

SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE 23RD REGULAR SESSION FOR CALENDAR YEAR 2022 OF THE FOURTEENTH (CY2019-2022) SANGGUNIANG BAYAN OF THE MUNICIPALITY OF MIAGAO, PROVINCE OF ILOILO HELD ON JUNE 07, 2022 AT THE SESSION HALL OF THE MUNICIPAL LEGISLATIVE BUILDING

PRESENT:	Hon. Carmelo N. Nochete	- Municipal Vice Mayor
	Hon. Gemma C. Sucob-Nulada	- SB Member
	Hon. Jose Angelo P. Molejona	- SB Member
	Hon. Ma. Salve M. Napud-Pechayco	- SB Member
	Hon. Serafin F. Monteclaro	- SB Member
	Hon. Luningning M. Sollesta-Tuparan	- SB Member
	Hon. Mario Thomas Nicolas P. Torrecampo	- SB Member
	Hon. Japhet Grace G. Moleta	- SB Member
	Hon. Robert C. Galvez	- SB Member/LnB President
ABSENT:	Hon. Gemma Rei S. Nismal	- SB Member
	Hon. Chelsea M. Nagaynay	- SB Member/SKMF President



ORDINANCE NO. 2022-26

AN ORDINANCE IDENTIFYING TOURIST SITES AND DESTINATIONS, REGULATING ALLOWABLE ACTIVITIES THEREAT AND IMPOSING ENTRANCE AND ENVIRONMENTAL FEES TO TOURIST/S VISITING THE SAID TOURISM SITES AND DESTINATIONS OF MIAGAO, ILOILO

[Introduced by: HON. LUNINGNING S. TUPARAN]
[Sponsored by: COMMITTEE ON TOURISM]

“WHEREAS, Section 16 Article 11 of the Philippine Constitution provides that the State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature;

WHEREAS, Section 5 Article X of the 1987 Constitution provides that each local government unit shall have the power to create its own sources of revenues and to levy taxes, fees and charges subject to such guidelines and limitations as the Congress may provide, consistent with the basic policy of Local Autonomy. Such as taxes, fees, and charges shall accrue exclusively to local governments;

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

WHEREAS, Miagao is a magnificent place for people who wish to explore and experience the thrill of adventure and to appreciate the beautiful and the present creation of God.

[Handwritten signatures and initials at the bottom of the page.]

To attain this desired sustainability, substantial funds must be raised for logistical purposes. Hence, this ordinance is promulgated;

NOW THEREFORE, be enacted as it is hereby enacted by the Sangguniang Bayan of Miagao in session duly assembled that:

Section 1. Rationale. Miagao is endowed with numerous beauty spots for attraction and pleasure of tourists. This municipality recognizes the need to implement sustainable tourism development plans and projects to promote it as a safe tourist-friendly destination and at the same time protect, conserve and preserve the identified tourism sites and destinations.

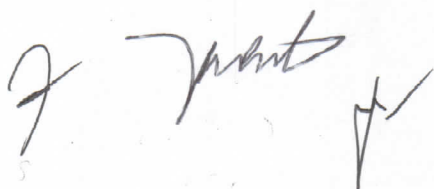
Section 2. Scope and Coverage. This ordinance covers all identified tourism sites and destinations within the territorial jurisdiction of Municipality of Miagao and shall apply to all its units and political subdivisions.

Section 3. Definition of Terms. In addition to the terms and phrases duly defined by the Department of Tourism in its several issuances of rules and regulations governing the accreditation of specific tourism establishments and facilities, which definitions are hereby adopted, the following are given their meaning in this Ordinance:

- a. Authorized Collector – refers to any person duly appointed or deputized by the Municipal Treasurer to collect the fees prescribed under this ordinance
- b. Cash Ticket – refers to the stub issued by the local government unit for the payment of fees prescribed under this ordinance
- c. Entrance Fee – refers to the fee paid by the tourist to cover the cost of administration which shall accrue to the General Fund
- d. Environmental Fee –refers to the fee paid by the tourist to cover the cost of regulation which shall accrue to the Trust Fund to be used for environmental protection programs, projects and activities of the local government unit
- e. Tourist – a person who is visiting a place for culture, pleasure and/or interest, usually while on vacation, regardless of the mode of travel such as on foot, bicycle, motorcycle or other vehicle/s
- f. Tourism Site – an area, edifice or building declared as local heritage or tourist attraction that showcase the municipality’s natural beauty, history and culture.

Section 4. Identification of Tourism Sites and Destinations. The following areas are hereby identified as sites and destinations open to domestic and foreign tourists:

LOCATION	TOURISM SITE / DESTINATION
a. Barangay Dalije	1. Bato Sampaw
	2. Mt. Pan-ay
	3. Bugsukan Falls
b. Barangay Onop	1. Sinuhutan Cave
	2. Gi-ob Ni Tidoy
c. Barangay Ongyod	1. Tinagong Dagat
d. Barangay Alimodias	1. Bato Labog
	2. Rice Terraces



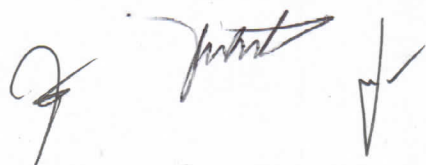
LOCATION	TOURISM SITE / DESTINATION
e. Barangay Tigmarabo	1. Bugsukan Falls
	2. Old Cemetery Chapel
f. Barangay Damilisan	1. Baluarte
g. Barangay Tacas	1. St. Thomas of Villanova Church/Miagao Church
	2. Christ the King monument in front of the St. Thomas of Villanova Church, constructed in the year 1927 and inaugurated on December 28, 1928
	3. Residence of local hero Tan Pedro Monteclaro (Local Historical Landmark)
h. Barangay Guibongan	1. Taytay Boni (colonial stone bridge)
i. Barangay Baybay Norte	1. Kuta (watchtower)
	2. Roman Catholic Cemetery Chapel (Local Historical Landmark)
j. Barangay Baybay Sur	1. Monument of Dr. Jose Rizal at the municipal plaza (erected sometime between 1923-1925)
k. Barangay Igtuba	1. Tan Pedro Monteclaro Monument (Local Historical Landmark)
l. Barangay Sapa	1. Britanico Bridge spanning the Sapa Creek

Section 5. Prohibited Acts. The following are prohibited acts when visiting the tourism sites and destinations within the municipality:

- Catching of birds, bats, butterflies and other animals
- Destroying and cutting of trees, plants, flowers or herbs
- Treasure hunting
- Smoking or drinking alcoholic drinks
- Littering of garbage and human waste
- Construction of landscapes and infrastructure within the tourism site
- Creating disturbance or trouble

Section 6. Penalties. Any tourist who violates any of the prohibited acts stated above shall be punished through the imposition of the following penalties:

- First Offense – fine of Five Hundred Pesos (PhP500.00)
- Second Offense – fine of One Thousand Pesos (PhP1,000.00)
- Third Offense and subsequent offenses – fine of Two Thousand Pesos (PhP2,000.00) and/or imprisonment of not more than six (6) months, at the discretion of the court.



The barangay Treasurer shall issue an official receipt for the appropriate penalty fee and be remitted to the Municipal Treasurer's Office at the end of the month for monitoring.

Section 7. Imposition of Fees. There shall be imposed on every tourist going to the tourism sites in Miagao the following fees, payable to the Municipal Treasurer or his/her duly authorized representative/authorized collector:

- a. **Entrance Fee.** An entrance fee amounting to Twenty Five Pesos (PhP25.00) shall be collected from every tourist before being given access to tourism sites. Residents of Miagao shall be exempt from the payment of this imposition upon submission of proof of residency such as valid ID, community tax certificate, etcetera.
- b. **Environmental Fee.** An environmental fee amounting to Twenty Five Pesos (PhP25.00) shall also be collected from every tourist to cover the cost of regulation.

Taytay Boni situated at Barangay Guibongan is an intrinsic part of the declaration of National Treasure pertaining to the Santo Tomas of Villanueva Parish Church of Miagao. Thus, no fees shall be collected from tourist/s. Officials of Barangay Guibongan are hereby designated to oversee its protection and preservation.

Tourist/s visiting the Miagao Catholic Church, being a World Heritage Church of the UNESCO shall not be charged of any fee.

Residents of Miagao shall be exempted from payment of fees.

Section 8. Procedure. Whenever applicable, every tourist shall register at the Miagao Tourism Information Center and present a valid identification card and strict observance of health protocols issued by the Department of Health and/or other concerned agencies. He/she will be issued with a stub or access pass in addition to the official receipt or cash ticket to be issued as proof of payment of fees.

The stub or access pass shall be presented to the officer-in-charge assigned by the Punong Barangay of the tourism site the tourist is going to visit. The same stub or access pass shall be presented to the next barangay he is going to visit after the stub or access pass has been validated.

If it is impractical, unreasonable or unrealistic for the tourist to register at the Miagao Tourism Information Center he/she shall be allowed to register at designated Tourist Reception Areas at or near the tourist site to be visited and shall be given access upon submission of a valid identification card and vaccination card/certificate and payment of applicable fee/s.

Section 9. Funds – Recording, Monitoring and Sharing. The authorized personnel at the Miagao Tourism Information Center and the Barangay Treasurer of the following tourism sites shall secure stubs or access passes from the Office of the Municipal Treasurer:

Barangay In-Charge	Tourism Site
a. Barangay Daliye	1. Bato Sampaw
	2. Mt. Pan-ay
	3. Bugsukan Falls
b. Barangay Onop	1. Sinuhutan Cave
	2. Gi-ob Ni Tidoy

Barangay In-Charge	Tourism Site
c. Barangay Ongyod	Tinagong Dagat
d. Barangay Alimodias	1. Bato Labog 2. Rice Terraces
e. Barangay Tigmarabo	1. Bugsukan Falls 2. Old Cemetery Chapel
f. Barangay Damilisan	Baluarte

At the end of the month, the said persons shall remit the amount collected from every tourist to the Office of the Municipal Treasurer:

- a. Environmental Fee of Twenty Five Pesos (PhP25.00); and,
- b. Five Pesos (PhP5.00) as share from the Entrance Fee.

The remaining Twenty Pesos (PhP20.00) from the Entrance Fee shall be given to the barangay where the tourism site is located. If several tourism sites are visited, the amount shall be equally shared by the host barangays.

Section 10. Repealing/Amending Clause. All ordinances, executive orders, issuances, including rules and regulations, inconsistent with this ordinance are hereby repealed and/or amended/modified accordingly.

Section 11. Separability Clause. The provisions of this ordinance are declared separable. If any part or provision of this Ordinance is declared unconstitutional or invalid, the same shall not affect the validity and effectivity of the other parts or provisions hereof.

Section 12. Effectivity. This ordinance shall take effect after a period of fifteen (15) days following its publication, or from the last day of posting for three (3) consecutive weeks in at least three (3) conspicuous places within the Municipality, whichever occurs later.

APPROVED by unanimous vote. 07 June 2022.

xxxxx

Certified correct:

ENGR. FRANCO CARLO M. MONTECLARO
LLSO-I / Acting Secretary to the Sangguniang Bayan
per Office Order No. 2022-27 / issued on June 07, 2022

Attested and certified
to be duly adopted:

ATTY. CARMELO N. NOCHETE
Vice Mayor/ Regular Presiding Officer

Approved:

MACARIO N. NAPULAN, M.D.
Municipal Mayor

Date: _____