

Republic of the Philippines
Province of Ifugao
Municipality of Hungduan

OFFICE OF THE SANGGUNIANG BAYAN

EXTRACT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF HUNGDUAN, IFUGAO HELD AT THE SANGGUNIANG BAYAN SESSION HALL ON NOVEMBER 4, 2003 AT 9:00 A.M.

**MUNICIPAL ORDINANCE NO. 2
Series of 2004**

Introduce by: Hon. Ricardo B. Basilio
Chairman, Committee on Tourism
Authored by: All members
Committee on Tourism, Trade & Industry

AN ORDINANCE FORMULATING AND ESTABLISHING THE HUNGDUAN TOURISM CODE WHICH PROVIDES THE RULES AND REGULATIONS GOVERNING THE TOURISM INDUSTRY IN THE MUNICIPALITY OF HUNGDUAN, ITS PROMOTION, DEVELOPMENT AND ADMINISTRATION AND PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF.

WHEREAS, section 17 of Republic Act of 7160, otherwise known as the Local Government Code of 1991, provides that aside from the regular powers and duties vested them, Local Government Units shall likewise discharge the functions and responsibilities of national agencies and offices devolve to them pertaining the basic services and facilities;

WHEREAS, such basic services and facilities includes among others the regulatory powers of Department of Tourism over the operations and maintenance of Tourism related business such as hotels, lodging houses, tourist guides, transportations and other tourist related business enterprises;

WHEREAS, for an efficient and effective operation and maintenance of all tourism oriented activities, it is imperative to provide such rules and regulations as may be necessary for better governance;

NOW THEREFORE, on motion of Honorable Ricardo B.Basilio and was duly seconded,

Be it ordained by the Sangguniang Bayan assembled that:

PART 1

ARTICLE 1

Section I. TITLE – this ordinance shall be known as the “Hungduan Tourism Code”

Section 2. OBJECTIVES – it shall be program of the municipality of Hungduan to promote and develop Tourism within its area of jurisdiction that is endowed with natural and manmade wonders that could be developed to benefit both native inhabitants and tourist. For the implementation of this program, this ordinance shall adopt the following objectives;

- a. To promote and regulate the tourism industry in the municipality.
- b. To protect and preserve the identity and culture of the Hungduan people.
- c. To improve organizational capability and institutionalized mechanisms related to tourism development
- d. To develop a meaningful and harmonious interaction between tourist and the local people.

Section 3. SCOPE- This ordinance shall apply to all tourism development and promotion programs within the municipality of Hungduan including the licensing, registration, regulations and supervision of Tourism-related establishments.

Section 4. APPLICATION – This ordinance shall apply to all tourism related activities such enactment of native rituals and business establishments such as hotels, lodging houses, inns, resorts, transports, and tourist guides.

ARTICLE 11 LEGAL AUTHORITY

SECTION 5. A) REPUBLIC ACT NO. 7160, THE LOCAL GOVERNMENT CODE OF 1991. The Local Government Code states in its General Provisions that the Municipal Government administers all tourism concerns, Tourist attractions including regulations and supervisions of business and is responsible for tourism development and promotions of programs.

- 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 Hungduan He designates chairperson of all institutionalized tourism program which are observed and celebrated yearly or regularly in the Municipality.
- C) The Tourism Officer. The Tourism Officer as a regular employee of the Municipal Government shall perform all functions and responsibilities related to tourism, also coordinate with different offices as regards the implementation of tourism, also coordinates with different offices as regards the implementation of tourism projects and programs of the Municipality of Hungduan.
- D) The Sangguniang Bayan, Committee on Tourism. The Committee on Tourism composed of Four (4) members whose functions is to provide legislative aid in terms of resolutions and ordinances to support tourism programs and projects of the municipality. Proposed and approved ordinances which shall form part of this code upon recommendation of the municipal tourism council in accordance with existing laws.

ARTICLE 111 GENERAL DEFINITION OF TERMS AND PHRASES.

Section 6. DEFINITIONS – For purposes of this ordinance, the terms and phrases enumerated this section shall be construed or interpreted to mean or refer to as follows:

- a. **Code-** the Municipal Tourism Code

- b. DOT-** Department of Tourism
- c. Hotel-** any building which is used for accommodation or lodging for travelers.
- d. Tourist-** a person whose main purpose is to view the scenic spot of the Municipality or one whose goes from one place to another to scenic viewing.
- e. Tourist Guide** – any individual who is licensed to guide both the local or foreign travelers and tourist.
- f. Tourism-related Establishment-** an establishment that caters to both local or foreign travelers and tourist.
- g. HTC-** Hungduan Tourism Code.

ARTICLE IV MUNICIPAL TOURISM COUNCIL

SECTION 7. CREATION OF MUNICIPAL TOURISM COUNCIL, HUNGDUAN, IFUGAO.

- a. The municipal tourism council shall be independent as to its managerial aspect but subsidized by the Municipal Government as to its funding and technical requirements
- b. Its finances shall be raised from the subsidies or grants from the government, non government institutions and fund raising activities or income generating ventures that it may engaged in other ways of raising funds for its existence and operations.
- c. To be able to achieve the mandate of it creation, it shall have the power ton determine its organizational, administrative and operational structures from time to time as it goes with its operations. Provided, however, that in all its structures of membership and policy making levels the municipal government shall have sufficient representations.

SECTION 8. POWERS AND FUNCTIONS

- a. Act as advisory body of the Municipal Government on all matters related to tourism.
- b. Recommended to the Local Legislative and Local Executive appropriate tourism policies.
- c. Engaged in proprietary activities that are tourism related.
- d. Perform such other functions and exercises and other powers relevant to the management of tourism affairs in the Municipality.
- e. Formulate programs to develop promotion of domestic tourism.
- f. Assist in the development and maintenance of quality tourism facilities, services and infrastructure.
- g. Adopt and promote DOT accreditation standards for LGUs and licensing of tourism establishments.

- h. Assist in the regulation and supervision of tourism –related establishments thereby ensuring wholesome and clean tourism facilities.
- i. Assist in monitoring the implementation of the Local Government Code on the matter of licensing tourism establishment in the locality to ensure safe and enjoyable stay for travelers.
- j. Initiate, maintain and monitor sanitation, cleanliness and beautification activities in the community.
- k. Monitor major infrastructure improvement plans particularly those that affect access and use of tourist spots and to seek government action if necessary.
- l. Create and promote continued awareness on the benefits of tourism.
- m. Liaise and coordinate with police agencies on matters of traffic and peace and order conditions affecting tourism.
- n. Monitor and assist in the early resolutions of crimes reported by tourists.
- o. Initiate and encourage environmental reservation program.
- p. Prepare and submit proposals for legislation aimed at stimulating investments and /or providing local incentives, protecting and sustaining the local tourism industry.

SECTION 9. OFFICE – There shall be an established office of the municipal tourism council at the entrance to the Municipality of Hungduan, Located at Bokiawan, Hungduan, Ifugao.

SECTION 10. COMPOSITION – the Municipal Tourism Council shall be multi-sectoral body composed of 24 members in accordance to the following representations:

Government Sector
 Principal (Hungduan National High School)
 District Supervisor
 Municipal Engineer
 Municipal Health Officer
 Municipal Planning and Development Coordinator
 PNP chief
 SB Member-Chairman, Committee on Tourism
 SK Federation chairman
 ABC President
 Tourism Operations Officer 1
 Youth Sector
 Women Sector
 Farmers Sector
 Business/Entrepreneurs
 Tour guides
 Operators, Drivers Association
 Senior Citizens
 Religious Sector
 Elders/ Mumbaki

SECTION 11. TOURISM PROGRAMS/CUSTOMARY AND TRIBAL ACTIVITIES/SPECIAL EVENTS.

A) Recognized tourism programs and native rituals

AGRICULTURAL RITUALS:

1. Lokah di binong-oh.....November
2. PatangNovember
3. Haw-ang.....December
4. Tunod.....January
5. Luwah.....End of January
6. Kulpi.....February
7. Tungoh.....April
8. KahipageMay
9. Kahi-ani.....June
10. LuwahEnd of July
11. Punnok.....End of July
12. BakleSeptember

OTHER RITUALS:

1. Hulin
2. Him-ung
3. Imbayah/Uya-uy
4. Da-uh
5. Baddang
6. Dang-ah
7. Mun-ayag

SOME BARANGAY FESTIVITIES:

1. Baang-Otmo
2. Bangbang-Naba
3. Bokiawan-Cullpih
4. Lubu-ong-Hipit
5. Maggok-Uya-uy/Gotad
6. Poblacion-Uya-uy

B) The Municipal Tourism Council shall also provide assistance and promotions of tourism related programs such as:

- a) **Decongestion Program** - assist in the strict implementation of the Department of works and Highways rules and regulations banning the construction of houses within the fifteen (15) meter radius from the middle of the National road and the removal of obstruction along the national road such as rotting and dilapidated vehicles, construction materials and similar eyesores along the road.
- b) **Location Signs** - upgrade and maintain all tourist location signs.
- c) **Public Comfort Rooms** - upgrading and maintenance of public comfort rooms.
- d) **Regreening** - encourage planting of trees within the territorial jurisdiction of the Municipality.

C) The Hungduan Tourism Council shall assist the different agencies concerned, the national and local in the upkeep, maintenance improvement and restoration of the following:

1. The rice terraces in the entire Municipality
2. Bogyah Hot spring
3. Kibayuwong enchanted stone
4. Dakkitan natural pool
5. Mt. Napulawan
6. Balen Tungngok Waterfalls
7. Burial Site of General Artemio Ricarte
8. Restoration and preservation of the General Tomoyuki Yamashita Bunker
9. Kuh-uban natural pool
10. Gulike Hot spring
11. Lippot
12. Tungdoh waterfalls and natural pool
13. Maggok Bedrock-Nalagitan, Maggok
14. Tugawe rice terraces- Bokiawan
15. Balen Puwok ad Ambatu - Abatan
16. Snake Sanctuary- Abatan
17. Littalit Falls - Abatan
18. Alak- Ingaan Falls - Tugawe, Bokiawan

ARTICLE V REGISTRATION OF TOURISTS

SECTION 12. REGISTRATION - All tourists, local or foreign, entering the municipality are required to register at the tourist information and assistance center designated by the municipal tourism council.

SECTION 13. RESPONSIBILITY OF HOTELS/INNS/HOME STAYS AND LODGING HOUSES - Owners, managers, proprietors and cashiers of all accommodation establishments are obliged by virtue of this ordinance to instruct their guest/visitors to register or cause their registration as prescribed in the preceding section. Owners and administrators of private houses with tourists as guest are likewise obliged to comply with the above regulation.

SECTION 14. SANCTIONS /PENALTY - No tourist shall be allowed to go around within the Municipality of whatever means unless duly registered as prescribed under section nine(9) of this ordinance . Failure, neglect, or unwarranted refusal on the part of the operator/manager/cashier of any accommodation establishment to instruct or cause the registration of their tourist visitors shall be sufficient ground or the revocation of their Business Permit /license.

ARTICLE VI CHARGES TO TOURISTS

SECTION 15. ENVIRONMENTAL FEE –an environmental fee in the amount of ten pesos only (10.00) shall be collected from every tourist who enters the Municipality for restoration and maintenance of the tourist spot.

SECTION 16. PERMIT TO TAKE PICTURES/VIDEO RECORDS – A permit fee in the sum of one hundred pesos (100.00) shall be imposed to every tourist who shall take pictures of any tourist scenes within the Municipality. On the other hand, a permit fee of one hundred pesos (100.00)

shall be imposed to every tourist who records on video tapes community cultural celebrations in the Municipality.

ARTICLE VII LICENSING OF TOUR GUIDES

SECTION 17. PROHIBITIONS - It shall be a policy of the Municipality to prohibit re-enactment of cultural activities outside of their right seasons.

SECTION 18. LICENSING - All tour guides shall be required to secure a Tour Guides License from the office of the Municipal Tourism Council upon the recommendation of the Tourism operations Officer before engaging in tour activities.

SECTION 19. LIMITATIONS - No person shall be issued a Tourist Guides License unless he possesses the following limitations.

- a. Is a residence of Hungduan for at least one (1) year prior to his /her applications;
- b. Of good moral character as certified by the Barangay Captain.
- c. Must not have convicted of crime involving moral turpitude;
- d. Must be able to read and write;
- e. Must have undergone the required training imposed by the Municipal Tourism Council;
- f. Must at least sixteen (16) years of age; and
- g. Must be member of a duly recognized/accredited tour guide association within the municipality.

SECTION 20. DUTIES AND FUNCTIONS OF TOUR GUIDES

Report to the concerned authorities any violation of this ordinance

Help cause the registration of tourist

Acts as a guard in the protection and preservation of tourist spots and ecological assets of the municipality.

Verify whether the tourist that they are guiding has paid all the required fees imposed in this ordinance.

Except those lost due to the neglect of the tourist himself or due to the extraordinary causes, a tour guide shall be responsible to the personal belongings of the tourist whom he is guiding which the TOURIST BROUGHT ALONG WITH HIM.

SECTION 21. DUTIES AND FUNCTION OF A PORTER

SECTION 22. LICENSE FEE - There shall be collected from every tourist guide an Annual License Fee in the sum of Three Hundred pesos only (300.00) payable at the Municipal Treasury.

SECTION 23. RATE OF TOUR GUIDES - the rates of tour guides shall be decided and determined by the Municipal Tourism Council basing on the recommendation of an accredited tourist guides association in the Municipality.

Section 24. PENALTY FOR UNAUTHORIZED GUIDING –Except when allowed in this ordinance, any person caught guiding without a valid Tour Guide License as required herein shall suffer the penalty of one month imprisonment or a fine of One Thousand pesos 9P 1,000.00) or both at the discretion of the court.

SECTION 25. RENEWAL OF LICENSE- A valid Tour guides License shall be renewed by the holder thereof within the first twenty (20) days of January each year which shall remain valid for the licensed period of not exceeding One (1) calendar year unless earlier revoked for a cause.

SECTION 26. SIGNATORIES OF A VALID TOUR GUIDE LICENSE – A valid Tour Guides License shall bear the genuine signature of the chairman of the Municipal Tourism Council and its secretary. The Local Chief Executive shall counter sign the same.

SECTION 27. RESTRICTIONS ON TOUR GUIDES. Unless otherwise allowed in this ordinance or a law provides otherwise, no person shall be allowed to engage in tour guiding activities unless he is a holder of a valid Tour Guides. Unless otherwise allowed in this ordinance or a law provides otherwise, no person shall be allowed to engage in tour guiding activities unless he is a holder of a Valid Tour Guides License issued by the Municipal Tourism Council.

SECTION 28. REVOCATION OF LICENSE/PERPETUAL DISQUALIFICATIONS – Any of the following acts shall be sufficient ground for the revocation of a Tour Guide License and shall perpetually disqualify the subject tour guide from other further engaging in tour guiding activities within the Municipality.

Committing any criminal acts, punishable by law or ordinance, against a tourist whom he is guiding.

Conspiring with any other person for the commission of crime against a tourist he is guiding

Conspiring with the tourists for any acts which would tend to destroy the scenic spot of the municipality;

Engaging in drug trafficking and drug use;

Unauthorized collection of fees from the tourist;

Willful neglect to perform his duties and responsibilities provided for this ordinance

Committing any acts detrimental to the community and the tourism industry.

ARTICLE VIII MISCELLANOUS PROVISIONS

SECTION 29. TOURIST- as defined in this ordinance, at tourist shall mean a person whose main purpose in coming to Hungduan is to view the scenic spots of the Municipality or one who goes from one place to another for scenic viewing.

A tourist or tourist may also engage in the presentation and documentation of cultural activities in the community, providing that there shall be proper arrangement and authorization with concerned authorities.

SECTION 30. JEEPNEY AND TRICYCLE RATES - The rates of jeepneys and tricycles utilized by tourist shall be determined and decide by the Municipal Tourism Council basing on the recommendation of operators and drivers association in the Municipality with the occurrence of the Sangguniang Bayan.

SECTION 31. AUTHORITY OF POLICE OFFICERS, MEMBERS OF THE TOURISM COUNCIL,, TOUR GUIDES TO STOP VEHICLES CARRYING TOURISTS - The Municipal Police Force, members of the tourism Council, Barangay Officials and Barangay police Laban sa Krimen shall have the full authority to check and stop vehicles carrying tourists and require all persons subject to this register at the Tourist Information and assistance Center.

SECTION 32. UNLICENSED GUIDES WHEN ALLOWED TO GUIDE –Not with standing the provisions limiting tour guiding to licensed tour guides. Any resident of Hungduan may be allowed to guide provided it shall be limited to personal or family visitors only.

SECTION 33. PERSONS EXEMPT FROM REGISTRATION – Government Officials and employees, whether national or local and foreign dignitaries who are on official business are exempt from registration. However, chaperons or sponsors must submit before the Tourist Information Center names of the students attending the field or camping.

ARTICLE IX FINAL PROVISIONS

SECTION 34. SEPARABILITY CLAUSE. The provisions of this ordinance are separable and in any event that any or more of such provisions are declared invalid. The validity of all other provisions shall not be affected thereby.

SECTION 35. IMPLEMENTING RULES. The Municipal Mayor, Committee on Tourism and the Tourism Officer may from time to time issue rules and regulation as may deem fit and necessary for the effective implementation of this code.

SECTION 36. FUNDING. The funds necessary for the implementation of this Municipal Tourism Code shall be provided fo9r in the annual budget of the Municipal Government.

SECTION 37. EFFECTIVITY- This ordinance shall take effect upon its approval.

APPROVED this 10th day of February, 2004 by the Sangguniang Bayan of Hungduan, Ifugao.

CERTIFIED CORRECT:

(Sgd.) JOHN D. HANGDAAN
Presiding Officer /Pro Tempore

ATTESTED:

(Sgd)MAURA B.HIMMIWAT
SB Member

(Sgd) LUCAS A.BUGATTI
SB Member

(Sgd) GERONIMO B. OGNAYON
SB Member

(Sgd) PETER B. POCOPIO
SB Member

(Sgd) JAMES B. INABIOHAN
SB Member

(Sgd) JIMMY A. YOGYOG
SB Member

(Sgd) RICARDO B. BASILIO
SB Member

(Sgd) JULIO G. BAHATAN
Liga President

APPROVED:

(Sgd) HILARIO T. BUMANGABANG
Municipal Mayor

I hereby certify to the correctness of the foregoing resolution/ ordinance.

(Sgd) JUANITA M. PUGONG
SB Secretary