



Republic of the Philippines  
Province of Quezon  
MUNICIPALITY OF POLILLO  
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OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE 76<sup>TH</sup> REGULAR SESSION OF  
THE SANGGUNIANG BAYAN OF POLILLO, QUEZON HELD AT THE  
SESSION HALL OF THE MUNICIPAL BUILDING OF  
POLILLO, QUEZON ON FEBRUARY 5, 2018 AT 9:00 A.M.

PRESENT:

Honorable Loel F. Santoalla,	Municipal Vice Mayor, & Presiding Officer,
Honorable Rufino Rene Q. Marquita,	Municipal Councilor
Honorable Rudy S. Pumarada,	Municipal Councilor,
Honorable Albert R. Agunias,	Municipal Councilor,
Honorable Efren C. Atendido,	Municipal Councilor,
Honorable Joel V. Asis,	Municipal Councilor,
Honorable Hubert Bismarck A. Espiritu,	Municipal Councilor,
Honorable Walter P. Calleja,	Municipal Councilor,
Honorable Bella A. Correces,	Municipal Councilor,
Honorable Edwin P. Susa,	President-PPLB/Ex-Officio.

ABSENT:

None.

MUNICIPAL ORDINANCE NO. 128-2018

AN ORDINANCE PRESCRIBING TOURISM ENVIRONMENTAL FEE AND  
IMPOSING PENALTIES FOR VIOLATION THEREOF IN THE MUNICIPALITY OF  
POLILLO, QUEZON

*Author/s:* **Municipal Councilor Hubert Bismarck A. Espiritu**, as referred and duly reviewed in the Committee on Tourism and in the Committee on Rules and Privileges/Ordinances & Legal Matters through its Chairman, **Municipal Councilor Albert R. Agunias**

*Be it ordained by this Honorable Sangguniang Bayan in its regular session assembled that:*

**Section 1. Title: This Ordinance shall be known as "Polillo Tourism Environmental Fee Ordinance".**

**Section 2. Declaration of Principles and Policies.** It is hereby declared the policy of the Municipal Government of Polillo:

- To promote, conserve and ensure sustainable and equitable utilization of its coastal areas and aquatic resources in conformity with the Philippine Fisheries Code of 1998, as Amended by Republic Act 10654 and other relevant environment laws;
- To ensure for the benefit and enjoyment of the people of Polillo, the judicious and wise utilization, protection, conservation, and management on sustainable basis of

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- its natural resources with the necessity of maintaining sound ecological balance, protecting and enhancing the quality of the environment;
- c. To enhance/ promote and sustain tourism activities in the Municipality of Polillo through conservation and protection of various tourist destinations;
  - d. To implement sustainable tourism development plans and projects aimed at promoting and nurturing the cultural and ecological values of Polillo and promoting it as safe and tourist-friendly destinations;
  - e. To generate funds by identifying source of revenues to finance the implementation of environmental and 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 resorts, etc.;
  - f. To establish and implement partnerships and linkages among the local government, DENR, DOT, and other concerned national government agencies and non-governmental organization, people's organization, fisher folks and other stakeholders;
  - g. To promote ecological solid waste management and water management in conformity with the Ecological Waste Management Act of 2000 and the clean water Act of 2004 and relevant laws;

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

- a. Accommodation Establishment: refers to hotels, resorts, pension houses, inn, lodging places, cottages, and other establishments temporarily occupied by the tourist.
- b. Authorized Collector: Refers to any person who has been duly appointed by the Mayor to collect Tourism Environmental Fee or authorized agency or establishment.
- c. Tourism Environmental Fee (TEF): Refers to charges imposed on any non-resident tourist, visitors, mountaineers, beach comers, etc. who visit the Municipality or any accommodation establishment within the Municipality. Such fees shall support sustainable programs for tourism, environmental protection, conservation and management, peace and order livelihood.
- d. Resident: Refers to any individual who were born or residing or have resided in the Municipality of Polillo including members of their immediate family. Proof of residency may include, community tax certificate, employment identification, government issued IDs and other current ID or Barangay clearance.
- e. Marine Biodiversity: Refers to the variability among living organisms in marine and aquatic ecosystems and the ecological complexes of which they are part, this includes diversity with species, between species and other classifications within the animal and plant kingdom of the general ecosystems.
- f. Municipal Waters: As defined in the Fisheries code of RA 8550, as Amended by Republic Act 10654, it includes not only streams, lakes, inland bodies of water and tidal waters within the municipality which are not subject of private ownership and not include within the national park, brackish water, fishpond leased by the government; national fisheries reserved; refuge and sanctuaries but also marine waters included between two lines drawn perpendicular to the general coastline where point where the boundary lines of the Municipality touch the sea and low tides and the third line parallel with the general coastline including offshore islands

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and 15 kilometer from such coastline. Where two Municipalities are also situated on opposite shore such that there is less than thirty (30) kilometers of marine waters between them. The third line shall be a line equivalent from the opposite short of the respective Municipalities.

- g. Tourist/ Visitor/ Guest/ Mountaineer/ Beach comers: Refers to the natural persons, not being a resident of Polillo who enters the municipality for the purpose of visiting, enjoying, viewing, and/or experiencing its tourist destination and other eco-tourism spots, whether man-made although for momentary period only.
- h. Bantay-Dagat: Refers to the volunteer group of community members residing inside or within the vicinity of the coastal area, recognized and deputized by the Municipal government of Polillo, whose task is to monitor, prevent or police the area against all sorts of illegal activities committed by any natural or juridical person.
- i. Coastal Area: Refers to a band of dry land and adjacent ocean space (water and submerged land) in which terrestrial processes and uses directly affect oceanic processes and uses and vice versa; its geographic extent may include areas within the land mark limit of one (1) kilometer from the shoreline at high tide to include mangrove, swamps, brackish water ponds, nipa swamps, estuarine rivers, sandy reef, algae flats, sea grass beds and other soft-bottom areas (Sec 4(9), Fisheries Code of 1998, RA 8550).

**Section 4. Establishment, Scope, and Application of Tourism Environmental Fee.**

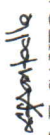
It is hereby established Tourism Environmental Fee which effectively allocates responsibility for environmental management, development, protection and remediation. And for implementation of tourism plans and projects and to provide/ improve the necessary amenities and services like peace and order by charging a certain amount for the use and/ or enjoyment of Polillo's environment and natural resources.

**Section 5. Scope and Coverage.** The Tourism Environmental Fee shall be enforced within the jurisdiction of the Municipality of Polillo to all tourists, visitors, guest, mountaineers, and beach-comers who visit and enjoy the man made and/or natural scenery of Polillo.

**Section 6. Tourism Environmental Fee Collection.** The collection of Tourism Environmental Fee shall be in accordance with the standard of the Department of Tourism, as follows:

- a. A Tourism Environmental Fee shall be collected by designated and authorized collector.
  - a.1. P200.00 – Alphaland Balesin Island Club, Inc.
  - a.2. P 50.00 – Polillo Proper
- b. The Municipal Tourism Office shall create supplemental rules and regulation Re: System of Collection and shall be submitted into the Sangguniang Bayan for approval.
- c. The Office of the Municipal Treasurer (Business Enterprise Officer), under the direct control and supervision of the Municipal Mayor shall be the principal officer responsible for collecting the Tourism Environmental Fee and is hereby ordered to strictly follow the provision of this ordinance.

  
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- d. The Sangguniang Bayan shall periodically review the Tourism Environmental Fee and shall be guided by a study and technical information in order to rationalize the rate of fee to be collected and after the due consultation with all the stakeholders.
- e. The official receipt shall be issued by the Municipal Treasurer.

**Section 7. Implementing Rules and Regulations:**

- a. Implementation of this ordinance will be officially launched through information drive.
- b. The Municipal Treasurer shall deputized a Barangay Treasurer on the collection of payments.

**Section 8. Administration and Management of Funds (Proceeds).** The Municipal Treasurer with the supervision of the Municipal Mayor shall administer and manage all collections, disbursements and allocations of funds out of this ordinance under the following guidelines:

- a. The Municipal Development Council (MDC) shall prioritize tourism and environment projects to be financed under revenue measure upon Submission of Work and Financial Plan by Municipal Planning Development Office and;
- b. Disbursement shall prioritized tourism and environmental projects including peace and order.

**Section 9. Uses of Fund:**

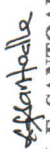
The following shall govern the rules regarding the use of funds.

- a. Municipal Government will have its 80% share from the collection and will be allocated in the General Fund. This shall be used for administrative expenses and environmental or tourism projects such as but not limited to.
  - i. Rehabilitation of natural resources such as marine and upland resources;
  - ii. Effective environmental law enforcement (includes expenditures such as Tourism Boat, Bantay Dagat's activities, fuel and maintenance of patrol boats and other similar activities that will help enhance and improve the Municipality's Ecosystem)
  - iii. Solid Waste Management
  - iv. Tourism and other environmental related programs
- b. Collecting Barangays will have their 20% share from the collection of the environmental fee. The Barangay share shall be used only to project proposals related to environmental, tourism and peace and order will be submitted and approved by the Sanggunian and Chief Executive.

**Section 10. Sanctions and Penalties**

- a. Any person who refuses to pay the Tourism Environmental Fee shall be penalized with a fine of Php 2,500.00.

  
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- b. Misrepresentation of one's identity, residency and the like in order to avoid payment of the fee shall be penalized by paying Php 2,500.00.
- c. Non-issuance of tickets by designated or authorized collector shall be penalized with a fine of Php 2,500.00 without prejudice to the cancellation of the authority to collect and the filing of appropriate criminal cases.
- d. Collection of the Tourism Environmental Fee by a person not authorized to collect shall be punishable by a fine of Php 2,500.00 and/or imprisonment of not less than ninety (90) days at the discretion of the court.

The Municipal Mayor being the Chief Executive, shall impose administrative sanctions to anyone who will violate the ordinance.

**Section 13. Repealing Clause.** All previous ordinances which are inconsistent with this ordinance are hereby repealed or modified accordingly.

**Section 14. Seperability Clause.** If any part, section or subsection of this ordinance shall be declared illegal invalid for violation of law, decree rule or regulations, such part, section or subsection shall be considered automatically amended or revised to conform with the law, decree, rule or regulation so violated.

**Section 15. Effectivity.** This ordinance shall take effect immediately after its posting at conspicuous places in the Municipality for at least three (3) consecutive weeks.

**APPROVED UNANIMOUSLY.**

February 5, 2018

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*Pursuant to Section 54 and 469 of the Local Government Code of 1991, I hereby certify that **Municipal Ordinance No. 128-2018** was adopted by the Sangguniang Bayan on the date mentioned above.*

*mca.*  
**MEDICINE C. ASIS**  
Secretary to the Sangguniang Bayan 1

**ATTESTED AND CERTIFIED TO  
HAVE BEEN DULY ADOPTED:**

*lsantoalla*  
**LOEL F. SANTOALLA**  
Municipal Vice Mayor & Presiding Officer

**APPROVED:**

*[Signature]*  
**ENGR. CRISTINA E. BOSQUE**  
Municipal Mayor