



Republic of the Philippines
Province of Quezon
MUNICIPALITY OF REAL



OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES 134TH REGULAR SESSION OF THE 18TH COUNCIL OF MUNICIPALITY OF REAL, QUEZON HELD AT 3RD FLOOR OF MUNICIPAL GOVERNMENT CENTER ON MARCH 14, 2022 AT EXACTLY 10:06 IN THE MORNING.

PRESENT:

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|------------------------------------|-------------------------------------|
| Hon. RONALD P. ISIDRO | - Mun. Vice-Mayor/Presiding Officer |
| Hon. LEA A. CALLEJA | - Councilor |
| Hon. EDITHA C. ESCAMA | - Councilor |
| Hon. RAFFY M. MORFE | - Councilor |
| Hon. RENMAR A. SOLLESTRE | - Councilor |
| Hon. NOIME L. AZCARRAGA | - Councilor |
| Hon. JULIE ANN O. MACASAET | - Councilor |
| Hon. JANETTE R. SANTIAGO | - Councilor |
| Hon. AMANDA SHARON DIESTRO-DOMINGO | - Councilor |
| Hon. MADELYN M. DIESTRO | - PPLB |
| Hon. JENRA D. ASIS-POBLETE | - PPSK |

ABSENT:

N O N E



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ORDINANCE NO. 037, S-2022

(full text prepared by the proponent)

AN ORDINANCE PRESCRIBING A TOURISM USER'S FEE IN THE MUNICIPALITY OF REAL, QUEZON, AND FOR OTHER RELATED PURPOSES

By: Hon. Jenra D. Asis-Poblete

SECTION 1. Title. This Ordinance shall be known as "Real Tourism User's Fee".

SECTION 2. Declaration of Principles and Policies. It is hereby declared the policy of the Municipal Government of Real:

- a) To ensure for the benefit and enjoyment of the people of Real, the judicious and wise utilization, protection, conservation and management on a sustainable basis of its natural resources within the necessity of maintaining sound ecological balance, protecting and enhancing the quality of the environment;
- b) To enhance/promote and sustain tourism activities in the Municipality of Real through conservation and protection of various tourist destinations;
- c) To implement sustainable tourism development plans and projects aimed at promoting and nurturing the cultural and ecological values of Real and promoting it as a safe and tourist-friendly destination;
- d) To generate funds by identifying sources of revenues to finance the implementation of tourism plans and projects and to provide/improve the necessary amenities and services out of the collected fees to wit: Peace and Order, Beautification, Livelihood and Health Assistance, Promotion and Marketing Tourism, including hotel, resorts, etc.;
- e) To establish and implement partnerships and linkages among the local government, DENR, DOT and other concerned national government agencies and non-governmental organizations, and other stakeholders;



- f) To promote ecological solid waste management and waste water management in conformity with the Ecological Waste Management Act of 2000 and the Clean Water Act of 2004, and other relevant laws.

SECTION 3. *Definition of Terms.* As used in this ordinance, the following terms shall mean as follows:

- a) *Accommodation establishments* – refers to hotels, resorts, pension houses, inns, lodging places, cottages and other establishments temporarily occupied by the tourists.
- b) *Authorized Collector* – refers to any person who has been duly appointed by the Mayor to collect tourism user's fee on authorized agency or establishment and designated place or office.
- c) *Natural attractions* – are named features which appeal to tourists because of the nature of the landform or the beauty of the landscape in which the attraction is set. It includes lakes, rivers and landforms such as waterfalls, caves, mountains and coastal features.
- d) *Resident* – refers to any individual who resides permanently in the Municipality of Real. Proof of residency shall include community tax certificate, employment identification and current ID or Barangay Clearance.
- e) *Tourism User's Fee (TUF)* – refers to charges imposed on any non-resident tourist, visitor, guest or mountaineer who visits the Municipality or any accommodation establishment and natural tourist destination within the Municipality. Such fees shall support sustainable programs for tourism, peace and order, livelihood, and health, etc.
- f) *Realeños* - refers to any person who permanently resides in the Municipality of Real.
- g) *Tourist/Visitors/Guest/Mountaineer* – refers to any person, not being a resident of Real, who enters the Municipality for the purpose of visiting, enjoying and experiencing its tourist destinations and other eco-tourism spots, whether man-made, momentarily or for a short period of time only.
- h) *General Fund* – refers to an account for TUF collections to be used for specific projects, program and activities relative to tourism development.

SECTION 4. *Establishment and Application of Tourism User's Fee.* There is hereby established a Tourism User's Fee (TUF) which effectively allocates responsibility for implementation of tourism plans and projects and to provide/improve the necessary amenities and services like peace and order, beautification and cleanliness, by charging a certain amount for the use and/or enjoyment of Real's environment, natural resources and tourist destinations

SECTION 5. *Scope and Coverage.* The Tourism User's Fee shall be collected from all tourists, visitors, guests and mountaineers within the jurisdiction of the Municipality of Real, Quezon who will go to the natural attractions and tourist destinations of Real.

SECTION 6. *Exemption and discount from payment.* Realeños shall be exempted of tourism user's fee. Non-residents below seven (7) years old are exempted from paying tourism users' fees.

A twenty percent (20%) discount shall be afforded/ discounted to senior citizens, Person with Disability (PWD) and students. To avail of the discount, senior citizens, and students must present appropriate identification cards.

SECTION 7. *Monitoring of Entry.*

7.1 The regular monitoring of the entry of individuals to Real tourist destinations shall be in the designated areas of Real Tourist Assistance Desk.

7.2. The basis of monitoring shall be records at the designated Tourist Assistance Desk. Records shall be in the form of visitor's logbook, official receipts of payments, waivers, communication letters and the like.

SECTION 8. *Tourism User's Fee Collection.*

The collection of TUF shall be in accordance with the following:

8.1. The Tourism User's Fee in the amount of FORTY PESOS (P40.00) shall be collected by designated and authorized collectors, agencies and establishments from all tourists, visitors, guests and mountaineers. The TUF shall be good for his/her entire stay in Real until his/her exit/departure from any tourism establishment or accommodation from any barangay of Real.

8.2. All funds collected shall form part of the income of the Municipality and shall be deposited in the general fund.

8.3. Manner of Collection of TUF. Tourists or guests shall register with the designated Real Tourist Registration Desk or respective Barangay office and pay for the tourism user's fee. The authorized collector shall issue a wristband that will serve as a proof that the tourists/guests paid the TUF. The TUF shall be collected upon arrival.

8.4. Collection Agents. The Municipal Treasurer or his/her duly authorized representatives, shall be responsible in the collection of TUF from the designated Tourist Registration and Assistance Desk or Barangay Office, and is hereby ordered to strictly follow the provisions of this ordinance thru monitoring and visitation of accommodation establishments, resorts, cottage rentals, other natural attractions and tourist destination as need arises. The Municipal Mayor may extend logistic support to assist the Collection Agents.

8.5. Review of TUF. The Sangguniang Bayan shall review the TUF every year and shall be guided by a study and technical information to rationalize the rate of fee to be collected, and after due consultation with all the stakeholders.

8.6. Disbursements. The TUF shall be disbursed by the Municipal Treasurer, which shall be subjected to the usual accounting and auditing laws, rules and regulations.

SECTION 9. *Administration and Management of Funds (Proceeds).* The Municipal Mayor shall administer and manage all collections, disbursement and allocations of funds out of this ordinance. The Local Finance Committee shall prioritize tourism projects allocate funds upon submission of Work and Financial Plan by the Municipal Development Council.

SECTION 10: Penalties. Owners/operators of resorts, hotels, cottage rentals and any other tourism accommodation or establishment who allow guests, tourists and visitors to stay without paying the TUF shall be penalized as follows:

- a. First Offense – a fine of five hundred pesos (500.00) for every tourist
- b. Second Offense – a fine of one thousand pesos (1,000.00) for every tourist
- c. Third Offense – cancellation or revocation of Business Permit

SECTION 11. *Appropriation.* An initial amount of FIVE HUNDRED THOUSAND PESOS (P500,000.00) from the municipal general funds shall be earmarked for the purpose of setting up the necessary institutional mechanisms and processes (e.g. identification card, uniform, information campaign paraphernalia, radio communication, etc.) that will ensure the effective implementation of this Ordinance.

SECTION 12. *Repealing Clause.* All ordinances or parts thereof, which are inconsistent with this ordinance are hereby repealed and/or modified accordingly.

SECTION 13. Separability Clause. If any part, section of this Ordinance shall be declared illegal or invalid for being *ultra vires* or for being violation of law, decree, rule or regulation, such part, section or subsection shall be considered automatically amended or revised to conform with the law, decree, rule or regulation so violated. All other parts of this Ordinance not affected thereby shall remain in full force and effect.


SECTION 14. Effectivity. This Ordinance shall take effect thirty (30) days after its approval.

APPROVED


MARCH 14, 2022

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I HEREBY CERTIFY that the foregoing Ordinance has been thoroughly reviewed and duly considered by this august Body for adoption per Section 447 (a) and Sec 469 (c,2) of the Local Government Code of 1991, this 14th day of March 2022.


CARLO LUIS A. CALLEJA
Secretary, Sangguniang Bayan

ATTESTED:


RONALD F. ISIDRO
Municipal Vice-Mayor/Presiding Officer

APPROVED:


DIANA ABIGAIL D. AQUINO
Municipal Mayor
Date: _____