of Immigration and the proper permit from the Department of Labor and Employment; and

(3) Such other requirements as may be requested and/or deemed necessary.

Establishments catering exclusively to international tourist with offices in the Municipality shall also be required to secure license and permit from the BPLO.

SECTION 52. CREATION OF A COMPOSITE INSPECTION TEAM. There is hereby created one Composite Inspection Team to be headed by a team leader designated by the Municipal Mayor. 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 Municipal Engineer;
- (c) The Kapalong Health Office;
- (d) The Kapalong Police Office;
- (e) The Office of the Kapalong Treasurer;
- (f) The Sangguniang Bayan Committee on Tourism and Special Events;
- (g) The Kapalong Tourism Office; and
- (h) The Department of Tourism Region XI;

SECTION 53. FUNCTION OF THE COMPOSITE INSPECTION TEAMS. For all establishments already in corporation, the Composite Inspection Teams shall have exclusive authority to conduct inspection for purposes of classification. For new establishments, the normal process of requiring the clearances and recommendations of the different technical departments is required.

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SECTION 54. FREQUENCY AND TIME OF REGULAR INSPECTION. Inspection shall be made once every six (6) months during office hours.

SECTION 55. SPECIAL INSPECTIONS. When public interest so requires, the recommendation of the Kapalong Tourism Council may serve as basis for an authorization for the Composite Inspection Teams or any member or members thereof, to conduct a special inspection.

SECTION 56. CHECKLIST TO BE ACCOMPLISHED DURING INSPECTION. The Kapalong Tourism Office shall provide the necessary checklist to be accomplished by all teams in carrying out its inspection. All findings and/or observations of the teams to be indicated in the checklist should be made in the presence of an authorized representative of the establishments and duly signed/noted by the said authorized representative.

SECTION 57. REPORT OF THE INSPECTION TEAMS. Within five (5) days from the date of inspection, the team leader shall submit a report of its finding and/or recommendation to the Office of the Municipal Mayor.

SECTION 58. REGISTRATION FEES. The Kapalong Tourism Office shall recommend rules and guidelines as regards the proper regulations and accreditation of the different facilities, establishments, tourist destinations, and centers subject to legislative policy to be passed and approved by the Municipal Tourism Council.

(a) Tourist related establishments/activities in the Municipality of Kapalong shall be classified, accredited and registered in accordance with the rules and regulations.

(b) All tourism related establishments/activities accredited by the Department of Tourism in accordance with the above stated rules and regulations shall register with the Office of the BPLO. An annual registration fee shall be paid in the Office of the Municipal Treasurer in accordance with the following schedule:

(1) HOTELS REGULAR FEE/ANNUM	
De Luxe Class -----	P1,000.00
First Class -----	P900.00
Standard Class -----	P700.00
Economy Class -----	P500.00
(2) TOURIST INN -----	P400.00

(3) APARTEL -----	P300.00
(4) PENSION HOUSE -----	P200.00
(5) MOTORIST HOTEL (MOTEL) -----	P300.00
(6) INLAND RESORT -----	P400.00
(7) TOURISM-RELATED ESTABLISHMENT -	P200.00
(8) TOURISM-RELATED EQUIPMENT	
Tourist Bus -----	P100.00/unit
Coaster -----	P80.00/unit
Mini Van -----	P70.00/unit
Car/Taxi -----	P60.00/unit
Single/Solo Motorcycle-for-hire -----	P50.00/unit
(9) TOUR GUIDE/CAVE GUIDE -----	P150.00 with I.D.

All other fees, taxes, fines contained in Ordinance No. 433-2005, shall remain in effect until such time that the Municipal Council of Kapalong comes out with a new schedule of fees.

SECTION 59. ISSUANCE OF CERTIFICATE OF REGISTRATION/LICENSE AND STICKER.

(a) After having determined that all requirements set forth in the preceding Sections have been satisfied and/or completed by the applicant, the BPLO and the Kapalong Tourism Office shall issue the corresponding Certificate of Registration and License.

(b) The Kapalong Tourism Council Office shall devise stickers for purposes of classification of different tourism establishments.

SECTION 60. OBJECTION TO APPLICATIONS FOR REGISTRATION AND LICENSE OF PREMISES. Any person may file a written objection to the Kapalong Tourism Office for the issuance of renewal of Certificate of

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Registration/License and/or sticker to the applicant. The objection shall state the facts upon which it is based and shall be sworn to before a person authorized to administer oath. Upon receipt of such objection, the Kapalong Tourism Office shall within three (3) days furnish the applicant with a copy of the objection and require them to answer within five (5) working days from receipt thereof. Within seven (7) days from receipt of the answer of the applicant, the Tourism Council shall then conduct a hearing with both parties duly notified and present. The Tourism Council shall render a decision on the objection within seven (7) days from the start of the hearing.

SECTION 61. VALIDITY OF CERTIFICATE OF REGISTRATION. The Certificate of Registration and license of tourism-oriented and tourism-related establishments shall be valid cause, while the license shall be renewable on an annual basis. If the tourism-oriented and/or tourism-related establishment concerned has ceased operation for at least six (6) months, it shall re-apply for registration.

SECTION 62. DOCUMENTS/REQUIREMENTS TO BE SUBMITTED FOR THE RENEWAL OF LICENSE. Application for the renewal of license shall be supported by the following documents:

- (a)** A copy of the amended Articles of Incorporation or Article of Partnership and By-Laws, if any;
- (b)** List and information sheets of additional personnel, if any, or any change in the manpower complement;

- (c) Latest Income Tax Return and Audited Financial Statements covering the preceding year's operation; Provided, that if this requirement is not available at the time of renewal, the same shall be submitted not later than 30 April of the current year;
- (d) A resolution of the Board of Directors authorizing the continuation of the business;
- (e) Proof of renewal of General Liability Insurance (additional requirements for resort and tourist inn/apartem);
- (f) Renewal of Surety Bond referred to in section 41(f) (1)(d) of additional requirements for tourist transport operation;
- (g) Barangay Clearance; and
- (h) Certificate of Registration issued by the Kapalong Tourism Office.

**ARTICLE TWENTY SIX
CLOSURE OF TOURISM-ORIENTED OR RELATED ESTABLISHMENTS, IMPOSITION OF FINE, FORFEITURE OF BOND,
SUSPENSION, CANCELLATION OF AND/OR NON-RENEWAL LICENSE**

SECTION 63. GROUNDS FOR THE CLOSURE OF TOURISM ESTABLISHMENTS, IMPOSITION OF FINE, FORFEITURE OF BOND, SUSPENSION, CANCELLATION OF AND/OR NON-RENEWAL LICENSE.

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

Managers and/or operators shall exert all possible efforts not to permit a person whom they know to be drunk and/or have reason to believe to be either 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 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, or misrepresentation and/or fraudulent solicitation of business committed by any of the officers or employees against their clients to the detriment of the tourism industry;

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- (h) Willful violation of agreements and/or contracts entered into by the tourism establishment and its clients;
- (i) Failure to replace or renew the Surety Bond within fifteen (15) days from the date when said bond is ordered forfeited or confiscated in accordance with these rules or canceled and/or revoked whatever cause (in case of travel agency);
- (j) Failure to pay fine, as well as fees, dues and contribution imposed under existing rules;

- (k)** Failure to submit a notice of any change in its personnel within fifteen (15) working days of such change;
- (l)** Employment/hiring of employees (Tour/Cave Guides) who are not holders of license issued by the BPLO or non-Filipino employees, whether contractual or permanent, without valid working visa and work permit;
- (m)** Opening of any branch without prior registration with the Kapalong Tourism Office;
- (n)** Non-settlement of account and/or non-remittance of collections due to carrier of their co-agencies, or any agency of the government or any individual within the period prescribed by law;
- (o)** Any other acts/omissions that worked against the interest of the tourism industry.

In case of Tour/Cave Guides, the following are grounds for cancellation and suspension of license:

(1) Cancellation of License

- (a)** Conviction of a crime involving moral turpitude; and
- (b)** Conviction of more than one of any of the acts enumerated in No. 2.

(2) Suspension of License

- (a)** Any overt act of dishonesty, misrepresentation or misconduct committed against a member of his/her tour group or against his/her employer or co-employer.
- (b)** First tipping or contributions from tourist.
- (c)** Failure to comply with the requirements as to the compulsory wearing of identification cards; and
- (d)** Violation of any of the provisions of these Rules and Regulations.

**ARTICLE TWENTY SEVEN
REGULATION, CONTROL, AND SUPERVISION OF THE OPERATION OF TOURIST-ORIENTED AND TOURIST RELATED ESTABLISHMENTS**

A. TRANSFER OF CERTIFICATE OF REGISTRATION/LICENSE

SECTION 64. TRANSFER OF CERTIFICATE OF REGISTRATION/LICENSE. The Certificate of Registration/license is a matter of privilege and may be issued only to qualified applicants. Accordingly, no owner and/or operator shall transfer or alienate in any manner said certificate and license.

SECTION 65. DISPLAY OF CERTIFICATE OF REGISTRATION/ LICENSE STICKER. The certificate of registration and license shall be displayed in a conspicuous area in their place of business. Stickers shall be posted in entrances/doors, gates of such establishments for easy identification purposes.

**B. REGISTRATION OF GUESTS, RESORT/ HOTEL/ APARTEL/
TOURIST INN/ PENSION HOUSE/ LODGE**

SECTION 66. REGISTRY. Resort/Hotel/Apartel/Tourist Inn/Pension Houses/Lodge shall keep a registry or record book. All guests/visitors seeking accommodations shall be required to register the following particulars in the registry and/or record book:

- (a)** His/Her Full Name;
- (b)** Particulars of any identity card, passport or other travel documents issued to him/her;
- (c)** The place of his/her origin and his/her permanent, regular or known address;
- (d)** The probable duration of his/her stay and his/her intended destination;
- (e)** The occupation and place of employment;
- (f)** His/Her nationality; and
- (g)** The hour and date of his/her arrival.

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SECTION 67. TIME OF ENTRY. Before the guests/visitors are allowed to occupy a certain room of a resort/hotel/apartel/tourist inn/pension house/lodge and/or its respective premises, the particulars prescribed in the preceding section shall be entered forthwith in the Registry Book or Card, or if he/she is not able to write, by the keepers/managers/clerks and in either case, the entry shall be signed by the guest or if he/she is unable to write, it should be authenticated by his/her right thumb print.

SECTION 68. VISITOR INVITED BY GUEST REQUIRED TO REGISTER. Any visitor invited by a guest to stay in his/her room shall register in a separate book for visitors, in which shall be entered the name, address, and other particulars of the visitors.

SECTION 69. FALSE ENTRY IN THE REGISTRY BOOK OR CARD. No manager/operator shall enter or cause to be entered in the registry book or card any information or particular which he knows or could, by the exercise of reasonable diligence, have been ascertained to be false.

SECTION 70. REGISTRY OF PROPERTY LEFT BY GUESTS. A book in which shall be entered without delay the particular of any property left in any resort/hotel/apartel/tourist inn/pension house/motorist hotel/lodge by any guest shall be kept in a manner which the Kapalong Tourism Office may require.

SECTION 71. GUEST SUFFERING FROM DANGEROUS, CONTAGIOUS, AND/OR INFECTIOUS DISEASE. The manager/operator shall immediately report to the Kapalong Tourism Office any guest, tenant or member of any tourism establishment concerned who is found to be suffering from a dangerous, contagious, and/or infectious disease. The Kapalong Office Council shall immediately refer the case to the Municipal Health Officer, who shall issue the necessary directions/instructions to prevent the spread of the disease or to require the transfer of the patient to the hotel.

SECTION 72. DEATH IN THE TOURISM ESTABLISHMENT. The manager/operator shall immediately report to the nearest police station the death of any person or one dying in a certain tourism establishment. A copy of the report shall be transmitted to the Kapalong Tourism Office.

C. EMPLOYMENT OF TOURISM-ORIENTED ESTABLISHMENT PERSONNEL

SECTION 73. EMPLOYMENT OF FOREIGN NATIONALS. In the employment of foreign nationals, valid visa and permit to work issued by Bureau of Immigration in redefining the Labor and Employment, respectively, shall be submitted.

SECTION 74. TRAINING OF FILIPINO UNDERSTUDIES. Tourism establishments employing foreign nationals with supervisory, technical or advisory functions shall include in the contract of employment of such foreign nationals a provision to the training of at least two (2) Filipino understudies to whom its foreign national may impart his specialized skills.

SECTION 75. SUBMISSION OF PROGRAM. The management shall submit to the Kapalong Tourism Office within five (5) days from the assumption of duties by the foreign nationals the program for training Filipinos in discharging the functions of foreign nationals.

SECTION 76. SUBMISSION OF ANNUAL REPORT. The tourism establishment shall submit to the Kapalong Tourism Office an annual report on the progress of its training program of Filipino understudies by foreign nationals.

SECTION 77. REQUEST FOR KAPALONG TOURISM OFFICE IDENTIFICATION CARD. The Kapalong Tourism Office Identification Cards shall be issued to employees of tourism establishments upon request subject to payment of a minimal fee; Provided, that said employees are included in the list of personnel of the tourism establishment concerned.

SECTION 78. SURRENDER OF IDENTIFICATION CARDS. The manager/operator of a tourist establishment shall require its officers/employees thereof who have ceased to be such, to surrender to the Kapalong Tourism Office their identification cards with 72 hours (3 days) from separation.

D. PERIODIC INSPECTION OF TOURISM ESTABLISHMENT AND ITS IMMEDIATE PREMISES

SECTION 79. PERIODIC INSPECTION. The composite Inspection Team shall conduct periodic inspection of tourism establishments and their immediate premises once in every six (6) months or as often as when the Office of the Municipal Mayor so requires. The purpose of the said inspection is to find out whether the establishment conforms with the standards set forth by law or Ordinance. The inspection shall be conducted at a reasonable time of the day with due regard and respect accorded to privacy of the guests. All inspection shall be covered by mission orders stating therein the scope of authority and such other matters necessary for the purpose.

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SECTION 80. ACCESS OF THE INSPECTION TEAM TO RECORDS AND PREMISES. The Inspection Team 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 81. DEFECTS AND DEFICIENCIES FOUND DURING THE INSPECTION. Where certain defects or deficiencies have been found in the course of inspection, the Office of the Municipal Mayor shall give directions to the manager/operator of the tourism establishment concerned to rectify/remedy the defects or deficiencies within a period of one (1) week from notice thereof.

SECTION 82. EXTENSION OF THE PERIOD. The Office of the Municipal Mayor may, for good cause, extend the period within which to remedy the defects or deficiencies noted, but in no case shall the period of extension granted exceed two (2) months.

SECTION 83. PENALTY FOR FAILURE TO REMEDY THE DEFECT, ETC. If the management of any tourism-related establishment fails to remedy the defects or deficiencies noted, the Office of the Municipal Mayor shall impose the following:

(a) Resort – A Fine of P50.00 for every day of delay in complying with directions, but exceeding P2,000.00.

(b) Hotel – A Fine of P75.00 for every day of delay but not exceeding P1,500.00.

(c) Apartel/Tourist Inn – A Fine of P50.00 for every day of delay but not exceeding P1,000.00.

(d) Others – A Fine of P50.00 for every day of delay but not exceeding P1,000.00; Provided, that where the maximum time imposable under this section has been reached and the tourism establishment concerned has continuously granted to certify the defects completed the deficiencies noted, the Kapalong Tourism Office may revoke or suspend the certification and Registration and the BPLO may confiscate and suspend the License for such period as may be justified under the circumstances.

E. DISCIPLINE AND TRAINING OF STAFF, CODE OF ETHICS AND CONDUCT

SECTION 84. LIABILITY OF MANAGERS/OPERATORS FOR ACTS OR OMISSIONS OF TOURISM-ORIENTED AND TOURISM-RELATED ESTABLISHMENTS EMPLOYEES. Without the prejudice to the provisions of the existing laws, managers/operators and assistants of tourism establishments shall be administratively liable for the acts or omissions of its members against any guests/visitors. They may be however be exempt from liability that they could establish that they have exercise the diligence of a good father of the family in the supervision of the erring employees, or where the acts or omissions complained of are beyond the control of the managers/operators of their assistants due to fortuitous events or force majeure.

SECTION 85. TRAINING PROGRAM FOR STAFF. All tourism establishments shall undertake to provide a staff training program designed to acquaint each member of the staff of his duties and responsibilities to the end that such member shall know what is expected of him/her.

SECTION 86. CODE OF ETHICS AND/OR CONDUCT. Tourism establishment managers/operators and/or associations; if any, shall draft, with the assistance of the Kapalong Tourism Council with their respective Code of Ethics and/or Conduct which shall govern their conduct in their dealings with one another and the conduct to be observed by the staff or employee towards or each other and/or the guest or tenants of the establishments. Such Code of Ethics and/or Conduct shall include the administrative penalties that may be imposed for their violation such as fine, suspension or, dismissal from the service. The said Code of Ethics and/or Conduct such approved by the Kapalong Tourism Council shall become part of these rules; Provided, that in case of conflict between any provision of these rules and said Code of Ethics and/or Conduct of the former shall prevail.

**F. RECLASSIFICATION
OF THE HOTELS.**

SECTION 87. PROMOTION/DEMOTION. A hotel may be promoted or demoted from one class to another as the facts may warrant.

SECTION 88. PROMOTIONS TO A HIGHER CLASS. Any hotel which has upgraded its facilities and services among others, to comply with the requirements of a higher class hotel, may apply with the Kapalong Tourism Office for promotion to such higher class.

SECTION 89. DEMOTION TO A LOWER CLASS. Where after due investigation by the Composite Team it has been established that a hotel is not being kept or managed in a manner conformable to the established standards, the Office of the Municipal Mayor shall give notice to the hotel manager/operator or such fact granting the hotel a

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Approved:

EDGARDO L. TIMBOL
Municipal Mayor

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period of time stated in the notice within which to comply with the standard set. If the hotel fails to comply within the period granted in the notice, the Kapalong Tourism Council shall remove the registration of the hotel from the class and replace it in a lower class.

**G. TRANSPORTATION RATES
(TOURIST TRANSPORT).**

SECTION 90. MANNER OF FIXING. The fixing of rates for tourist transport shall be the responsibility of the LTFRB. No tourist transport operator shall charge rates other than those so prescribed by the LTFRB.

SECTION 91. APPLICATION FOR INCREASE OF TRANSPORTATION RATES. All application for the increase of transportation rates shall be filed before the LTFRB.

**H. REGULATION ON TOURIST
TRANSPORT OPERATIONS.**

SECTION 92. TOURIST TRANSPORT SERVICE. Tourist transport service shall be offered on a regular point-to-point run and shall be priced at rates higher than those charged by public utility operators for the same route. The points of departure and destination of 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 point is prohibited.

SECTION 93. CHARTER RATES. A tourist transport operator shall charge only charter rates if they operate as such, in accordance with the prescribed by the LTFRB.

SECTION 94. REGULAR RUN ON PUB ROUTES. Where a tourist operator makes a regular run and it is the only available transportation service being offered, it may be allowed to run on public utility bus routes; Provided, that there is a prior approval by the LTFRB under conditions and requirements it may prescribe.

I. SCHEDULE OF CHARGES.

SECTION 95. FILING OF SCHEDULE OF CHARGES. Tourist establishments shall file with the Kapalong Tourism Office and shall be readily make available in printed or mimeographed form schedule of charges on all services and related fees. Any change in the charges shall be communicated to the Kapalong Tourism Office within seven (7) days from the effectively of such charges.

**PART FOUR
PENAL PROVISIONS**

SECTION 96. CRIMINAL SANCTIONS.

(a) VIOLATION OF A NON-HOLDER OF AUTHORITY. Any person who is not a holder of a license from the BPLO who violates any of the provisions of this Ordinance shall, upon conviction by a competent court, suffer the penalty of

imprisonment not exceeding one (1) year or fine of not less than TWO THOUSAND PESOS (P2,000.00) nor more than TWO THOUSAND, FIVE HUNDRED PESOS (P2,500.00) or both at the discretion of the court.

(b) PENALTY IMPOSED UPON OFFICERS OF JURIDICAL PERSONS. If the offender of the provisions in the next preceding paragraph hereof is a corporation, partnership, firm for association, the penalty provided therefore shall be imposed upon the officers responsible for the violation; and if such officer is an alien, he shall, in the addition be subject to deportation.

SECTION 97. ADMINISTRATIVE PENALTIES. Without prejudice to the application of the above penal sanctions, the Office of the Municipal Mayor may impose an administrative fine not less than ONE THOUSAND PESOS (P1,000.00) nor more than TWO THOUSAND, FIVE HUNDRED PESOS (P2,500.00) 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.

PART FIVE MISCELLANEOUS PROVISIONS

SECTION 98. INCENTIVES FOR REGISTRATION OF TOURISM-ORIENTED AND TOURISM-RELATED ESTABLISHMENT. Tourism-oriented and Tourism-related establishments which are duly registered and licensed by the Municipal Government shall be entitled to the following incentives:

(a) "One -Stop-Shop" processing of registration and license which should be completed within a period of not exceeding fifteen (15) days.

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Municipal Mayor

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(b) Inspection of Composite Team of the Municipal Government to be made only once every six (6) months, except in several cases as public interest may require whenever authorized by the Municipal Mayor, upon recommendation of the Kapalong Tourism Office.

(c) The tourism and enforcement group shall be formed in coordination with the Kapalong Tourism Council.

SECTION 99. GRANT OF TAX EXEMPTIONS AND PRIVILEGES BY THE KAPALONG MUNICIPAL GOVERNMENT TO TOURISM ESTABLISHMENTS OF INTERNATIONAL STANDARDS. In addition to the privileges mentioned in the preceding section, the Kapalong Municipal Council may, upon recommendation of the Kapalong Tourism Council, grant tax exemptions and Kapalong Incentive Code to tourism establishments of international standards such as, but not limited to, the following:

(a) Five-Star De Luxe Hotel;

(b) International Convention Center;

(c) Man-made resorts or re-creational parks of international standard, similar to "Disney Land" or "Ocean Park";

(d) Local Film Center/Movie Studio with hi-tech, modern equipment and realistic film location sets of international standards similar to "Universal Studios"; and

(e) Such similar establishments as may be determined by the Kapalong Tourism Office.

The establishment referred to in this section may also apply for the utilization of Municipal Government-Owned Lands through lease agreement or joint venture under terms and conditions which the Municipal Tourism Office may deem proper to impose.

SECTION 100. CONFIDENTIAL CHARACTER OF CERTAIN DATA. Information and documents received by or filed with the Kapalong Office Council 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 Kapalong Tourism Office, including those that are temporarily assigned therewith, who shall violate the provision of the Section shall be guilty of an offense under this Ordinance.

SECTION 101. ENLISTMENT OF AID, ASSISTANT AND SUPPORT OF OTHER GOVERNMENT AGENCIES. In the implementation of the provisions of this Ordinance the Kapalong Tourism Office may enlist the aid, assistance and support of any and all government agencies, whether local or national.

SECTION 102. REGISTRATION AND LICENSE FORM. As the case may be, shall make available applications for registration and/or license forms, which shall be accomplished by applicants and all other forms that may be deemed necessary in the implementation of this Ordinance.

SECTION 103. IMPLEMENTING RULES. The Municipal Mayor, from time to time, issue rules and regulations as he may deem fit and necessary for the effective implementation of this Ordinance.

SECTION 104. FUNDING. The funds necessary for the implementation of this Ordinance for Calendar Year 2011 shall be taken from the tourism regulations, promotion and development. Succeeding funding requirements for the succeeding years shall be provided for in the Annual Budget of the Municipal Government.

SECTION 105. 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 106. 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 107. EFFECTIVITY. This Ordinance shall take effect in accordance with the provisions of the Local Government Code of 1991.

Enacted: November 08, 2011, Tuesday.

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Approved:

EDGARDO L. TIMBOL
Municipal Mayor

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I hereby certify to the correctness of the above-quoted Ordinance.

ERMA L. DUQUE
Secretary to the Sanggunian

ATTESTED AND CERTIFIED
TO BE DULY ENACTED:

ROMY C. ESTRADA
(Municipal Vice Mayor)
Regular Presiding Officer

Approved:

EDGARDO L. TIMBOL
Municipal Mayor

Date signed: _____

<SB Kap seal>

